

From: [Simon Carroll](#)
To: [Bradley James](#); "[Simon Carroll](#)"
Cc: [Helen Mulcahy](#); [Heather Warton](#)
Subject: RE: Mundamia Review - Letter to RFS
Date: Friday, 20 December 2019 5:31:13 PM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)

Hi Brad,

Re: our last discussions in this matter, the information from the RFS does not resolve the issue re: the differences in slope analysis between the 2012 BPA and 2015 BPA (by the same firm). The slopes analysed in the 2015 BPA are effectively half those in the 2012 BPA with no explanation.

The letters dated 10 September 2015 and 4 November 2016 were subject to review in my November 2019 report.

The RFS email of 30 March 2016 and letter of 24 January 2018 were not previously provided for review. The email from the applicant's bushfire consultant dated 27 January 2016 (which trails the RFS email of 30 March 2016) states that that email purports to provide information "to clear up the APZ and slope issues to the NE and East referred to in your (RFS) letter dated 10th September 2-15 (sic)". The content of the 27 January 2016 email to the RFS then provides information supposedly "as it is not clear where your differences in calculation of slope come from". There is no reference to the differences in slope between the 2012 and 2015 BPAs. I can only assume that the 2012 BPA was abandoned for whatever reason. There is simply no information either way, despite the 2012 document being one of the documents initially provided for review by me.

Unfortunately, there has been no clear statement from the RFS confirming that the slope analysis in the 2015 BPA was adopted and accepted (by the RFS) notwithstanding the slope analysis contained in the 2012 BPA. Such a statement would have resolved this issue beyond doubt. It is not clear whether the 2012 BPA was ever referred to the RFS.

That said, point 2 under the heading "Amended RFS recommended conditions of any approval" in the RFS letter dated 24 January 2018 and other relevant points in that letter suggests that the information provided by the applicant's consultant in the 2015 BPA and later correspondence with respect to slope analysis appears to have been supported/accepted by the RFS. The 24 January 2018 RFS letter was not originally provided for review.

Let me know if there are any questions arising from the above.

Simon

Simon Carroll

Graduate Diploma in Design for Bushfire Prone Areas
Graduate Diploma in Building Fire Safety & Risk Engineering
Bushfire Planning and Design Accredited Practitioner

ABAC Australian Bushfire Assessment Consultants



From: Bradley James [REDACTED]
Sent: Thursday, 12 December 2019 3:48 PM
To: Simon Carroll [REDACTED]
[REDACTED]
Cc: Helen Mulcahy [REDACTED] Heather Warton
[REDACTED]
Subject: RE: Mundamia Review - Letter to RFS

Hi Simon,

As discussed, the RFS have provided a response to our letter dated 2 December 2019.

They have provided further correspondence relating to RFS' assessment of the Mundamia Residential Subdivision.

Please find attached the following:

- 10/09/15 – RFS letter to Department re: further info required
- 30/03/16 – RFS email to Department re: outstanding info
- 04/11/16 – RFS letter to Department re: Bush Fire Safety Authority Letter of Approval (provided to IPC by Applicant)
 - *“the NSW RFS is of the opinion that the proposal can be supported, subject to the incorporation of the following numbered conditions into any approval:”*
 - Point 2 states that APZ's are to be provided in accordance with the Figure 2 of the Applicant's **2015 BPA Report**. This Figure sets out slope analysis to the south-east.
- 24/01/18 – RFS letter to Department re: conditions

If you could review the attached and confirm whether this satisfies the slope analysis issues raised in the Bush Fire Peer Review that'd be great.

If you could get back to us by COB tomorrow that'd be much appreciated.

Regards,

Brad James | Senior Planning Officer

Independent Planning Commission NSW
Level 3, 201 Elizabeth Street Sydney NSW 2000

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From: Simon Carroll [REDACTED]
Sent: Tuesday, 3 December 2019 7:57 AM
To: Bradley James [REDACTED]
Subject: FW: Mundamia Review - Letter to RFS

Hi Brad,

Re my email of yesterday, the only other thing that comes to mind is whether you should attach copies of the 2012 BPA and 2015 BPA to the letter to the RFS as well.

Simon

From: Simon Carroll [REDACTED]
Sent: Monday, 2 December 2019 4:55 PM
To: 'Bradley James' [REDACTED] 'Simon Carroll'
[REDACTED]
Subject: RE: Mundamia Review - Letter to RFS

Hi Brad,

Draft letter looks fine. The content of my report will provide them the background on the issue.

Simon

From: Bradley James [REDACTED]
Sent: Monday, 2 December 2019 4:26 PM
To: Simon Carroll [REDACTED] 'Simon Carroll'
[REDACTED]
Subject: RE: Mundamia Review - Letter to RFS

Hi Simon,

Panel in Confidence

Thanks for your efforts on the Peer Review.

As discussed last week, we are proposing to write to the RFS seeking clarification re: slope

analysis.

Are you able to undertake a review of the attached draft letter and confirm that our request clearly sets out what is needed from the RFS in order to finalise the matter.

We are looking to send this letter out before COB tomorrow. If you could provide feedback before then that'd be great.

Regards,

Brad James | Senior Planning Officer

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From: Simon Carroll [REDACTED]
Sent: Thursday, 31 October 2019 4:28 PM
To: Bradley James [REDACTED]; 'Simon Carroll'
[REDACTED]
Subject: RE: Mundamia Review

Hi Brad,

Further to our discussion this morning, the response from the Department will influence the conclusion in relation to the alternate solution with respect to APZs. There is obviously a significant difference between the slope analyses in the applicant's 2012 and 2015 Bushfire Planning Assessments (BPAs).

