

Our Ref: A17029
Your ref: LEP/0129

25 October 2017

Mathews Civil Pty Ltd
Level 37, Chifley Tower
2 Chifley Square
SYDNEY NSW 2000



Dear Sir

Re: Ralston Avenue Belrose Planning Proposal - Response by RFS

I refer to the NSW Rural Fire Service (RFS) correspondence dated 18 October 2017 responding to the Ralston Avenue Belrose (Amended) Planning Proposal.

The amended planning proposal seeks to create 156 residential allotments in a R2 Low Density residential zoning. The manner in which all the bushfire protection measures would be delivered has been extensively demonstrated and costed in our numerous reports provide over the last 3 years.

The most recent advice by the RFS advises they do not support the proposal and have expressed that position by explaining the project is a significant residential development which has not addressed the bushfire risk to potential future residents.

The RFS stated that the report prepared by *EcoLogical Australia (EA)* reviewing the existing bushland interface provided no substantial benefit to the existing Belrose community. This is not correct as the *EA* report confirmed that the Planning Proposal would create an improvement to the urban bushland interface should the development proceed with the appropriate bushfire protection measures. The RFS appears to have ignored these potential benefits that provided increased protection to over 110 existing residential homes and importantly the benefit to the significant public infrastructure asset being the electrical facility.

The RFS further advised that there was non-compliance with the objectives of the S117 Ministerial Directions and the proposal has failed all six (6) of the key principles of bushfire planning.

This rejection of the proposal then transcribes into a prohibition against residential subdivision opportunity occurring on this land as we have been advised by the RFS that the only development potential is that allowed for within the existing seven (7) lots.

This is a major departure from previous advice. Prior to the Gateway, by letter dated 6 June 2013, the RFS provided their written opinion and outlined their process for handling the assessment of the planning proposal. At the pre Gateway stage RFS stated that "*The RFS has no objection in principle to the proposed rezoning of the site to allow for residential development*". The RFS' Rezoning Assessment Report also recommended that "*There is no objection to the proposed rezoning providing the future residential subdivision complies with the*

requirements of PBP They showed no indication at that time that they would subsequently deny all opportunities for residential subdivision. (copies attached).

Correspondence from the RFS, post Gateway, focused on technical matters, being what they believed were inaccuracies with slope and vegetation data used in the bushfire assessment. Their pre Gateway advice was reconfirmed post Gateway in writing to Council on 20 February 2015, when they advised: *"The RFS is not opposed to the development of the site in principle"*, and went on to describe matters relevant to PBP compliance.

In response those matters were quickly dealt with through a field inspection in August 2015 and it was agreed at that site meeting that the RFS had no further issue with the slope analysis, and were happy with the accuracy of the submitted reports.

We are surprised that the issue of slopes has again been raised given that the comprehensive identification of the slopes has been well proven and detailed. The fact that some areas are over 18 degrees becomes irrelevant as the landscape is mostly sandstone rock ledges which contain none, or very little, hazardous fuels.

The argument proffered by the RFS related to compliance with building construction requirements of the AS3959 is also irrelevant as we have prepared a comprehensive approach to APZ depth and defendable space on the periphery of the development envelope and this fully complies or often exceeds the required BAL 29 development envelope. Given this matter continues to be raised in RFS correspondence, despite been previously resolved, then this must be regarded as a significant error of fact.

The RFS also state that some dwellings will be located on slopes over 20 degrees. Again, this is incorrect and our comprehensive report details this. The RFS are well practiced in working with sandstone ledges, cliffs and escarpments given the Sydney basin is predominantly of a sandstone origin and the Blue Mountains are predominantly of that origin and we this highly erroneous to believe they would take such a position.

The RFS also state that there are extensive engineering works required for the construction of fire trails. The new fire trails would be constructed in accord with RFS (Co-ordinating Committee) guidelines. The fire trails are located within the APZ zones and would link with existing fire trails and create a better overall network which adds to better management of bushland areas. The fire trails will be located so as not to cause anything other than minor earthworks and we are surprised how this could be again raised without any level of site knowledge.

