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The General Manager  
Newcastle City Council  
PO Box 489  
NEWCASTLE NSW 2300

Your Ref: DA2017/00149  
Our Ref: D17/856  
DA17032206543 JM

**ATTENTION:** Melissa Thomas

11 April 2017

Dear Sir/Madam

### **Integrated Development for 1//1215916 90a Vale Street Shortland NSW 2307**

I refer to your letter dated 14 March 2017 seeking general terms of approval for the above Integrated Development in accordance with Section 91 of the 'Environmental Planning and Assessment Act 1979'.

This response is to be deemed a bush fire safety authority as required under section 100B of the 'Rural Fires Act 1997' and is issued subject to the following numbered conditions:

#### **Asset Protection Zones**

The intent of measures is to provide sufficient space and maintain reduced fuel loads so as to ensure radiant heat levels of buildings are below critical limits and to prevent direct flame contact with a building. To achieve this, the following conditions shall apply:

1. At the commencement of building works, and in perpetuity, land within 70 metres of the proposed buildings shall be managed as an Inner Protection Area (IPA) as outlined within section 4.1.3 and Appendix 5 of 'Planning for Bush Fire Protection 2006' and the NSW Rural Fire Service's document 'Standards for asset protection zones'.

#### **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:

2. The provision of water, electricity and gas shall comply with section 4.1.3 of 'Planning for Bush Fire Protection 2006'.

### **Access**

The intent of measures for internal roads is to provide safe operational access for emergency services personnel in suppressing a bush fire, while residents are accessing or egressing an area. To achieve this, the following conditions shall apply:

3. An emergency secondary access road shall be provided to the development as set out in the masterplan approval. This should generally in accordance with the figure in 'Appendix C Route of Emergency Access Link' included in the letter prepared by Australian Bushfire Protection Planners Pty Ltd dated 29 February 2016 and referenced 'B152613. The emergency access road shall comply with the following requirements of section 4.1.3 (3) of 'Planning for Bush Fire Protection 2006':
  - The road shall have a minimum width of 4 metres with an additional 1 metre wide strip on each side clear of bushes and long grass.
  - The road shall have a maximum grade of 15 degrees if sealed and not more than 10 degrees if unsealed.
  - A minimum vertical clearance of 4 metres to any overhanging obstructions, including tree branches shall be provided.
  - The crossfall of the road shall not more than 10 degrees.
  - The road shall be accessible to fire fighters and maintained in a serviceable condition by the owner of the land.
  - Appropriate drainage and erosion controls shall be provided.
  - The road shall not traverse a wetlands or other land potentially subject to periodic inundation (other than a flood or storm surge).
  - The road shall be appropriately signposted.
  - Gates to the road shall be locked with a key/lock system authorised by the local NSW RFS.
4. The proposed internal access road shall comply with section 4.1.3 (2) of 'Planning for Bush Fire Protection 2006'.

### **Evacuation and Emergency Management**

The intent of measures is to provide suitable emergency and evacuation (and relocation) arrangements for occupants of special fire protection purpose developments. To achieve this, the following conditions shall apply:

5. Arrangements for emergency and evacuation are to comply with section 4.2.7 of 'Planning for Bush Fire Protection 2006', including the preparation of an emergency/evacuation plan consistent with the NSW Rural Fire Service document titled 'Guidelines for the Preparation of Emergency/Evacuation plan'.

### **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:

6. The proposed buildings shall comply with Sections 3 and 5 (BAL 12.5) Australian Standard AS3959-2009 'Construction of buildings in bush fire-prone areas' and section A3.7 Addendum Appendix 3 of 'Planning for Bush Fire Protection 2006'.

**General Advice – consent authority to note**

Suitable mechanisms, such as s88 instruments pursuant to section 88 of the 'Conveyancing Act 1919', should be put in place where bush fire protection measures required for the proposed dwellings, including asset protection zones and access, are located on separate parcels of land.

For any queries regarding this correspondence please contact Jason Maslen on 1300 NSW RFS.

Yours sincerely



Nika Fomin  
**Manager, Planning and Environment Services (East)**

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](http://www.rfs.nsw.gov.au) and search under 'Planning for Bush Fire Protection, 2006'.