

27 February 2020

Mr Michael Lennon  
Chairman  
State Planning Commission

Via email: [DPTI\\_planningreforms submissions@sa.gov.au](mailto:DPTI_planningreforms submissions@sa.gov.au)



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Dear Michael,

**RE: PLANNING AND DESIGN CODE SUBMISSION - MOUNT COMPASS GOLF COURSE, GEORGE FRANCIS DRIVE, MOUNT COMPASS**

We act for Capitoline Property Pty Ltd and make this submission regarding the Planning and Design Code ('the Code').

Our client is the registered owner of allotment 2001 in Deposited Plan 121598, Certificate of Title Volume 6229 Folio 623 and known as the Mount Compass Golf Course.

The subject land is within the Residential Zone and more particularly Mount Compass Golf Course Policy Area 20 under the Alexandrina Council Development Plan consolidated 27 September 2018.

The land is also within an area shown as High Bushfire Risk on Bushfire Protection Area BPA Map Alex/13 whereas the remainder of the residential zoned land within the township is designated as Medium Bushfire Risk.

By letter dated 30 November 2018 (attached) the CFS acknowledged that, in effect, Council and the CFS had agreed that, in the particular circumstances of this case, the land should be redesignated from High to Medium risk and the Development Plan...."*updated accordingly*" It was noted however that the development plan amendment process is a protracted and complex issue.

Review of the Code and associated mapping software indicates that this anomaly has been carried over into the Code and we say that the current review process presents the ideal opportunity to rectify the situation.

Yours sincerely

A handwritten signature in blue ink that reads "A. Kelly".

**Tony Kelly**  
Principal

**DEVELOPMENT ASSESSMENT SERVICE**

Your Ref: 455/D042/15

Our Ref: Alexandrina DA

Please refer to: 20181130-03lb

30 November 2018

Capitoline Property Pty Ltd  
PO Box 258  
MOUNT COMPASS SA 5210

**ATTN: S CONNOR**

Dear Stephen,

**RE: 40 LOT REDISIDENTIAL SUBDIVISION AT GEORGE FRANCIS DRIVE, MOUNT COMPASS –  
FOR: CAPITOLINE PROPERTY PTY LTD**

Thank you for your correspondence for alternative water supply requirements for the 40 Lot residential subdivision application, located at George Francis Drive Mount Compass.

**Background:**

Building works to erect a class 1 building(s) on the subject site.

The residential development is located in a Bushfire Protection Area identified as “High” in the Alexandrina City Councils Development Plan.

The Bushfire Attack Level (BAL) for the site has been assessed as BAL 12.5.

**Brief Description of the Proposal (As detailed in submission dated 2 October 2018):**

As mentioned the above land division application has been approved by the City of Alexandrina. It has been forwarded to the State Commission Assessment Panel (SCAP) for concurrence. A copy of the proposed plan of division and an aerial photograph of the precinct accompanies this letter.

In progressing the application we seek to simplify matters for Council and the CFS moving forward through the development assessment process for the current application and the 40 building applications that will follow.

Council and the CFS agreed that it should be reviewed and the Development Plan updated accordingly. However that process involves changes to Council’s Development Plan which is a protracted and complex process.

We note that the houses that have already been constructed fronting and around the golf course (some 180 dwellings for residential housing) have not been required to meet the High Fire Risk Assessment requirements of the current Development Plan.

All of the dwellings in the areas are serviced by a private domestic drinking water supply business – Compass Springs. Water is stored in two tanks that are located at the top of the hill (allotment 1001 on the plan of division) and then gravity fed by an underground network to the surrounding residential properties.

This tank can easily be upsized to provide additional storage capacity for fire purposes if need be, if the additional capacity is considered necessary by the CFS. We will happily be guided by you on the required capacity taking the above into consideration.

### **Applicable Legislation:**

- *National Construction Code (NCC) 2016.*
- *Ministers Specification SA 78, PART A: Bushfire Protection Systems for Fighting Bushfires, as published under Regulation 78(3) of the Development Regulations 2008.*

### **Requirements:**

*Minister's Specification SA 78 'Additional requirements in designated bushfire prone areas', published May 2011, provides the performance requirements for a bushfire protection system for habitable buildings in bushfire prone areas as follows:*

1.1 In a designated *Bushfire Protection Area*, a bushfire protection system for a proposed Class 1, 2 or 3 building, must comprise of bushfire fighting equipment and a water supply that

- (a) is appropriate to the level of bushfire risk; and
- (b) allows occupants and the fire authority, to the degree necessary, to minimize the spread of bushfire to the building; and
- (c) is appropriate to the size of the building; and
- (d) is unaffected by a loss of mains electrical power; and
- (e) provides a *dedicated water supply* to the degree necessary to enable the bushfire protection system.

