



NSW RURAL FIRE SERVICE

Department of Planning and Environment (Sydney Offices)
GPO Box 39
Sydney NSW 2001

Your reference: SSD-10321
Our reference: DA-2019-01672-EIS & DA
Exhibition-1

ATTENTION: Louise Starkey

Date: Sunday 7 June 2020

Dear Sir/Madam,

State Significant Development – Multi Dwelling Housing
Draft Conditions of Consent
87-89 John Whiteway Drive Gosford NSW 2250, 100//DP1075037

Reference is made to correspondence dated 15/04/2020 seeking draft conditions of consent for the above State Significant Development in accordance with the *Environmental Planning and Assessment Act 1979*.

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

General Conditions

The general terms of approval relate to the Site Plan provided by ADG Architects, project number 19002, drawing number DA001.5, issue 4, dated 20/02/2020.

Emergency and Evacuation Management Plan

The intent of measures is to provide suitable emergency and evacuation arrangements for the occupants of the development. To achieve this, the following conditions shall apply:

1. A Bush Fire Emergency Management and Evacuation Plan must be prepared and be consistent with the NSW RFS document: *A Guide to Developing a Bush Fire Emergency Management and Evacuation Plan*.

Asset Protection Zones

The intent of measures is to minimise the risk of bush fire attack and provide protection for emergency services personnel, residents and others assisting fire fighting activities. To achieve this, the following conditions shall apply:

2. From the start of building works, and in perpetuity to ensure ongoing protection from the impact of bush fires, the entire property must be managed as an inner protection area (IPA) as per the *Vegetation Management Plan* (prepared by Conacher Consulting Pty Ltd, Version 1, February 2020, ref: 9096) in accordance with the requirements of Appendix 4 of *Planning for Bush Fire Protection 2019*. When establishing and maintaining an IPA the following requirements apply:

- tree canopy cover should be less than 15% at maturity;

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- trees at maturity should not touch or overhang the building;
- lower limbs should be removed up to a height of 2m above the ground;
- tree canopies should be separated by 2 to 5m;
- preference should be given to smooth barked and evergreen trees;
- large discontinuities or gaps in vegetation should be provided to slow down or break the progress of fire towards buildings;
- shrubs should not be located under trees;
- shrubs should not form more than 10% ground cover;
- 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 100mm in height); and
- leaves and vegetation debris should be removed.

3. In accordance with section 88B of the *Conveyancing Act 1919*, a restriction to the land use shall be placed on Lot 0/SP72557- 80 John Whiteway Drive Gosford requiring the provision of a 5 metre wide Asset Protection Zone (APZ) along the northwestern boundary beyond the property access ramp, which must be maintained as an Outer Protection Area (OPA) as outlined within Appendix 4 of *Planning for Bush Fire Protection 2019*. The OPA must comprise:

- Tree canopy cover not more than 30%;
- tree canopies should be separated by 2 to 5m;
- shrubs should not form a continuous canopy;
- shrubs should not form more than 20% of ground cover;
- grass should be kept mown (as a guide grass should be kept to no more than 100mm in height); and
- leaves and vegetation debris should be removed.

Construction Standards

The intent of measures is to minimise the risk of bush fire attack and provide protection for emergency services personnel, residents and others assisting firefighting activities. To achieve this, the following conditions shall apply:

4. New construction for the following must comply with section 3 and section 7 (BAL 29) Australian Standard AS3959-2018 *Construction of buildings in bush fire-prone areas* or NASH Standard (1.7.14 updated) *National Standard Steel Framed Construction in Bushfire Areas – 2014* as appropriate and Section 7.5 of *Planning for Bush Fire Protection 2019*:

- Southern, western and eastern elevations and new roof of proposed Building Block 'A';
- Southern and eastern elevations and new roof of proposed Building Block 'B';
- Northern and eastern elevations and new roof of Building Block 'C'; and
- Northern, eastern and western elevations of the northern wing of proposed Building Block 'D' and entire roof of proposed Building Block 'D';

5. New construction for the following must comply with section 3 and section 6 (BAL 19) Australian Standard AS3959-2018 *Construction of buildings in bush fire-prone areas* or NASH Standard (1.7.14 updated) *National Standard Steel Framed Construction in Bushfire Areas – 2014* as appropriate and Section 7.5 of *Planning for Bush Fire Protection 2019*:

- Northern elevation(s) of proposed Building Block 'A';
- Northern and western elevations of proposed Building Block 'B';
- Southern and western elevations of proposed Building Block 'C'; and
- Southern elevation(s) of the northern wing of proposed Building Block 'D', and entire southern wing of proposed Building Block 'D' including the Clubhouse.

Water and Utility Services

The intent of measures is to minimise the risk of bush fire attack and provide protection for emergency services personnel, residents and others assisting fire fighting activities. To achieve this, the following conditions shall apply:

6. The provision of water, electricity and gas must comply the following in accordance with Table 5.3c of *Planning for Bush Fire Protection 2019*:

- reticulated water is to be provided to the development where available;
- fire hydrant, spacing, design and sizing complies with the relevant clauses of Australian Standard AS 2419.1:2005;
- hydrants are and not located within any road carriageway;
- all above-ground water service pipes are metal, including and up to any taps;
- where practicable, electrical transmission lines are underground;
- where overhead, electrical transmission lines are proposed as follows:
 - a) lines are installed with short pole spacing (30m), unless crossing gullies, gorges or riparian areas; and
 - b) 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*.
- 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;

General Advice - Consent Authority to Note

- The compliance of proposed Building Block 'A' for provision of asset protection zone (APZ) in accordance with *Planning for Bush Fire Protection 2019* is based on the easement recommended in condition 3. As per Appendix 1 (Table A1.12.2) of *Planning for Bush Fire Protection 2019*, the APZ required for proposed Building Block 'A' on the southeastern aspect is 56 metres in total comprising 14 metre site setback, width of road reserve for John Whiteway Drive, managed width of the property access ramp for Lot 0/SP72557- 80 John Whiteway Drive Gosford and the recommended 5 metre easement along the property access ramp within Lot 0/SP72557.
- The bushfire assessment for proposed Building Blocks 'B' & 'C' on the eastern aspect is based on the development approval on Lot 100/DP1066540 at 70 John Whiteway Drive under NSW RFS Ref D15/0286, considering that clearing will be undertaken for commencement of proposed works. Prior to commencement of construction for the proposed residential flat buildings, the Council must be satisfied that the vegetation within Lot 100/DP1066540 at 70 John Whiteway Drive is managed in accordance with the requirements of Appendix 4 of *Planning for Bush Fire Protection 2019*.
- Boundary fences for properties determined to be BAL 12.5 or BAL 19 may be constructed using hardwood where there is a minimum 1 metre separation from a dwelling. Where there is less than 1 metre separation or for properties determined to be BAL 29, BAL 40 or BAL FZ, non-combustible materials shall be used. No brushwood fencing shall be used.
- Unobstructed pedestrian access should be provided to the rear of the property to aid in fire fighting activities.

For any queries regarding this correspondence, please contact Rohini Belapurkar on 1300 NSW RFS.

Yours sincerely,

Kalpana Varghese
Team Leader, Dev. Assessment & Planning
Planning and Environment Services