




Reference number 5051

Member of the Fire Protection Association of Australia

Lot 28, DP 262862, 1 James Wheeler Place, Wheeler Heights, NSW 2097.

Friday, 13 June 2025

Prepared by:	Matthew Willis <i>BPAD – Level 3 Certified Practitioner</i> Certification No: BPD-PA 09337		13/06/2025
Can this proposal comply with AS3959-2018 (inc section 7.5, 7.5.1, 7.5.2, 7.5.3, 7.5.4 (where applicable) of the Rural Fire Services document Planning for Bushfire Protection 2019)?		Yes	
What is the recommended AS 3959-2018 level of compliance?		BAL-40	
Can this development comply with the requirements of PBP?		Yes	
Plans by "Micheal Fountain Architects" (Appendix 1) dated.		6/6/2025	

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Bushfire Risk Assessment

Friday, 13 June 2025

Contact

Hugh Fox

Micheal Fountain Architects

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Belrose NSW 2085

0417 595 707

Subject Property

Lot 28, DP 262862

1 James Wheeler Place

Wheeler Heights NSW 2097

Document tracking.

<i>Date</i>	<i>Reason for change</i>	<i>Author</i>

BUSHFIRE RISK ASSESSMENT CERTIFICATE

THIS FORM IS TO BE COMPLETED BY A RECOGNISED CONSULTANT IN BUSHFIRE RISK ASSESSMENT IN ACCORDANCE WITH SECTION 4.14 OF THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT.

Property Address	Lot 28, DP 262862, number 1 James Wheeler Place Wheeler Heights
Description of the Proposal	Alterations and additions to an existing building and construction of a detached tennis pavilion.
Plan Reference	6/6/2025
BAL Rating	BAL-40
Does the Proposal Rely on Alternate Solutions?	No

I, Matthew Willis of Bushfire Planning Services Pty Ltd have carried out a bushfire risk assessment on the above-mentioned proposal and property. A detailed Bushfire Assessment Report is attached which includes the submission requirements set out in Planning for Bushfire Protection 2019 together with recommendations as to how the relevant Specifications and requirements are to be achieved.

I hereby advise, in accordance with Section 4.14 of the Environmental Planning and Assessment Act 1979 No 203:

1. That I am a person recognised by the NSW Rural Fire Service as a qualified consultant in bushfire risk assessment; and
2. That subject to the recommendations contained in the attached Bushfire Risk Assessment Report the proposed development conforms to the relevant specifications and requirements*

*The relevant specifications and requirements being specifications and requirements of the document entitled Planning for Bush Fire Protection prepared by the NSW Rural Fire Service in co-operation with the Department of Planning and any other document as prescribed by Section 4.14 of the Environmental Planning and Assessment Act 1979 No 203.

I am aware that the Bushfire Assessment Report, prepared for the above-mentioned site is to be submitted in support of a development application for this site and will be relied upon by Northern Beaches Council as the basis for ensuring that the bushfire risk management aspects of the proposed development have been addressed in accordance with Planning for Bushfire Protection 2019.

REPORT REFERENCE	<i>Friday, 13 June 2025</i>
REPORT DATE	<i>Friday, 13 June 2025</i>
CERTIFICATION NO/ACCREDITED SCHEME	<i>FPA A BPAD A BPD-PA 09337</i>

Attachments:

- Bushfire Risk Assessment Report
- Recommendations

SIGNATURE: ---  ----- **DATE:** -----Friday, 13 June 2025

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1 Executive Summary.

Bushfire Planning Services has been requested by Hugh Fox from Micheal Fountain Architects to supply a bushfire compliance report on lot 28, DP 262862, 1 James Wheeler Place, Wheeler Heights.

The works proposed for the subject lot are for the alterations and additions to an existing building and the construction of a new pool, associated landscaping and a detached class 10 tennis pavilion, gym and studio, see attached plans for details.

The subject lot is on the northern side of James Wheeler Place and at its closest point to the hazard the proposed new work has a separation distance to the north of approximately 12m and the west of 18.3m.

The vegetation that is considered to be the hazard to this proposal is situated on land that slopes down slope away from the property at an angle of approximately .

For the purposes of this assessment this vegetation is considered to be Forested Wetlands.

The remaining vegetation within the study area is contained within the boundaries of established allotments and is managed land and of low threat to this proposal.

The calculations and assumptions outlined in this report show that the development will be required to comply with the construction requirements of AS 3959-2018 BAL-40 and any additional construction requirements contained within section 7.5, 7.5.1, 7.5.2, 7.5.3, 7.5.4 (where applicable) of the Rural Fire Services document Planning for Bushfire Protection 2019.

The following table is a summary of the pertinent findings of this assessment.

Aspect	North	East	South	West
Vegetation type	Forested Wetland	Managed land	Managed land	Forested Wetland
Slope	5-10 degrees downslope	N/A	N/A	0-5 degrees downslope
Setback within lot 28	12m	N/A	N/A	18.3m
Setback outside lot 28	N/A	N/A	N/A	N/A
Total setback	12m	N/A	N/A	18.3m
Bal level	BAL-40	N/A	N/A	BAL-19

Note: The above table is a summary of the significant variables used to determine the highest BAL for this proposal. THIS TABLE IS NOT INTENDED FOR CONSTRUCTION! Only the highest BAL level is shown, aspects marked as N/A will still have a BAL. Refer to section 11 for construction requirements for these other aspects.

2 General.

This proposal relates to the alterations and additions to an existing building and the construction of a new pool, associated landscaping and a detached class 10 tennis pavilion, gym and studio on the subject lot and its ability to comply with the rules and regulations for building in a bushfire prone area.

The methodology used on this report is based on Planning for Bushfire Protection 2019 (PBP) as published by the New South Wales Rural Fire Service.

Any wording that appears in *blue italics* is quotes from Planning for Bushfire Protection 2019. Some of the measurements used in this report have been taken from aerial photographs and as such are approximate only.