### **Applicant's Proposal and SA CFS Comments:**

<b>Relevant Performance Requirement</b>	<b>Relevant Deemed to Satisfy Provision(s)</b>	<b>Proposal</b>
Min Spec SA 78 – Part A 1.1 (a) is appropriate to the level of bushfire risk	Table 2.2 – Min Spec SA 78 (HIGH)	Not Specified
<b>Brief Description of applicant's proposal &amp; methodology:</b>		
<p>The golf course is a well irrigated and maintained area, that we note is specifically referred to in the Minister's Code (Section 2.2.3) as ideally suited as a buffer from a fire source.</p> <p>Portion of the land to be developed fronts directly onto the golf course.</p> <p>The land immediately west of the proposed land division is a sand mine (separated by a distance of 80 metres from the proposed allotments.) The land immediately north of the proposed land division is part of the same sand mine.</p> <p>The operational areas of the sand mine are generally open sand pits, and the non-operational areas are very sparsely covered with vegetation. Please refer to the aerial photograph for details.</p> <p>Residential properties are located to the north east of the proposed land division.</p> <p>All of the allotments contained within the application are approximately 500 metres (or more) from a realistic fire source (being substantial areas of native vegetation to the south west.)</p> <p>Given the separation of the land division area from potential fire sources we submit that fire generated by flying embers is the only likely source of a fire in the precinct.</p>		
<b>SA CFS Comment:</b>		
<p>The subject site at George Francis Drive, Mount Compass presents a specific risk due to the proximity, quantity and arrangement of surrounding vegetation.</p> <p>SA CFS has determined that the risk of radiant heat flux to this development is reduced and the predominant impact to the development from bushfire will be the increased potential of ignition from burning embers and debris.</p> <p>SA CFS agrees the golf course can be excluded as low threat vegetation in accordance with The Ministers Code but also Australian Standard™3959 (AS3959) "Construction of Buildings in Bushfire Prone Areas" Section 2.2.3.2 (f) 'Exclusions – Low threat vegetation and non vegetated areas'</p>		

The vegetation to the North is an isolated area of vegetation bordered by the sandmine, However the hazardous vegetation to the west provides a fire run >100m and >100m in width. Only separated from the development by a single row of trees that will directly about the development, and approximately 50metres of sandmine operations.



Relevant Performance Requirement	Relevant Deemed to Satisfy Provision(s)	Proposal
Min Spec SA 78 – Part A 1.1 (b) allows occupants and the fire authority, to the degree necessary, to minimize the spread of bushfire to the building	Table 2.2 – Min Spec SA 78 (HIGH)	Not Specified
<b>Brief Description of applicant’s proposal &amp; methodology:</b>		
<p>All of the allotments contained within the application are approximately 500 metres (or more) from a realistic fire source (being substantial areas of native vegetation to the south west.)</p> <p>Given the separation of the land division area from potential fire sources we submit that fire generated by flying embers is the only likely source of a fire in the precinct.</p> <p>The existing properties (and those that will be constructed in the area that is the subject of this application) will be developed with housing, driveways and private open space.</p> <p>It is reasonable to suggest that the landscaping of the yards of those houses will likely be consistent with the landscaping that has been installed in the nearby housing – which is well irrigated and generally provides limited if any potential material / areas that may ignite from flying embers.</p>		
<b>Comment:</b>		
<p>SA CFS has assessed the vegetation on and surrounding the allotment, proximity of a fire run and width of a fire front is less than 500 metres to some allotments.</p> <p>SA CFS considers that the fuel load of hazardous vegetation on and within close proximity to some of the allotments is reduced and discontinuous and the spread of a bushfire is therefore reduced.</p> <p>SA CFS also acknowledges that accessibility to the development from the proposed public roads may assist in minimizing the spread of bushfire.</p>		

**CFS Mission**

To protect life, property and the environment from fire and other emergencies whilst protecting and supporting our personnel and continuously improving.

Relevant Performance Requirement	Relevant Deemed to Satisfy Provision(s)	Proposal
Min Spec SA 78 – Part A 1.1 (c) is appropriate to the size of the building	Table 2.2 – Min Spec SA 78 (HIGH)	Not Specified
<b>Brief Description of the applicant’s proposal &amp; methodology:</b>		
The development as proposed is comprised of 40 allotments ranging in size from 446m <sup>2</sup> to 877m <sup>2</sup> . Allotments along George Francis Drive are generally 800m <sup>2</sup> or greater in size.		
<b>Comment:</b>		
SA CFS has assessed the size of the proposed allotments, vegetation on the allotments and surrounding allotments, proximity of a fire run and width from a fire front.  SA CFS considers that the fuel load of hazardous vegetation on and surrounding a number of the allotments is reduced.		