The RFS also states that the resources required to manage the hazards would be unsustainable. This statement has no validity as the fuel management plan prepared has identified all works would be undertaken by the developer followed with maintenance funding by the community association and implemented by professional bushland regeneration firms. Again we are surprised how the RFS could predetermine such a position without any level of assessment or without any reference to the fuel management plan.

Then in September 2016 the RFS dispatched a new position which began a strategic suitability conversation echoing that of Council's consultant (*Blackash* March 2016).

This change in approach by the RFS identifies the difficulty they have in dealing with planning proposals in bushfire prone areas. Indeed the most recent correspondence assembles a collage of policy fragments that justify a position of opposition, whilst all the time failing to provide any

detailed assessment. The only form of assessment, is to again, in their most recent letter bring forward the slope and vegetation issues which had previously been clarified and agreed.

This Planning Proposal endorses all the facets of the S117 Directions and the policy matters raised by the RFS as the following table demonstrates;

RFS Comments	How this has been addressed in the Ralston Ave Planning Proposal
Not increase the risk to life from bush fires, including firefighters;	The reporting has been provided demonstrating that both APZ and strategic outer fire zones will be managed to reduce the risk to new residences, existing residence and major public assets; whilst providing a better overall outcome to the existing Belrose interface.
Not place inappropriate development in areas exposed to an unacceptable bush fire risk	The rezoning proposes <i>low density residential</i> which limits inappropriate development that could introduce either more density or developments that could create a need for early evacuation e.g. aged care or petrol stations.
Ensure that appropriate bush fire protection measures can be afforded to properties at risk;	All six of the RFS bushfire measures fully comply. APZs and perimeter roads are designed to be significant passive protection measures whilst internal roads have been designed to enable vehicular movement through the middle of the development and thence onto two separate exit routes.
Minimize negative impacts on the surrounding environment	The reporting has been provided demonstrating that both APZ and strategic outer fire zones can be managed in accordance with ecological integrity not affected.

The following PBP matters have been comprehensively addressed in the Bushfire Consultants reporting;	
Ensure that development is capable of complying with Planning for Bush Fire Protection 2006 (PBP)	The PP complies with PBP and has been extensively addressed and or graphically represented. There is no better expression of this for a rezoning than has been presented. The supporting fuel management plan specifically addresses how the hazard management will be undertaken in a highly detailed and fully costed manner.
The proposal requires APZ's on land steeper than 18 degrees.	This is incorrect and the reporting has been provided demonstrating that APZs are not on land steeper than 18 degrees and the development precinct has been informed by the land topography. Further, we have provided a detailed fuel management plan that clearly identifies the management of APZs can be undertaken and requires no RFS resources.
Some dwelling will be located on the interface where slopes exceeding 20 degrees.	This is incorrect and detailed mapping has been provided to illustrate this point. A field inspection was undertaken in August 2015 with the RFS also identifying the effective slopes were <18 degrees.
The site is vulnerable to several pinch points along the perimeter road.	The reporting has been provided demonstrating that APZs are located at the supposed pinch points and their management has been detailed in the fuel management plan.
The proposed mitigation works to reduce bush fire risk to the site would place increased demand on resources and would not be sustainable.	The works are to be funded by the private community title arrangements similar to existing developments and would in fact lessen RFS required resources by providing better, more regular maintenance of APZ area. Not requiring RFS to put extreme hot burns through areas which damage the flora and fauna. All works are fully costed and provided in the fuel management plan and are not in any way considered unsustainable.
The proposed construction of new fire trails linking with existing fire trails is not supported as the extensive engineering works would further impact the environment.	There are no extensive engineering works required. The new fire trails would be constructed in accord with RFS guidelines. The fire trails are located within the APZ zones and would link with existing fire trails and create a better overall network which adds to better management of bushland areas.

The Planning Proposal has demonstrated that the S117 Directions objectives have been comprehensively addressed in the overall design.

Indeed, it is through this exhaustive assessment approach that enables the proposed *low density residential* zoning to be the appropriate land use for this landscape as it complies with the S117 Directions, PBP 2006 and the draft PBP through the significant bushfire design elements which have been proposed to be implemented.

Yours faithfully

A handwritten signature in black ink, appearing to read 'John Travers', written in a cursive style.

John Travers
Director
Travers bushfire & ecology