It is an assumption of this assessment that council will determine the tennis pavilion, gym and studio as class 10 buildings. If not, these buildings will require Flame Zone construction.

3 Block Description.

The subject block is situated on the northern side of James Wheeler Place in an established area of Wheeler Heights.

The lot currently contains a class 1 dwelling.

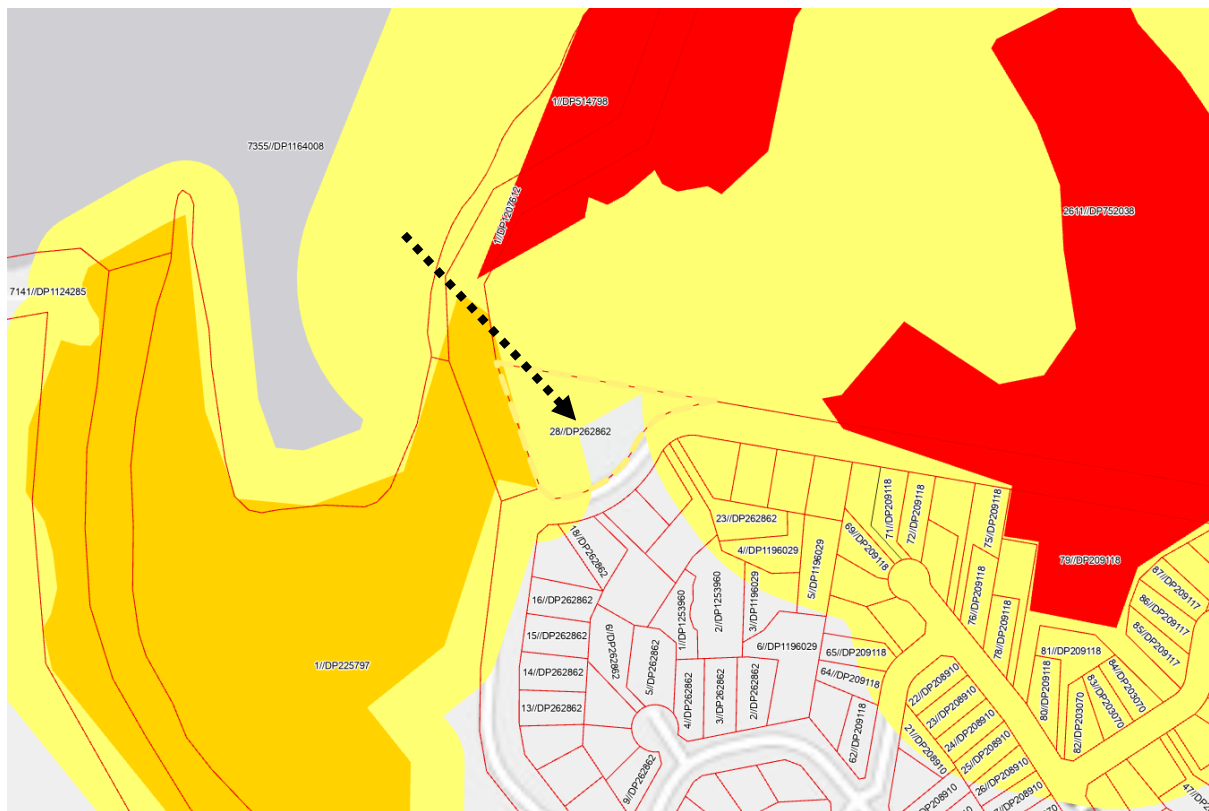
The lands surrounding the proposed site on the subject lot to a distance of at least 12m contain existing development or land that is otherwise not considered to be a significant bushfire hazard.

- Lot; 28
- DP; 262862.
- LGA; Northern Beaches.
- Area; 4343.2m².
- Address; 1 James Wheeler Place, Wheeler Heights.

This section has been left blank.



Map 1 shows the cadastral layout around the subject lot.



Map 2 is an extract from the councils' bushfire prone land map. The map shows lot 28 to be partially within the buffer zone of category 1 and 2 bushfire vegetation.

4 Vegetation.

The study area for the vegetation is 140m surrounding the subject block.

The vegetation within the study area for this development is considered to be largely managed land.

The major potential hazard to this development is the vegetation within an area of undeveloped land to the north and west. The northern hazard is within the RSL ANZAC Village while the western hazard is the foreshore of Narrabeen Lake, both are not significant hazards.

Most of the vegetation within the study area is mapped as various forms of forested wetland with a small area of forest, see vegetation map on page 9. The predominant vegetation that will affect fire behaviour is the mapped forested wetland.

For the purpose of this assessment and compliance with Planning for Bushfire Protection this area of undeveloped land is considered to be Forested Wetlands and is the hazard to this proposal.



Photo 1 - An overview of the vegetation within the general area.