If the slope analysis in the 2012 BPA was to be adopted, then the APZ would be in the order of 60 metres from the building line of allotments in the eastern/south-eastern part of the subdivision.

The 2015 BPA then assesses the slope as being about half that of the 2012 BPA and proposes reduced APZs as a result. The RFS letter of 4 November 2016 appears to support that analysis.

There is no information included in the documentation provided for review for the intervening period between the RFS letters of 10 September 2015 and 4 November 2016 (except for the applicant's bushfire consultant's email to Martha Dotter of the RFS on 27 June 2016).

There is a comment in the Department's Assessment Report (p41) stating that the Dept sought advice from its bushfire consultant about APZs. There is no record of such advice in the documentation provided for review.

Also, apart from the applicant's bushfire consultant's email to Martha Dotter of the RFS on 27 June 2016, there is no record of how the RFS' concerns in point 1 of its letter of 10 September 2015 were resolved. Also, there is no information as to whether the applicant's 2012 BPA was previously referred to the RFS before it was eventually provided with the 2015 BPA.

In my view, at least the following is required in relation to the alternate solution with respect to APZs:

- A formal request from the Department to the RFS seeking that the RFS confirm it is in agreement with the applicant's slope analysis and APZs set out in the applicant's 2015 BPA and that the performance requirement for APZs is met by that analysis and APZs proposed;
- A copy of any advice from the Department's bushfire consultant to the Dept in relation to the issue of APZs for the subdivision.

The Department's advice accompanying your email yesterday indicates that the Department does not agree with item 2 of the RFS letter of 4 November 2016 when, in fact, that RFS letter is the only piece of documentation that implies that the applicant's slope analysis and APZs as set out in the applicant's 2015 BPA (supplemented by whatever other information was provided to the RFS by the applicant in addition to the 27 June 2016 email) was accepted by the RFS as meeting the relevant performance criterion in PBP 2006.

Simon

Simon Carroll

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From: Bradley James [REDACTED]

Sent: Wednesday, 30 October 2019 1:39 PM

To: Simon Carroll [REDACTED]

[REDACTED]
Subject: FW: Mundamia Review

Hi Simon,

Please refer to the attached response from the Department.

I'm in meetings this afternoon but will be able to discuss the attached with you first thing tomorrow morning.

Regards,

Brad James | Senior Planning Officer

Independent Planning Commission NSW

Level 3, 201 Elizabeth Street Sydney NSW 2000

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From: Bradley James

Sent: Monday, 28 October 2019 9:36 AM

To: Simon Carroll [REDACTED]
[REDACTED]
[REDACTED]

Hi Simon,

FYI - The Applicant has provided us with the attached comment in response to our letter to the Department regarding slope analysis. A copy of the RFS's referral response letter to the Dept dated 4/11/16 has been included.

The Department have until Wednesday 30/10/19 to provide a response. I'll let you know as soon as they come back to us.

Any q's let me know.

Regards,

Brad James | Senior Planning Officer

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Please consider the environment before printing this e-mail.

From: Simon Carroll [REDACTED]
Sent: Monday, 21 October 2019 6:55 PM
To: Bradley James [REDACTED]
Cc: [REDACTED]
Subject: Mundamia Review

Hi Brad,

As discussed today, it is not possible to draw a clear conclusion on the alternate solution with respect to Asset Protection Zones to the eastern/south-eastern part of the proposed subdivision at this stage.

There is a significant difference between the slope analysis in the 2012 Bushfire Protection Assessment (BPA) vs the 2015 BPA. It is not clear whether or not the 2012 assessment was ever referred to or considered by the RFS as there is no documentation in the documents provided for review.

in relation to the south-eastern part of the proposed subdivision, APZ widths were identified based on slopes of:

- >15-18° downslope in the 2012 BPA (shown in Figure 3 of the 2012 BPA report); and
- 9° downslope (adopted) in the 2015 BPA (shown in Figure 2 of the 2015 BPA report).

There is no information as to why there were differences in the slope analysis between the 2012 and 2015 BPAs. It may that documentation addressing this issue was simply not included in the documentation provided by the Department for the purpose of this review.

The information that I have with respect to the slope analysis issue, and additional correspondence between the applicant and the RFS on that matter is very limited. This consists of Sections 2.1 and 3 (and Figure 2) of the 2015 BPA, and item number 1 (two paragraphs) of the email from the applicant's bushfire consultant to Martha Dotter of the RFS dated 27 June 2016 (at page 19 of the PDF file of the applicant's response to the draft conditions).

At this stage, I have approached the matter by making a qualified conclusion on the basis that the RFS (by letter of 4 November 2016) made the decision to support the proposal on consideration of the 2015 BPA information and additional information provided by the applicant's bushfire consultant (in connection with the 2015 BPA).

The qualification is that is the issue arising from the differences between the slope analysis in the 2012 BPA and the later slope analysis work in the 2015 BPA.

To remove the need to qualify the conclusion, could you please request a clear statement from the Department, and possibly the RFS, advising that the slope analysis in the 2015 BPA was adopted and accepted (by the RFS) notwithstanding the slope analysis contained in the 2012 BPA?

It may be just an absence of documentation that will provide the answer to this question, but a clear statement either way will allow me to finalise my conclusion in relation to the alternate solution with respect to Asset Protection Zones.

Thanks
Simon

Simon Carroll

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