

From: [Nicole van Dorst](#)
To: development.policy@rfs.nsw.gov.au
Cc: dilini.kumarasinghe@rfs.nsw.gov.au
Subject: Specification 43 - Draft Practice Note -Addendum to PBP 2019
Attachments: [image004.png](#)
[image005.png](#)
[0201 BAR003_VegetationSlope_20230731_01.pdf](#)
[BAR004_BushFireManagement_20230801_02.pdf](#)

Hello,

I have a question in relation to the approval process for some minor works at Wyong Hospital and Specification 43 of the NCC.

The current project at Wyong Hospital relates to Stage 3 redevelopment (adaptive reuse). The location of the new works (internal refurbishment with one new window and door) is located over 100m with the new external works located 247m from bushland. I have attached the relevant figures for reference. My recommendations in the report are for BAL 12.5 construction (for the minor works) and an update to the bushfire emergency evacuation plan as the proposal will increase occupancy by 100 (staff and patients).

The applicant is proceeding with the works via a REF (therefore no DA) with the works being considered under the State Environmental Planning Policy (Transport and Infrastructure) 2021 (SEPP 2021). Section 2.16 (2) of the SEPP 2021 states that a public authority, or a person acting on behalf of a public authority, must consider PBP before carrying out the development in an area that is bush fire prone land and hence why I have prepared a bush fire report.

My understanding is that the proposed works will need the issue of a construction certificate and the advice I have received thus far is that Specification 43 of the NCC likely applies and that we may need to seek an exemption.

Normally, as per Section 6.5 of PBP, the proposed modifications do not have any influence on potential bushfire impacts or the bushfire protection of the buildings. For this reason, the NSW RFS does not consider that a bush fire safety authority is necessary for the proposed minor non-structural building alterations.

However, we will be seeking an exemption from Specification 43 of the NCC 2022 (as the proposed works are located in a BAL Low area)

I assume (and in accordance with the RFS Draft Practice Note Addendum to Planning for PBP 2019) we will need to refer the application to the RFS to seek an exemption. Could you please confirm if this is the case and what the best process would be? Considering the application is not being lodged as a DA via the planning portal.

Kind regards

Nicole van Dorst | Managing Director
Accredited Bushfire Planning and Design Practitioner
Fire Protection Association Australia BPAD-Level 3 (BPAD 23610)

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M 0477 516 455
P PO Box 1119 Terrigal 2260
☐ Connect via LinkedIn

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