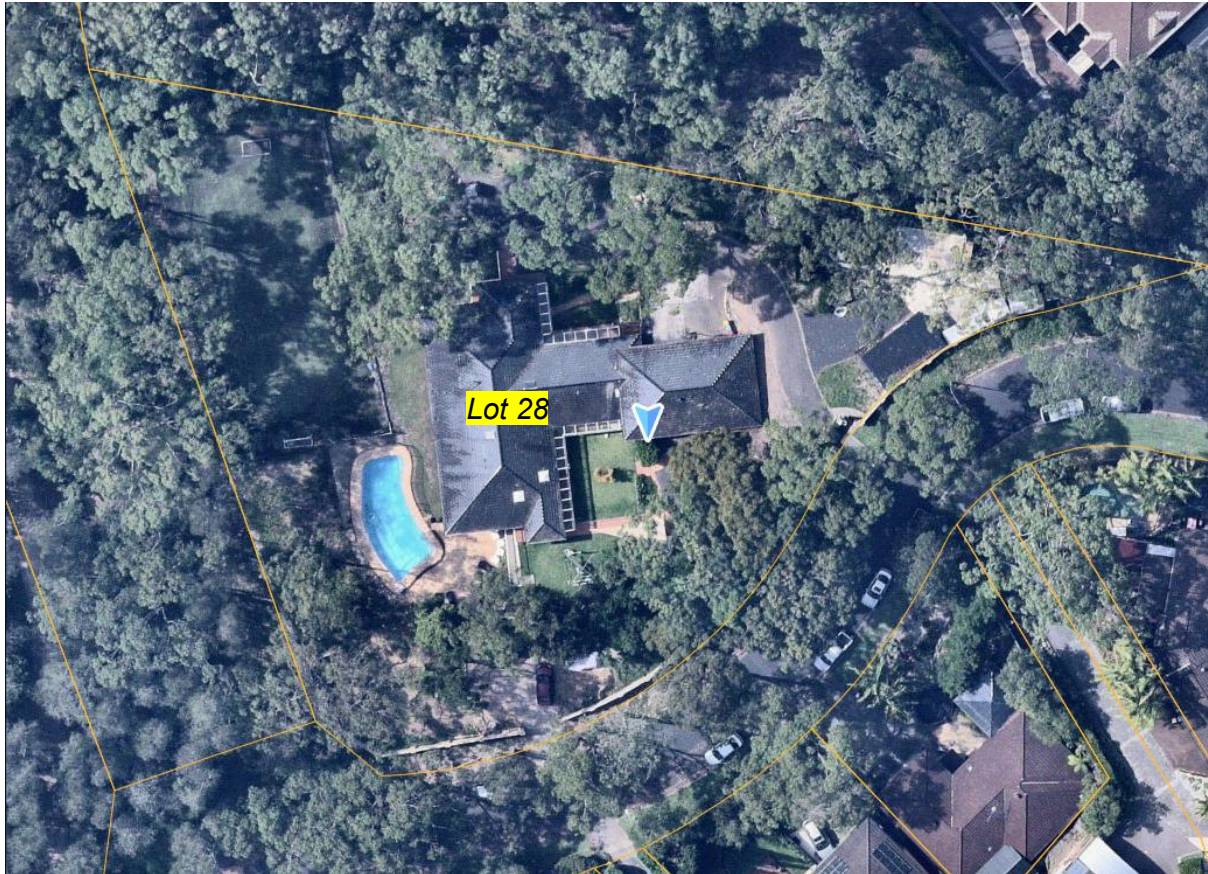


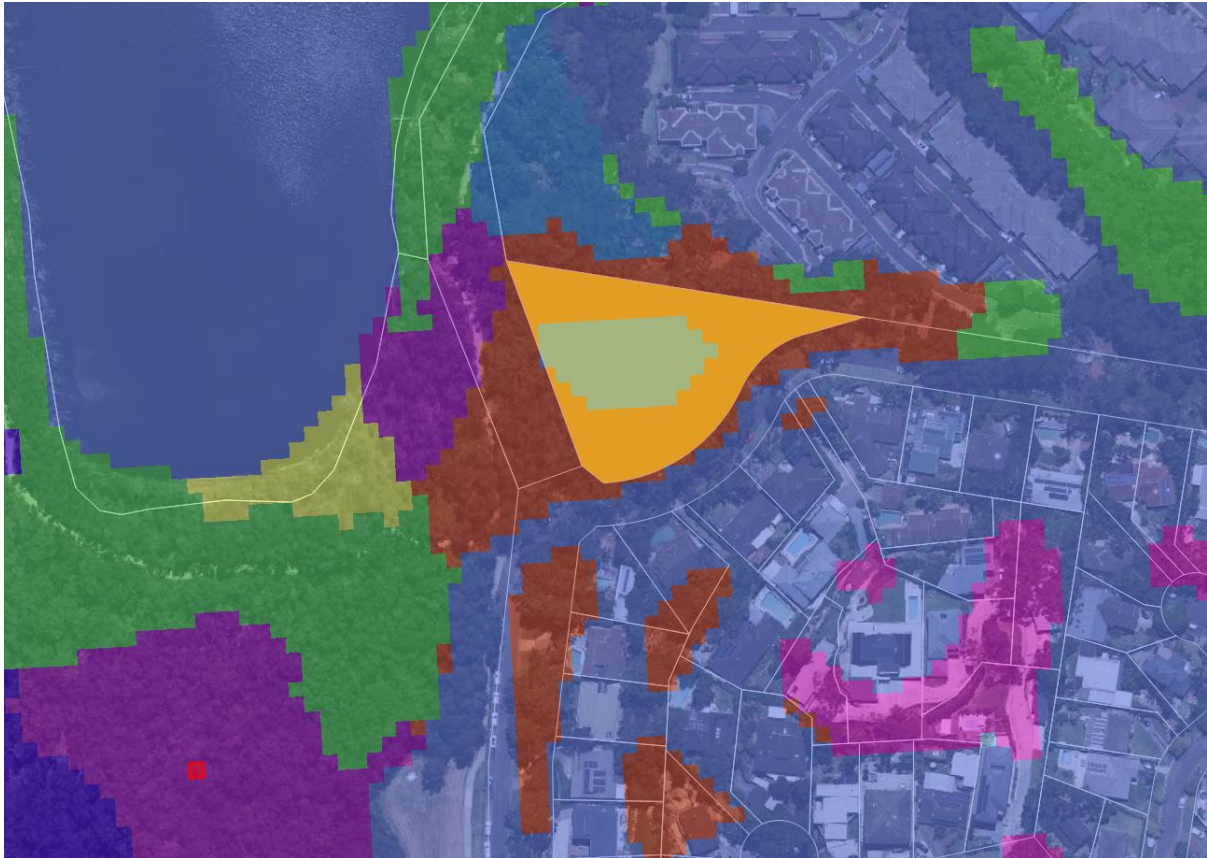
Photo 2 is a closer view of the vegetation in the area.

Table 1 outlines the vegetation orientation and distance from the development area.

Aspect	North	East	South	West
Vegetation type	Forested Wetland	Managed land	Managed land	Forested Wetland
Setback within lot 28	12m	N/A	N/A	18.3m
Off-site setback	N/A	N/A	N/A	N/A
Total setback	12m	N/A	N/A	18.3m

Table 1 - Any aspect marked with "N/A" in the table above indicates that it is considered there is none or only a secondary hazard in that direction.

