

19 October 2018

Mr. Neil Cocks
Manager Strategic & Place Planning
Northern Beaches Council
725 Pittwater Road
Dee Why, NSW 2099

By Email: Neil.Cocks@northernbeaches.nsw.gov.au

Dear Mr. Cox,

Re: Ralston Avenue, Belrose Planning Proposal - Invitation to Comment on Independent Bushfire Review

Thank you for the opportunity to review and provide comment to Northern Beaches Council on the Independent Bushfire Report (**Independent Review**) completed by Australian Bushfire Assessment Consultants (dated 12 October 2018) that was commissioned by the NSW Independent Planning Commission (**the Commission**) regarding the planning proposal for Ralston Avenue.

In completing the review, I have had regard to;

- The Commissions Scope of works for the expert review; and
- The Independent Bushfire Report by Australian Bushfire Assessment Consultants *Review of Assessment Documentation for Planning Proposal: Ralston Ave, Belrose* dated 12 October 2018.

The review considered the relationship of the Planning Proposal with:

- The planning principles for rezoning to residential land in Section 2.3 of *Planning for Bushfire Protection 2006*;
- The specific objectives for subdivisions in Section 4.1.2 of *Planning for Bushfire Protection 2006*; and
- The provisions of s.117(2) (now s.9.1) *Direction 4.4 Planning for Bushfire Protection*.

These are valid and appropriate reference points for the Independent Review. The Independent Review focussed on addressing the above requirements in providing a response.

The documents reviewed by Australian Bushfire Assessment Consultants included:

- *Peer Review of Ralston Avenue Planning Proposal* – Bushfire Planning by Blackash Bushfire Consulting (28 April 2016);
- *Bushfire Protection Assessment – Rezoning Application Lot 1 DP 1139826 Ralston Avenue* by Travers Bushfire and Ecology (April 2017);
- Letter from NSW Rural Fire Service to Northern Beaches Council (18 October 2017).

These are valid and appropriate reference points for the Independent Review.

The Independent Review Annexures address in detail key issues, statements or requirements including:

Annexure 1 raises a number of bushfire issues that remain unresolved. The Independent Review of Section 2.3 of *Planning for Bushfire Protection 2006* concluded that *there are clear potential risks associated with the planning proposal*.

Annexure 2 addressed the specific objectives for subdivision from Section 4.1.2 of *Planning for Bushfire Protection 2006*. The Independent Review identified areas of significant concern (APZ location, size and ability to maintain) and flagged the consideration of larger asset protection zones (APZs) to reduce risk. The Independent Review identifies two unresolved “pinch points” that provide opportunity for the perimeter road (egress points) to be cut by fire.

Annexure 3 addresses the provisions of S.9.1 *Direction 4.4 Planning for Bushfire Protection* and identified areas of concern including inconsistency with the principles for rezoning. The Independent Review notes that *there are clear potential risks associated with the planning proposal*.

Annexure 4 is a review of the Blackash Bushfire Consulting Peer Review. Of the 35 issues identified by Australian Bushfire Assessment Consultants in the Blackash Peer Review, all issues were agreed as being of consequence and that many of the issues have not been satisfactorily addressed by the Planning Proposal.

Annexure 5 is a review of the April 2017 Travers Bushfire and Ecology Report which identified benefits of larger APZs within the site and rejected the trade off of the development providing benefit to existing residential properties in adjoining areas.

Annexure 6 reviews the letter from the NSW Rural Fire Service dated 18 October 2017 and agrees with grounds for the RFS not supporting the application.

The Independent Review acknowledges that the Travers Bushfire and Ecology (April 2017) Report post-dates the Blackash Review (28 April 2016) of the 2015 proposal. The Independent Review identifies that many of the issues flagged in the Blackash Review remain unresolved

The Independent Review notes (p. 2):

- *This review has concluded that there are clear potential risks associated with progressing the planning proposal;*
- *The possible risks associated with facilitating the rezoning of the land as proposed will be proportionally greater than the likely ability of the recommended range of bushfire protection measures to mitigate those risks;*
- *Unless and until all potential risks are mitigated or lessened to an acceptable level, then the planning proposal should not be supported. This is reiterated in the conclusion on page 5.*

The Independent review has identified that *the Travers Bushfire and Ecology assessment is technical in nature and does not resolve the strategic planning issues to demonstrate that the development is appropriate (p. 4)* and the RFS letter dated 18 October 2017 which has objected to the planning proposal, are well founded (p. 4).

The Independent Review has completed a review of the relevant project documentation prepared by the applicant (Travers Bushfire and Ecology), Northern Beaches Council (Blackash) and NSW RFS. This is the second Independent Review that has been commissioned by the Independent Planning Commission. Both reviews found unresolved bushfire issues and significant areas of risk associated with the proposal.

The Independent Review demonstrates a good appreciation for the proposal and issues. It has provided an independent and objective review to assist the Independent Planning Commission reach a determination on the application.

Yours sincerely



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Principal

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Fire Protection Association of Australia BPAD Level 3 – NSW BPD-PA 16373

