## Appendix C Bushfire Consultant Cover Letter





**Ref:** 1708 **Date**: 5<sup>th</sup> October 2018

Attn: Michael Radovnikovic Fern Bay No. 1 Pty Ltd c/o Monteath & Powys 125 Bull Street NEWCASTLE WEST 2302

Via: Michael.radovnikovic@rawson.com.au

Dear Michael

### RE: STAGE 14 – TEMPORARY EMERGENCY ACCESS: BUSHFIRE ASSESSMENT FOR MODIFICATION 11

The following advice demonstrates the temporary emergency access/egress road that connects Stage 14 to Nelson Bay Road is able to comply with section 4.1.3 (1) of the NSW Rural Fire Service Planning for Bushfire Protection 2006 (PBP 2006). The temporary emergency access will be available for use by emergency services until the completion of the intersection with Nelson Bay Road; likely to be mid-2019. As such, the emergency access road is an interim measure.

The extension of Seaside Boulevarde to be connected to Nelson Bay Road has been completed up to the northern property boundary; as shown in **Plates 1** and **2**. It is the access road between the completed dual carriageway and the carriageway of Nelson Bay Road that will be used in emergency situations only, until completion of the connection with Nelson Bay Road in 2019.



Plate 1: Existing emergency access road in Stage 14 looking south east.







Plate 2: Emergency access road looking north towards Nelson Bay Road.

The author previously prepared a submission (**Attachment A**) demonstrating the emergency access (also referred to as a secondary access) satisfies the performance criteria of section 4.1.3 (1) of PBP 2006. This submission was prepared based on the understanding the emergency access will be permanent and that no formal intersection will be constructed onto Nelson Bay Road. The 2017 submission demonstrated section 4.1.3 of PBP 2006 is satisfied for the following reasons:

- □ The proposed road is to be a two-wheel drive all weather road, providing fire fighters with safe access to structures;
- □ The proposed road will be 8m wide wide (constructed as two separate min. 4m wide one way roads) for the entire length and designed in accordance with the local council (Port Stephens) engineering specifications for local roads;
- □ The proposed access is less than 200m long (measured from the end of Stage 14 Seaside Boulevard to the Nelson Bay Road reserve);
- □ The proposed road is two-way and compliant with the PBP 2006 acceptable solution construction requirements;
- □ The capacity of the proposed road surface is sufficient to carry fully loaded firefighting vehicles alongside retreating residents;
- □ The proposed road will be clearly signposted with emergency service personnel (e.g. NSW Rural Fire Service, NSW Fire and Rescue or NSW Police) managing any emergency evacuation traffic control of retreating residents exiting the residential area;
- □ Access to the reticulated water supply (minimum 2 hydrants along access road) will be clear and unobstructed; and
- □ The threat of obstruction is minimised as the proposed road is to be gated with no parking





permitted at any time.

The NSW RFS considered the RPS submission and provided the General Terms of Agreement (GTA's) (**Attachment B**). By issuing the GTA's, the RFS provided their support for the access road to be permanently used as an emergency access road subject to the following condition:

The proposed emergency access track identified in the document 29850 Landscape Plan Rev L, prepared by North Point Surveys, dated 11/04/2017, shall comply with section 4.1.3 (1) of Planning for Bushfire Protection 2006.

Subsequent to obtaining support from the RFS, the Client is proceeding with the construction of a permanent public access road connecting the northern end of Seaside Boulevarde (within Stage 14) to Nelson Bay Road via a left in/ left out intersection. The intersection (upon completion) will be available permanently for public access and emergency services.

In conclusion, the temporary access road recently completed that will connect Stage 14 (Seaside Boulevarde) with Nelson Bay Road is able to comply with the Acceptable solutions for public roads as detailed in section 4.1.3 (1) of PBP 2006. Accordingly, the conditions of the RFS General Terms of Agreement (1<sup>st</sup> May 2017 – Attachment B) have been complied with for both temporary and permanent use.

In this regard, the existing partially completed road and formed fire trail (between the property boundary and the carriageway of Nelson Bay Road) can be used for temporary emergency access.

We trust this information is sufficient for your purposes, however should you require any further details or clarification, please do not hesitate to contact the writer by telephone.

