



## NSW RURAL FIRE SERVICE

Newcastle City Council  
PO Box 489  
NEWCASTLE NSW 2300

Your reference: CNR-40366 DA2022/00572  
Our reference: DA20220531008204-CL55-1

**ATTENTION:** Damian Jaeger

Date: Thursday 18 May 2023

Dear Sir/Madam,

### Development Application

**s4.14 - Other - Waste or resource management facility**  
**141 Minmi Road Wallsend NSW 2287, 2//DP1208481**

I refer to your correspondence dated 05/05/2023 seeking advice regarding bush fire protection for the above Development Application in accordance with Clause 55(1) of the *Environmental Planning and Assessment Regulation 2000*.

The New South Wales Rural Fire Service (NSW RFS) has considered the information submitted and provides the following recommended conditions:

### General Conditions

***The intent of measures: to minimise the risk of bush fire attack and provide protection for emergency services personnel, residents and others assisting fire fighting activities.***

1. Bush Fire Emergency Management and Evacuation Plan is to be prepared consistent with the following:

- The NSW RFS document: A Guide to Developing a Bush Fire Emergency Management and Evacuation Plan.

The plan must also include;

- safe practice for refuelling of plant and equipment;
- safe refuge areas for staff, contractors, and visitors in the event of a bushfire;
- safe practice during operations to minimise chance of ignition of bushfire hazard vegetation;
- safe practice for initial firefighting response in the event of a bushfire starting from site operations or by other means on the Summerhill property;
- triggers for evacuation procedures, staff procedures to make the site as safe as possible prior to evacuation, use of the onsite Safer Place if required, site inductions for all staff, contractors and transport operators;
- regular scheduled operation and maintenance of firefighting equipment; and,
- development of a Pre-Incident Plan with local emergency services.

#### Postal address

NSW Rural Fire Service  
Locked Bag 17  
GRANVILLE NSW 2142

#### Street address

NSW Rural Fire Service  
4 Murray Rose Ave  
SYDNEY OLYMPIC PARK NSW 2127

**T** (02) 8741 5555  
**F** (02) 8741 5550  
[www.rfs.nsw.gov.au](http://www.rfs.nsw.gov.au)

Note: A copy of the Bush Fire Emergency Management and Evacuation Plan should be provided to the Local Emergency Management Committee for its information prior to the occupation of the development.

## **Asset Protection Zones**

***The intent of measures: to minimise the risk of bush fire attack and provide protection for emergency services personnel, residents and others assisting fire fighting activities.***

2. From the commencement of building works and in perpetuity, the entire subject site, as illustrated within Figure 7 of the Bushfire Report prepared by Black Ash Bushfire Consulting [ref: J3083 dated: 29 March 2023], must be managed as an inner protection area in accordance with the following requirements of Appendix 4 of *Planning for Bush Fire Protection 2019*:

- tree canopy cover should be less than 15% at maturity;
- trees at maturity should not touch or overhang the building;
- lower limbs should be removed up to a height of 2 metres above the ground;
- tree canopies should be separated by 2 to 5 metres;
- preference should be given to smooth-barked and evergreen trees.
- create large discontinuities or gaps in the vegetation to slow down or break the progress of fire towards buildings should be provided;
- shrubs should not be located under trees;
- shrubs should not form more than 10% ground cover; and
- clumps of shrubs should be separated from exposed windows and doors by a distance of at least twice the height of the vegetation.
- grass should be kept mown (as a guide, grass should be kept to no more than 100 millimetres in height); and
- leaves and vegetation debris should be removed.

3. A detailed plan of areas to be maintained as Asset Protection Zones (APZs) on site, and a scheduled maintenance program for the fore mentioned APZ plan, must be developed and implemented for the life of the development.

4. Landscaping within the required asset protection zone must comply with Appendix 4 of *Planning for Bush Fire Protection 2019*. In this regard, the following principles are to be incorporated:

- A minimum 1 metre wide area (or to the property boundary where the setbacks are less than 1 metre), suitable for pedestrian traffic, must be provided around the immediate curtilage of the building;
- Planting is limited in the immediate vicinity of the building;
- Planting does not provide a continuous canopy to the building (i.e. trees or shrubs are isolated or located in small clusters);
- Landscape species are chosen to ensure tree canopy cover is less than 15% (IPA), and less than 30% (OPA) at maturity and trees do not touch or overhang buildings;
- 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);
- 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 as timber garden furniture away from the building; and
- Low flammability vegetation species are used.

## **Construction Standards**

***The intent of measures: to minimise the risk of bush fire attack and provide protection for emergency services personnel, residents and others assisting fire fighting activities.***

5. Construction of the proposed amenities building must comply with section 3 and section 5 (BAL 12.5) Australian Standard AS3959-2018 *Construction of buildings in bushfire-prone areas* or the relevant requirements of the *NASH Standard - Steel Framed Construction in Bushfire Areas* (incorporating amendment A - 2015). Construction of the proposed amenities building must also comply with the construction requirements in Section 7.5 of *Planning for Bush Fire Protection 2019*.