This area has been left intentionally blank.



Map 3. With the exception of the brown areas the remaining vegetation is mapped as forested wetland.

5 Known constraints on subject block.

I have not been informed or know of any places of cultural or environmental significance within the boundaries of the subject block.

Given the nature of the surrounding land it is considered highly unlikely that anything of significance will be affected by this development.

This area has been left intentionally blank.

6 Slope.

The slope of the land beneath the hazard that is most likely to influence bushfire behaviour has been calculated by topographical map analysis to a distance of 100m from the subject lot.

An extract of the topographical map for the area is shown below and the relevant slope analysis is shown in Table 2.

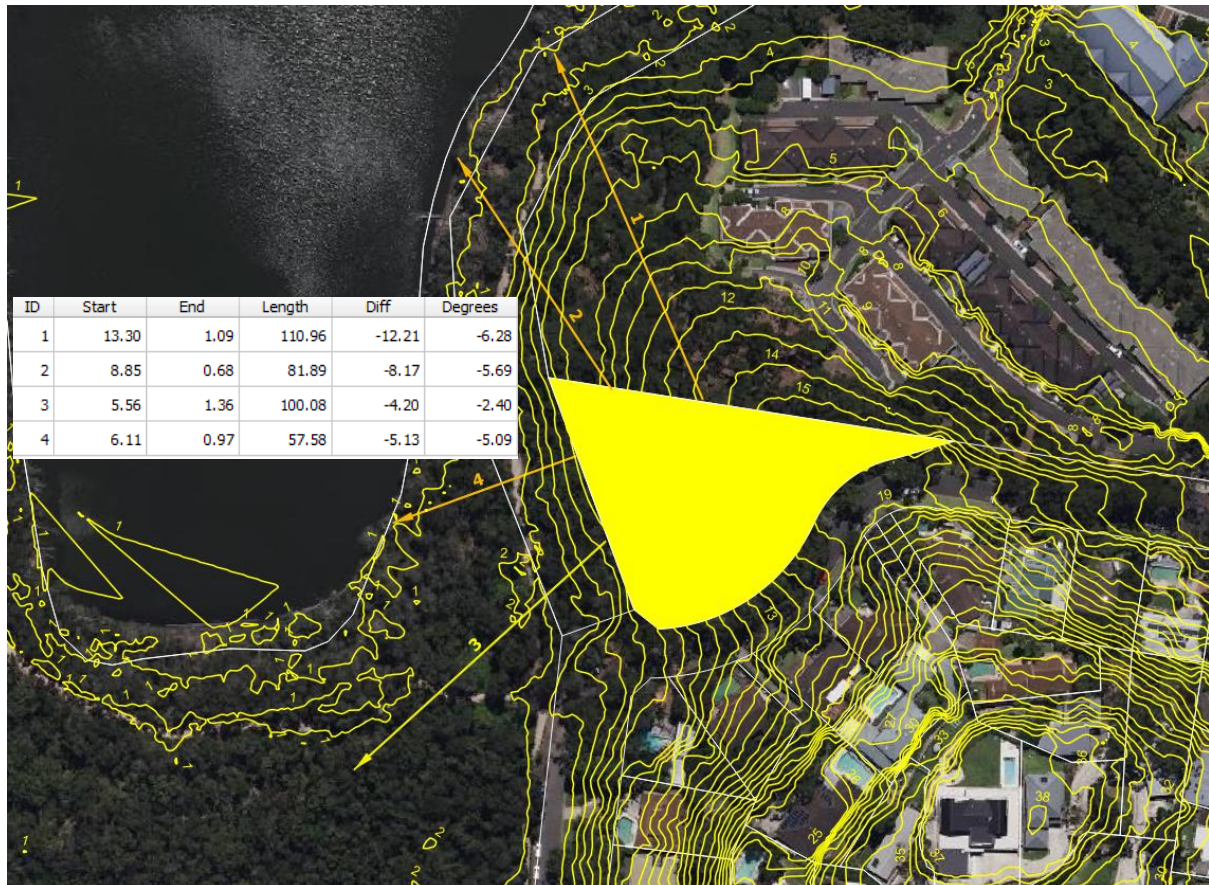


Table 2 shows the slope beneath the hazard.

Aspect	North	East	South	West
Slope	5-10 degrees downslope	N/A	N/A	0-5 degrees downslope

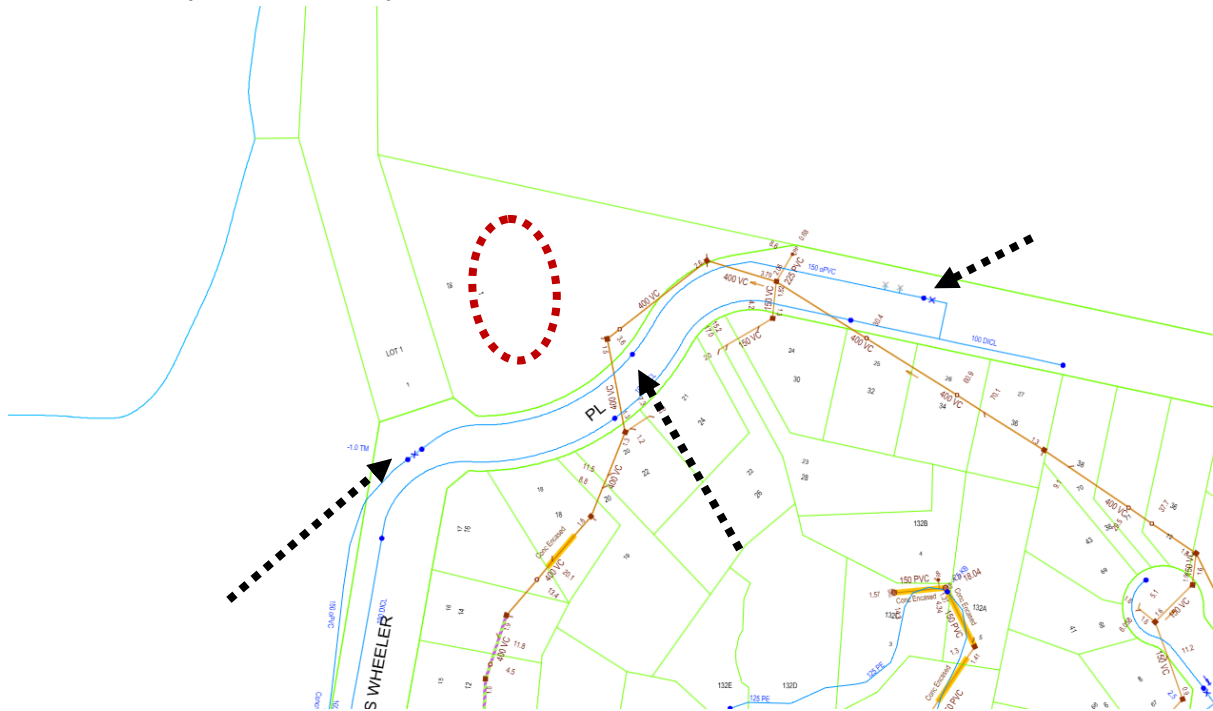
Table 2 - Any aspect marked with "N/A" in the table above indicates that it is considered there is no hazard in that direction.