Relevant Performance Requirement	Relevant Deemed to Satisfy Provision(s)	Proposal
Min Spec SA 78 – Part A 1.1(d) is unaffected by a loss of mains electrical power	Table 2.2 – Min Spec SA 78 (HIGH)	Not Specified
<b>Brief Description of applicant’s proposal &amp; methodology:</b>		
<p>All of the dwellings in the areas are serviced by a private domestic drinking water supply business – Compass Springs. Water is stored in two tanks that are located at the top of the hill (allotment 1001 on the plan of division) and then gravity fed by an underground network to the surrounding residential properties.</p> <p>Each of the tanks has a capacity of 150,000 litres. One of the tanks is generally kept at least 50% full and the other tank is generally kept above 75% full at all times. This means there is approximately 185,000 litres of water available for fire fighting in the tanks at any time.</p> <p>The tanks are automatically replenished as soon as the water level falls below a fixed level determined by a float in the tank by pumping water from bores that are located on and near the golf course.</p> <p>The existing land division (some 180 residential properties around the golf course) is serviced with public roads that have fire hydrant connection points located at regular intervals along the roadways. The applicant will be installing fire hydrant connection points in similar fashion along the length of the new road (some 700m) to support fire fighting services.</p> <p>The applicant will be supplementing the existing two tanks with a further water storage tank with capacity of at least 150,000 litres to augment the current water storage capacity of the supply system. This will benefit current households as well as those to be developed in the new land division.</p>		
<b>Comment</b>		
<p>The performance of the mains water supply may be reduced as a result of loss in mains electricity and therefore SA CFS requires a water supply independent of the mains water system.</p> <p>If the allotments were to adopt “Medium” requirements of Minister’s Specification SA78 would require domestic fittings only, with no access to a static supply for the fire authority.</p> <p>CFS considers that the loss of mains electrical power and no connection to a fire authority outlet, may reduce fire fighting suppression activities around the perimeter of the development in this location.</p> <p>No details have been provided regarding the accessibility for fire services to the private drinking water supply.</p>		

Relevant Performance Requirement	Relevant Deemed to Satisfy Provision(s)	Proposal
Min Spec SA 78 – Part A 1.1 (e) provides a <i>dedicated water supply</i> to the degree necessary to enable the bushfire protection system.	Table 2.2 – Min Spec SA 78 (HIGH)	Not Specified
<b>Brief Description of the applicant’s proposal &amp; methodology:</b>		
The existing land division (some 180 residential properties around the golf course) is serviced with public roads that have fire hydrant connection points located at regular intervals along the roadways. The applicant will be installing fire hydrant connection points in similar fashion along the length of the new road (some 700m) to support fire fighting services.		
<b>Comment:</b>		
The proposal to adopt ‘Medium’ requirements of Ministers Specification SA78, provides domestic fittings only, with no access for the fire authority to a dedicated water supply.  SA CFS considers the provision of domestic fittings only as adequate to employ bushfire protection strategies on some of the allotments		

## **CONCLUSION:**

SA CFS has given consideration to the performance provisions contained within *Minister’s Specification SA78*. The specific bushfire risk including fuel loads, proximity to hazardous vegetation and the likely bushfire behavior.

SA CFS has also concluded that the risk of radiant heat flux to this development is reduced, and the defendability of the home is supported by the ember protection in the construction of the home assessed in accordance with the *NCC Part 3.7 “FIRE SAFETY” Australian Standard <sup>TM</sup>3959 (AS3959) “Construction of Buildings in Bushfire Prone Areas”*.

Given the presence of hazardous vegetation to the west of the development, SA CFS concludes that the bushfire fighting water supply shall be congruent to the BAL rating assessed for each site upon assessment of individual development applications.

For habitable buildings rated **BAL 12.5 or below**, SA CFS accepts provision for a dedicated fire fighting water supply with associated pipework and domestic fittings in accordance with Minister Specification SA78 deemed to satisfy provisions for ‘**MEDIUM**’ bushfire prone areas.

For habitable buildings rated **BAL 19 or above**, SA CFS **does not accept** that the reduced water supply presents as equal in performance to that of ‘High’ requirements; as assessed against the performance provisions outlined in Ministers Specification SA78, due to the increased likelihood of impact to the development from radiant heat and ember attack. Therefore Deemed to Satisfy provision of Ministers Specification SA78 for ‘**HIGH**’ shall apply.

*Unless specifically addressed in this document, our comments are made on the condition that all other aspects of the building comply with the Deemed-to-Satisfy provisions of Ministers Specification SA78 and the National Construction Code of Australia.*

Compliance with the fire protection requirements is not a guarantee the dwelling will not burn, but its intent is to provide a ‘*measure of protection*’ from the approach, impact and passing of a bushfire.

Should there be any need for further information please contact the undersigned at the SA CFS Development Assessment Service on (08) [REDACTED].

Yours sincerely,

### **LEAH BERTHOLINI**

*Cert.III Public Safety (Fire Fighting Operations)*

**BUSHFIRE SAFETY OFFICER - DEVELOPMENT ASSESSMENT SERVICE**

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*CFS Mission*

*To protect life, property and the environment from fire and other emergencies whilst protecting and supporting our personnel and continuously improving.*