



Memo

Development and Compliance Services

To: Panel Members – Joint Regional Planning Panel
From: Peter Robinson – Group Manager Development and Compliance Services
Date: 30 March 2012
Subject: DA2011/1571 - Demolition works and construction of a bulky-goods warehouse, restaurant, café and open-air cinema complex at 42-44 Myoora Road, Terrey Hills (Referral response from RFS)

Dear Panel Members

Council is in receipt of a referral response from the NSW Rural Fire Service regarding the above development application which has been referred to you for determination.

The assessment report, which was completed prior to the referral response being received, includes commentary to the effect that:

"A referral response from the NSW RFS has not been received to date but it is anticipated that, given the similarities between the proposed development and DA2011/1025 and the condition of vegetation on the site, the referral response will be similar.

In this regard, the NSW RFS did not raise any objection to the previous development subject to conditions which addressed the appropriate design of buildings and require the development to comply with the principles of Appendix 5 of 'Planning for Bush Fire Protection 2006'.

Notwithstanding, once received the updated referral response will be provided although it should be noted that the response will not change Council's recommendation for the refusal of this application."

This memo informs the Panel that the referral response has been received, that it is consistent with the above advice and does not raise any objection to the proposal subject to conditions which are to be imposed should this application be approved.

Notwithstanding, as noted in the above assessment report commentary, the response does not change Council's recommendation for the refusal of this application.

A copy of the referral response is attached for your information.

Peter Robinson
Group Manager Development and Compliance Services

All communications to be addressed to:

Headquarters
15 Carter Street
Lidcombe NSW 2141

Telephone: 8741 5175
e-mail: csc@rfs.nsw.gov.au

Headquarters
Locked Bag 17
Granville NSW 2142

Facsimile: 8741 5433



The General Manager
Warringah Council
Civic Centre, 725 Pittwater Road
Dee Why NSW 2099

Your Ref: DA2011/1571
Our Ref: D12/0681
DA12032882711 WS

ATTENTION: Rodney Piggott

30 March 2012

Dear Sir/Madam

Land Use Application for 42 Myoora Road Terrey Hills NSW 2084

I refer to your letter dated 28 March 2012 seeking advice regarding bush fire protection for the above Land Use Application in accordance with Section 79BA of the 'Environmental Planning and Assessment Act 1979'.

The Service provides the following recommended conditions:

Water and Utilities

The intent of measures is to provide adequate services of water for the protection of buildings during and after the passage of a bush fire, and to locate gas and electricity so as not to contribute to the risk of fire to a building. To achieve this, the following conditions shall apply:

1. Water, electricity and gas are to comply with section 4.1.3 of 'Planning for Bush Fire Protection 2006'.

Design and Construction

The intent of measures is that buildings are designed and constructed to withstand the potential impacts of bush fire attack. To achieve this, the following conditions shall apply:

2. New construction of the warehouse shall comply with Australian Standard AS3959-2009 'Construction of buildings in bush fire-prone areas' section 5 (BAL 12.5) and section A3.7 of Addendum Appendix 3 of 'Planning for Bush Fire Protection 2006'.
3. New construction of the Restaurant/cafe has no requirements in regard to Australian Standard AS3959-2009 'Construction of buildings in bush fire-prone areas'.

Landscaping

4. Landscaping to the site is to comply with the principles of Appendix 5 of 'Planning for Bush Fire Protection 2006'.

For any queries regarding this correspondence please contact Wayne Sketchley on 8741 5175.

Yours sincerely



Nika Fomin

Team Leader, Development Assessment

The RFS has made getting information easier. For general information on 'Planning for Bush Fire Protection, 2006', visit the RFS web page at www.rfs.nsw.gov.au and search under 'Planning for Bush Fire Protection, 2006'.