Yours sincerely

Stuart Greville Director Accredited Bushfire Practitioner BPAD-26202



#### Attachments:

Attachment A: RPS Australia East – Bushfire Assessment 7<sup>th</sup> March 2017 Attachment B: NSW Rural Fire Service General Terms of Agreement (D16/4085) 1<sup>st</sup> May 2017

Bushfire Planning Australia ① 0400 917 792
➢ stuart@bfpa.com.au







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# Your Ref: D16/4085 Our Ref: MP06\_250 MOD9 Date: 7<sup>th</sup> March 2017

Attn: Jason Maslen NSW Rural Fire Service Planning and Environment Services (East) 42 Lamb Street GLENDENNING NSW 2761

Via: email

Dear Jason

#### RE: APPLICATION FOR MODIFICATION MP06\_MOD9 – SEASIDE BOULEVARD FERN BAY

I refer to your letter dated 12<sup>th</sup> December 2016 providing comments in relation to the above application to modify an approval.

It is noted the NSW RFS has reviewed and does not support proposed modification 3, to change a proposed secondary public road access to an emergency only access road.

In accordance with Planning for Bushfire Protection 2006 (PBP 2006) the proposed modification satisfies the performance criteria of section 4.1.3 (2) as the secondary access will provide safe operational access during a bushfire for firefighters during a bushfire and for evacuating residents. The Intent of measures for property access does not require a second access to be provided at all times; it is clearly stated that safe access to/from the public road system is to be provided during a bushfire.

The proposed modification involves construction of a two lane emergency access road connecting the northern portion of Seaside Boulevard (Stage 14) to Nelson Bay Road. The road is to be gated and provides two way access allowing the evacuation of residents and safe operational access for emergency services during a bushfire. Similar to all roads within the Seaside Village, the emergency access road will be dedicated to Council.

The proposed road satisfies the performance criteria as listed by PBP 2006 (for Public Roads), achieving the access intent of measures in the following areas:

- The proposed road is to be a two-wheel drive all weather road, providing fire fighters with safe access to structures;
- The proposed road will be 8m wide for the entire length and designed in accordance



with the local council (Port Stephens) engineering specifications for local roads;

- The proposed access is less than 200m long (measured from the end of Stage 14 Seaside Boulevard to the Nelson Bay Road reserve);
- The proposed road is two-way and compliant with the PBP 2006 acceptable solution construction requirements;
- The capacity of the proposed road surface is sufficient to carry fully loaded firefighting vehicles alongside retreating residents;
- The proposed road will be clearly signposted with emergency service personnel (e.g. NSW Rural Fire Service, NSW Fire and Rescue or NSW Police) managing any emergency evacuation traffic control of retreating residents exiting the residential area;
- Access to the reticulated water supply (minimum 2 hydrants along access road) will be clear and unobstructed; and
- The threat of obstruction is minimised as the proposed road is to be gated with no parking permitted at any time.

Furthermore, all vegetation up to 20m on either side of access road within Seaside Village has been cleared and will be maintained in perpetuity as an inner protection area. **Plates 1-4** show the location of the existing formed access road and the extent of vegetation clearing either side. The existing road will be widened to 8m and sealed to ensure continued all-weather access.

The proposed modification seeks to limit the use of the road for emergency situations only, which remains in accordance with the PBP 2006. Accordingly, we support the modification and are of the opinion that during emergency situations, the access road will provide safe operational access for emergency service personnel while residents are evacuating. It is acknowledged that as the gates can only be unlocked by authorised persons; namely emergency service personnel, all vehicles using the access road will do so under the control of emergency services; including when egressing onto Nelson Bay Road. It is likely that all traffic in the local area will be directed away from the bushfire source; and given the approved road was restricted to left in/ left out; it is considered safer for vehicles to enter onto Nelson Bay Road in either direction only under the control of emergency services.

A Bushfire Emergency Management Plan (BEMP) has been prepared outlining the evacuation procedures and route options; including the secondary emergency access. The BEMP details when the secondary access shall be used; being under the direction of emergency services.



We trust this information is sufficient for your purposes, however should you require any further details or clarification, please do not hesitate to contact the writer by telephone.