7 Utilities.

7.1 Water.

The subject block will be serviced by a reticulated water supply.

The following map is an extract from Sydney waters hydrant map. Hydrants are indicated by a blue dot on a blue line. As can be seen there is at least one hydrant point indicated within close proximity of the property.



7.2 Electricity

Main's electricity is available to the block.

7.3 Gas

It is unknown if either bottled or mains gas is to be altered or installed in this proposal.

8 Access/Egress.

Access to the development site will be via a short private driveway from James Wheeler Place.

All roads in the vicinity are considered to be capable of carrying emergency services vehicles and pedestrian access onto the lot is also considered to be adequate.

Analysis of development and recommendation.

9 Compliance with Planning for Bushfire Protection setbacks.

Based on the development design, vegetation classification, effective slope estimates and setback distance already outlined in this report the subject development will be required to comply with the deemed to satisfy construction requirements of AS 3959-2018 BAL-40 and the RFS requirements on all fire prone aspects.

The following table is an extract from table A1.12.5 of Planning for Bushfire Protection 2019. This table is used to calculate the BAL for a proposal in an area with an FDI of 100.

The variables that have already been outlined in this assessment are highlighted in red with the highest BAL highlighted in yellow.

5-10 DEGREES DOWNSLOPE	Keith Vegetation Formation	BUSHFIRE ATTACK LEVEL (BAL)				
		BAL-FZ	BAL-40	BAL-29	BAL-19	BAL-12.5
	Arid-Shrublands (acacia and chenopod)	< 6	6 -< 8	8 -< 12	12 -< 18	18 -< 100
	Forest (wet and dry sclerophyll) including Coastal Swamp Forest, Pine Plantations and Sub-Alpine Woodland	< 28	28 -< 36	36 -< 49	49 -< 65	65 -< 100
	Forested Wetland (excluding Coastal Swamp Forest)	< 12	12 -< 16	16 -< 23	23 -< 33	33 -< 100
	Freshwater Wetlands	< 5	5 -< 6	6 -< 10	10 -< 14	14 -< 100
	Grassland	< 10	10 -< 13	13 -< 20	20 -< 28	28 -< 50
	Grassy and Semi-Arid Woodland (including Mallee)	< 15	15 -< 20	20 -< 28	28 -< 39	39 -< 100
	Rainforest	< 14	14 -< 18	18 -< 26	26 -< 37	37 -< 100
	Short Heath	< 9	9 -< 12	12 -< 18	18 -< 25	25 -< 100
	Tall Heath	< 15	15 -< 20	20 -< 29	29 -< 40	40 -< 100

For the purpose of this assessment the north and western aspect has been chosen as the most potentially hazardous aspect due to the effective slope, potential run of fire and the prevailing fire weather of the area.

10 Siting.

The current site provides adequate separation between the proposed building and surrounding vegetation for a compliant structure to be built.

Recommendation;

Nil.

11 Construction and design.

All new work is to be undertaken in accordance with the relevant requirements of the NCC and AS3959 2018. The following recommendations are a minimum level of construction. Constructing the proposal to a higher level than that recommended is allowable under AS3959.

Recommendation; all new work.

1. New construction shall comply with the requirements of section 3 of Australian Standard AS3959-2018 "Construction of buildings in bush fire-prone areas" and,
2. New construction shall also comply with the requirements of BAL-40 Australian Standard AS3959-2018 "Construction of buildings in bush fire-prone areas" or NASH Standard "National Standard Steel Framed Construction in Bushfire Areas" and any additional construction requirements contained within section 7.5, 7.5.1, 7.5.2, 7.5.3, 7.5.4 (where applicable) of the Rural Fire Services document Planning for Bushfire Protection 2019.
3. New roofing valleys and guttering should be fitted with a non-combustible leaf protection to stop the accumulation of debris.
4. There are no construction requirements in AS3959 for Class 10 structures greater than 10m from a class 1 building however the RFS will generally require these structures to be built from non-combustible materials. It would be prudent to consider the RFS position and incorporate non-combustible external materials into the construction of class 10 structures.

AS-3959 2018 is available as PDF from;

https://infostore.saiglobal.com/en-au/standards/as-3959-2018-122340_saig_as_as_2685241/

12 Utilities.

12.1 Water.

The proposed development will have access to a reticulated water supply. There is at least one hydrant indicated within the required distance from the dwelling.

Recommendation;

Nil.

12.2 Electricity and Gas.

Recommendation;

5. Any new electricity or gas connections are to comply with the requirements of table 7.4a of Planning for Bushfire Protection.

