



Ms Lynelle Briggs
Chair
Planning Assessment Commission
Level 3, 201 Elizabeth Street
SYDNEY NSW 2000

Dear Ms Briggs *Lynelle*

Planning Proposal PP_2015_WARRI_001_00 to rezone land at the western end of Ralston Avenue, Belrose.

I refer to a planning proposal which seeks to rezone deferred land at Ralston Avenue, Belrose to R2 Low Density Residential, RE1 Public Recreation and E3 Environmental Management under Warringah Local Environmental Plan 2011.

In July 2014, the Sydney East Joint Regional Planning Panel determined that the proposal should proceed to Gateway subject to conditions. In January 2015, the Department of Planning and Environment issued a Gateway determination consistent with the conditions recommended by the Panel. In particular, the Gateway determination required consultation with the Rural Fire Service (RFS) and the Office Environment and Heritage (OEH).

Community and State agency consultation has identified impacts on biodiversity and threatened species, the adjoining National Park, bushfire risk and the proximity of the Sydney East Substation.

The RFS has advised it does not support the planning proposal as it would place inappropriate development in a hazardous area and would not achieve the primary objectives to protect life, property and the environment and encourage the sound management of bush fire prone areas.

In response to the concerns raised by RFS, the proponent has undertaken additional bushfire studies and Council has sought to independently review these studies. The proponent has also brought it the attention of the Department that the RFS has been changed its position during the plan making process. The proponent has raised concerns regarding the Council's processes and has requested the appointment of an alternate Relevant Planning Authority.

On 19 December 2017, the Northern Beaches Council resolved not to proceed with the planning proposal and submit a recommendation to the Department of Planning and Environment not to make the Local Environmental Plan. The Council resolution notes concerns in relation to bushfire risk, biodiversity, environmental protection and potential impacts on the electricity substation.



In light of the issues raised by the Council, proponent and agencies, I have referred the planning proposal to PAC seeking a recommendation under section 54(2)(c) of the Environmental Planning Act 1979 as to whether the proposed instrument should be made. I would ask that the PAC consider seeking independent expert advice on bushfire risk having regard to the way in which advice from the RFS developed in the course of the proposal.

I have advised Northern Beaches Council that I have referred this matter to the PAC for review and have requested RFS make resources available to particulate in the PAC review.

I have arranged for Mr Wayne Williamson, Team Leader, Sydney Region East of the Department to assist you. Mr Williamson may be contacted on 9274 6585.

Yours sincerely

Marcus Ray
Deputy Secretary
Planning Services

21/12/2017