Yours sincerely **RPS** 

Stuart Greville Senior Environmental Planner Accredited Bushfire Practitioner (BPAD 26202)



cc: Michael Radovnikovic, Rawson Communities Chad Beecham, Monteath and Powys



Plate 1: Existing formed access road looking east





Plate 2: Existing formed access road looking west towards Nelson Bay Road



Plate 3: Existing access road looking north west from Stage 14





Plate 4: Existing access road looking south east towards Stage 14



### NSW RURAL FIRE SERVICE



Director General Planning & Environment GPO Box 39 Sydney NSW 2001 Your reference: Our reference: MP06\_250 MOD9 D16/4085

1 May 2017

Attention: Amy Robertson

Dear Sir/Madam,

#### Proposed Modification 9 (MP06\_250 MOD9) to Part 3A Development for Seaside Boulevard Fern Bay

I refer to your letter dated 29 November 2016 providing a copy of the response to submissions proposed in relation to the above modified application which consists of the three following components:

- A. Subdivision of approved Stages 18 20 to reconfigure the pattern of lots;
- B. Modification of approved road intersection and access from Stage 14 to Nelson Bay Road from general use to an emergency access track only and addition of a turning circle to the northern end of Seaside Boulevard at corner with Windsurf Circuit and associated deletion of approved condition B5 in regard to Stage 14;
- C. Relocation of Pump Station P3 from the western side of Stage 18 to its eastern side.

The NSW Rural Fire Service has considered the information provided for the proposed modification and provide the following General Terms of Agreement.

A. The proposed amended Stages 18, 19 and 20 shall comply with the following:

#### **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 issue of subdivision certificate and in perpetuity the entire property 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. Water, electricity and gas are to comply with section 4.1.3 of 'Planning for Bush Fire Protection 2006'.

#### Access

The intent of measures for property access is to provide safe access to/from the public road system for fire fighters providing property protection during a bush fire and for occupants faced with evacuation. To achieve this, the following conditions shall apply:

#### Postal address

NSW Rural Fire Service Records Management Locked Bag 17 GRANVILLE NSW 2141

#### Street address

NSW Rural Fire Service Planning and Environment Services (East) 42 Lamb Street GLENDENNING NSW 2761 T 1300 NSW RFS F (02) 8741 5433 E csc@rfs.nsw.gov.au www.rfs.nsw.gov.au



3. Property access roads shall comply with section 4.1.3 (2) of 'Planning for Bush Fire Protection 2006'.

#### Landscaping

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

#### General Advice – consent authority to note

This approval is for the subdivision of the land only. Any further development application for class 1,2 & 3 buildings as identified by the 'Building Code of Australia' must be subject to separate application under section 79BA of the EP & A Act and address the requirements of 'Planning for Bush Fire Protection 2006'.

**B.** Modification of approved road intersection and access from Stage 14 to Nelson Bay Road from general use to an emergency access track only and addition of a turning circle to the northern end of Seaside Boulevard at corner with Windsurf Circuit and associated deletion of approved condition B5 in regard to Stage 14 the following:

#### Access

The intent of measures for public roads is to provide safe operational access to structures and water supply for emergency services, while residents are seeking to evacuate from an area. To achieve this, the following conditions shall apply:

The proposed emergency access track as identified in the document *29850 Landscape Plan Rev L*, prepared by North Point Surveys, dated 11/04/2017, shall comply with section 4.1.3 (1) of *Planning for Bush Fire Protection 2006.* 

**C.** The proposed pumping station (relocated from the western side of Stage 18 to the eastern side) shall comply with the following:

#### **Asset Protection Zone**

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 a 10 metre asset protection zone shall surround all structures and 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.

#### **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:

2. An evacuation plan for the site shall be created and comply with the NSW Rural Fire Service's document *Guide* for *Developing a Bush Fire Emergency Evacuation Plan*.

If you have any queries regarding this advice, please contact Josh Calandra, Development Assessment and Planning Officer, on 1300 NSW RFS.

Yours sincerely,

Kalpena Vohn-

Kalpana Varghese Team Leader, Development Assessment and Planning Planning and Environment Services (East)

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