13 Asset Protection Zone (APZ).

The Asset Protection Zone is *“An area surrounding a development managed to reduce the bushfire hazard to an acceptable level. The width of an APZ will vary with slope, vegetation and construction level”*.

Recommendation;

6. At the commencement of building works and in perpetuity the entire property shall be managed as an Asset Protection Zone in accordance with the requirements of Planning for Bushfire Protection, the RFS document Standards for Asset Protection Zones and in a manner that does not create a bushfire hazard to the property.

14 Landscaping.

Recommendation;

7. Any new fencing is to be constructed in accordance with section 7.6 of Planning for Bushfire Protection 2019.
8. Any new landscaping to the site is to comply with the principles of Appendix 4 and section 3.7 of Planning for Bush Fire Protection 2019. In this regard the following landscaping principles are, where applicable, to be incorporated into the development¹:
 - Suitable impervious areas being provided immediately surrounding the building such as courtyards, paths and driveways;
 - Grassed areas/mowed lawns/ or ground cover plantings being provided in close proximity to the building;
 - Restrict planting in the immediate vicinity of the building which may over time and if not properly maintained come in contact with the building;
 - Maximum tree cover should be less than 30%, and maximum shrub cover less than 20%;
 - Planting should not provide a continuous canopy to the building (i.e. trees or shrubs should be isolated or located in small clusters);
 - When considering landscape species consideration needs to be given to estimated size of the plant at maturity;
 - Avoid species with rough fibrous bark, or which retain/shed bark in long strips or retain dead material in their canopies;
 - Use smooth bark species of trees species which generally do not carry a fire up the bark into the crown;
 - Avoid planting of deciduous species that may increase fuel at surface/ ground level (i.e. leaf litter);

¹Refer to referenced documents for a complete description.

- Avoid climbing species to walls and pergolas;
- Locate combustible materials such as woodchips/mulch, flammable fuel stores away from the building;
- Locate combustible structures such as garden sheds, pergolas and materials such timber garden furniture way from the building; and
- Use of low flammability vegetation species.

15 Constraints on the subject block.

None known.

Recommendation;

Nil

16 Access/Egress.

All roads in the area are considered to be capable of handling emergency service vehicles. Access from the roadway onto the property is also considered to be adequate for firefighting purposes.

Recommendation

Nil

17 Compliance or non compliance with the specifications and requirements for bushfire protection measures.

<p>APZ</p> <p>A defensible space is provided onsite.</p> <p>An APZ is provided and maintained for the life of the development.</p>	<p>Achievable with the implementation of the recommendations in section 13</p>
<p>SITING AND DESIGN:</p> <p>Buildings are sited and designed to minimise the risk of bush fire attack.</p>	<p>Achievable with the implementation of the recommendations in section 10</p>
<p>CONSTRUCTION STANDARDS:</p> <p>It is demonstrated that the proposed building can withstand bush fire attack in the form of wind, smoke, embers, radiant heat and flame contact.</p>	<p>Achievable with the implementation of the recommendations in section 11</p>
<p>ACCESS</p> <p>Safe, operational access is provided (and maintained) for emergency services personnel in suppressing a bush fire while</p>	<p>Achievable with the implementation of the recommendations in section 16</p>

residents are seeking to relocate, in advance of a bush fire, (satisfying the intent and performance criteria for access roads in sections 4.1.3 and 4.2.7).	
WATER AND UTILITY SERVICES: <ul style="list-style-type: none"> adequate water and electricity services are provided for firefighting operations Gas and electricity services are located so as not to contribute to the risk of fire to a building. 	Achievable with the implementation of the recommendations in section 12
LANDSCAPING: <ul style="list-style-type: none"> it is designed and managed to minimise flame contact and radiant heat to buildings, and the potential for wind driven embers to cause Ignitions. 	Achievable with the implementation of the recommendations in section 14

18 Conclusions.

Based on the above report and with the implementation of the recommendation contained within this report the consent authority should determine that this development can comply with the requirements of AS 3959-2018 and 'Planning for Bushfire Protection' guidelines.

The recommendations contained within this report are to be implemented in their entirety. Changing one aspect may have an adverse effect on the rest of the recommendations.

Bushfires are affected by many external influences such as climactic conditions, vegetation type, moisture content of the fuel, slope of the land and human intervention to name a few and are difficult to predict.

This report does not intend to provide a guarantee that the subject property will survive if a bushfire should impact the surrounding area. The purpose of this report is to show the developments level of compliance or in some cases non-compliance with the New South Wales legislation regarding building in bushfire prone areas.

Where non-compliance is found measures will be suggested that should make the building less susceptible to the various attack mechanisms of a bushfire and comply with the performance requirements of the Building Code of Australia.

The opinions expressed in this report are based on the writers' experience and interpretation of the relevant guidelines and standards. Notwithstanding the above, these guidelines and standards are open to interpretation. All care has been taken to ensure that the opinions expressed in this report are consistent with past successful outcomes.

Some of the information used in the compilation of this assessment has been provided by the proponent or the proponent's representatives. While we believe this information to be true and have accepted the information in good faith however this company or its representatives will not accept any responsibility if the provided information is determined to be incorrect.

This document is to assist the consenting authorities with their assessment of this proposal. The recommendations contained in this assessment reflect the normal conditions that are typically applied by the consent authority for a proposal such as this however the conditions of consent for the proposal will be supplied by the certifying authority on approval of the development and may not necessarily be the same as the recommendations of this assessment.

The recommendations in this assessment are for planning guidance only, construction details and compliance with all building requirements are the responsibility of the Architect/Designer, Builder and Certifier.

To avoid confusion, unless specifically referenced by the consenting authority, it is strongly recommended that once this proposal has been approved that this document is no longer referenced and that only the official conditions of consent as reflected in documentation by the certifying body are used for construction guidance.

If any further clarification is required for this report, please do not hesitate to contact me using the details above.