## **Access – Property Access**

***The intent of measures: to minimise the risk of bush fire attack and provide protection for emergency services personnel, residents and others assisting fire fighting activities.***

6. Property access roads must comply with the following requirements of Table 7.4a of *Planning for Bush Fire Protection 2019*:

- property access roads are two-wheel drive, all-weather roads;
- the capacity of road surfaces and any bridges/causeways is sufficient to carry fully loaded firefighting vehicles (up to 23 tonnes); bridges and causeways clearly, indicate load rating.
- there is suitable access for a Category 1 fire appliance to within 4 metres of the static water supply where no reticulated supply is available;
- minimum 4 metres carriageway width;
- in a forest, woodland and heath situations, rural property roads have passing bays every 200 metres that are 20 metres long by 2 metres wide, making a minimum trafficable width of 6 metres, at the passing bay;
- a minimum vertical clearance of 4 metres to any overhanging obstructions, including tree branches;
- property access must provide a suitable turning area in accordance with Appendix 3;
- curves have a minimum inner radius of 6 metres and are minimal in number to allow for rapid access and egress;
- the minimum distance between inner and outer curves is 6 metres;
- the cross fall is not more than 10 degrees;
- maximum grades for sealed roads do not exceed 15 degrees and not more than 10 degrees for unsealed roads; and,
- a development comprising more than three dwellings has formalised access by the dedication of a road and not by right of way.

## **Water and Utility Services**

***The intent of measures: to minimise the risk of bush fire attack and provide protection for emergency services personnel, residents and others assisting fire fighting activities.***

7. The provision of water (including the 2 proposed 550KL SWS tanks) must comply with the following in accordance with Table 7.4a of *Planning for Bush Fire Protection 2019*:

- an outlet for firefighting purposes is located within the IPA or non-hazard side and away from the structure (5-20 metres),
- 65 millimetre Storz connection with a ball valve is fitted to the outlet,
- the ball valve, pipes and tank penetration are adequate for the full 50 millimetres inner diameter water flow through the Storz fitting and are constructed of a metal material,
- underground tanks have an access hole of 200 millimetres to allow tankers to refill, direct from the tank,
- a hardened ground surface for truck access is supplied within 4 metre of the water outlet or access hole,
- above-ground tanks are manufactured from concrete or metal,
- raised tanks have their stands constructed from non-combustible material or bush fire-resisting timber. The bush fire-resisting timbers are Silvertop Ash, Blackbutt, Red or River Gum, Spotted Gum, Red Ironbark, Kwila (Merbau) or Turpentine,
- unobstructed access can be provided at all times,
- underground tanks are clearly marked,
- tanks on the hazard side of a building are provided with adequate shielding for the protection of firefighters,

- all exposed water pipes external to the building are metal, including any fittings,
- where pumps are provided, they are a minimum 5hp or 3kW petrol or diesel-powered pump, and are shielded against bush fire attack,
- any hose and reel for firefighting connected to the pump shall be 19 millimetres internal diameter,
- fire hose reels are constructed in accordance with AS/NZS 1221:1997, and installed in accordance with the relevant clauses of AS 2441:2005,
- A Static Water Supply (SWS) sign shall be obtained from the local NSW Rural Fire Service (RFS) and positioned for ease of identification by RFS personnel and other users of the SWS. In this regard:
  - Markers must be fixed in a suitable location to be highly visible, and
  - Markers should be positioned adjacent to the most appropriate access for the water supply.

The provision of electricity must comply with the following in accordance with Table 7.4a of *Planning for Bush Fire Protection 2019*:

- where practicable, electrical transmission lines are underground,
- where overhead, electrical transmission lines are proposed as follows:
  - lines are installed with short pole spacing (30 metres), unless crossing gullies, gorges or riparian areas, and
  - no part of a tree is closer to a power line than the distance set out in accordance with the specifications in *ISSC3 Guideline for Managing Vegetation Near Power Lines*.

The provision of gas must comply with the following in accordance with Table 7.4a of *Planning for Bush Fire Protection 2019*:

- reticulated or bottled gas is installed and maintained in accordance with AS/NZS 1596:2014 and the requirements of relevant authorities, and metal piping is used,
- all fixed gas cylinders are kept clear of all flammable materials to a distance of 10 metres and shielded on the hazard side,
- connections to and from gas cylinders are metal,
- polymer-sheathed flexible gas supply lines are not used, and
- above-ground gas service pipes are metal, including and up to any outlets.

#### **General Advice – Consent Authority to Note**

Establishment of asset protection zones at 141 Minmi Road Wallsend may require the clearing of vegetation. This letter does not authorise the clearing of any vegetation, nor does it include an assessment of potential ecological impacts of clearing vegetation for the purpose of establishing asset protection zones. Approvals necessary for the clearing of vegetation should be obtained prior to the establishment of any asset protection zones.

For any queries regarding this correspondence, please contact Niklaus Schuler on 1300 NSW RFS.

Yours sincerely,

Adam Small  
**Supervisor Development Assessment & Plan  
 Built & Natural Environment**