Yours Sincerely

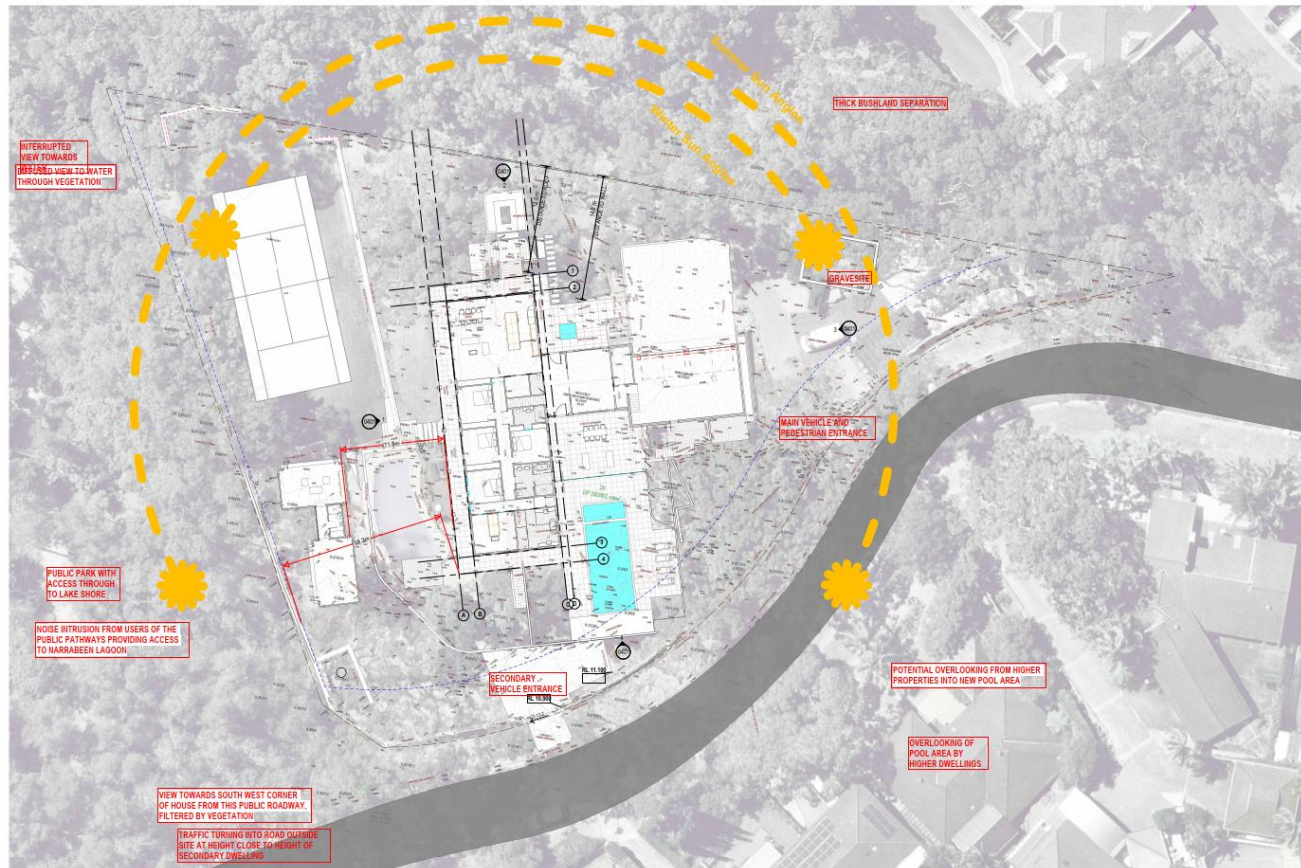


Matthew Willis
Grad Dip Planning for Bushfire Prone Areas
Bushfire Planning Services Pty Limited

19 References.

- *Australian Building Codes Board (2019). National Construction Code Volume One - Building Code of Australia. ABCB*
- *Australian Building Codes Board (2019). National Construction Code Volume two - Building Code of Australia. ABCB.*
- *Keith, D.A. (2004). Ocean Shores to Desert Dunes: The Native Vegetation of New South Wales and the ACT. NSW Department of Environment and Conservation.*
- *National Association of Steel Framed Housing (2014). "Steel Framed Construction in Bush Fire Areas. NASH*
- *Ramsay, C and Rudolph, L (2003) "Landscape and Building Design for Bush fire Areas". CSIRO Publishing, Collingwood.*
- *Resources and Energy NSW (2016). ISSC 3 Guide for the Managing Vegetation in the Vicinity of Electrical Assets. NSW Government*
- *Rural Fire Service NSW (2005) "Standards for Asset Protection Zones"*
- *Standards Australia (2018). "AS 3959, Construction of buildings in bush fire prone areas".*
- *Standards Australia (2018). "AS/NZS 1530.8.1 Methods for fire tests on building materials, components and structures - Tests on elements of construction for buildings exposed to simulated bush fire attack - Radiant heat and small flaming sources".*
- *Standards Australia (2018). "AS/NZS 1530.8.2 Methods for fire tests on building materials, components and structures - Tests on elements of construction for buildings exposed to simulated bush fire attack - Large flaming sources".*
- *Standards Australia (2014). "AS/NZS 1596 The storage and handling of LP Gas".*

20 Appendix 1 - Plans .



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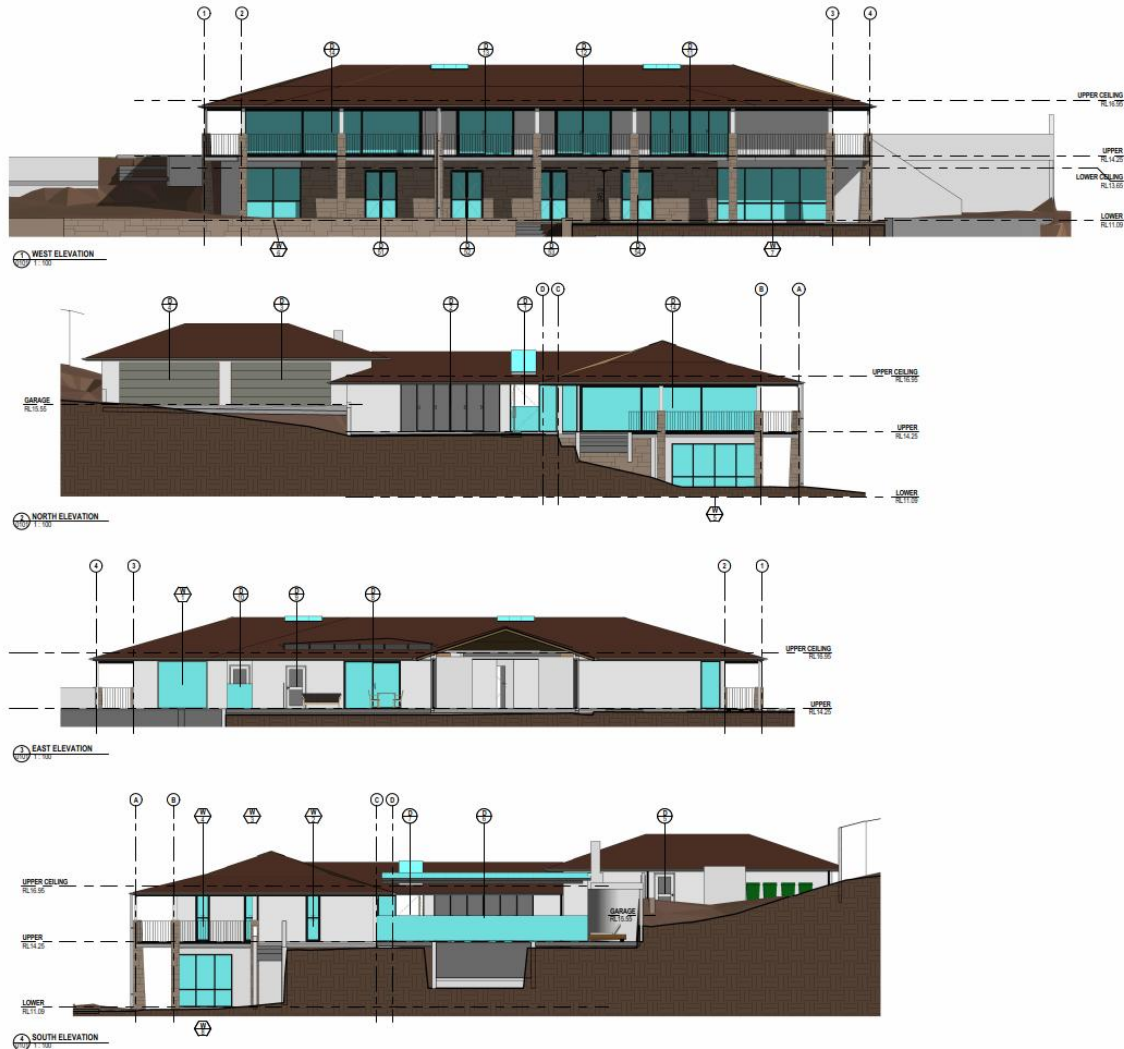
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NOTE: MOST ELEVATIONS HAVE SUBSTANTIAL RE-CONFIGURATION. TO EASE UNDERSTANDING OF THE REVISED FACADES OF THE DEVELOPMENT, SHADING OF CHANGED AREAS HAS NOT BEEN INDICATED. REFER CD-0402 FOR VIEWS OF THE EXISTING BUILDING FOR REFERENCE.

 <p>MICHAEL FOUNTAIN ARCHITECTS PTY. LTD. 3/5 NARBANANG WAY BELMORE NSW 2078 Tel: (02) 4654 2078 Fax: (02) 4654 2727</p>	<p>THIS DRAWING IS SUBJECT TO COPYRIGHT AND IS NOT TO BE USED OR REPRODUCED FOR PURPOSES OTHER THAN THE CONSTRUCTION OF THE SUBJECT BUILDING ON THE SUBJECT SITE WITHOUT THE CONSENT OF MICHAEL FOUNTAIN ARCHITECTS. DIMENSIONS TAKE PRECEDENCE. ALL DIMENSIONS ARE TO BE VERIFIED ON SITE PRIOR TO ORDERING ANY MATERIALS AND/OR BUILDING ELEMENTS AND PRIOR TO COMMENCEMENT OF THE AFFECTED WORKS. ANY DISCREPANCIES ARE TO BE REPORTED TO THE AUTHOR IMMEDIATELY. THIS DRAWING IS NOT TO BE USED FOR CONSTRUCTION UNLESS IT IS ISSUED FOR CONSTRUCTION AND SO MARKED IN THE AMENDMENT COLUMN, AND IS APPROVED AND SIGNED BY THE PRINCIPAL OF MICHAEL FOUNTAIN ARCHITECTS.</p>		 <p>WITH ACKNOWLEDGEMENT TO: 1 JAMES WHEELER PLACE WHEELER HEIGHTS CLIENT: ALEX AND KSHLEE SMITH</p>	<table><tr><th>#</th><th>DATE</th><th>DESCRIPTION</th></tr><tr><td>A</td><td>18/01/2019</td><td>WIP</td></tr><tr><td>B</td><td>28/02/2019</td><td>ISSUE TO CONSULTANTS</td></tr><tr><td>C</td><td>05/03/2019</td><td>UPDATE FOR BASIS</td></tr></table>	#	DATE	DESCRIPTION	A	18/01/2019	WIP	B	28/02/2019	ISSUE TO CONSULTANTS	C	05/03/2019	UPDATE FOR BASIS	<p>PROJECT: SMITH - WHEELER HEIGHTS TITLE: EXTERNAL ELEVATIONS SCALE: 1:100 @A1 DRAWING NO: CD-0401_C</p>	 <p>MICHAEL FOUNTAIN ARCHITECTS PTY. LTD. 3/5 NARBANANG WAY BELMORE NSW 2077 Tel: (02) 4654 2078 Fax: (02) 4654 2727</p>
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