

From: Open Newcastle
To: mail@ncc.nsw.gov.au
Subject: re: DA 2019/00061 - ATTN: Mr William Toose
Date: Monday, 8 April 2019 1:16:52 PM

Dear Mr Toose

I am aware that there have been a number of updates to information concerning the bush fire report and the documentation associated with DA 2019/00061.

I note that [REDACTED] letter of 22 February 2019 to Council's CEO refers to the guideline *Bush Fire Protection for Existing Development* being the relevant document for the determination of APZs. We wish to draw your attention to that document, which can be downloaded at this link:
https://www.rfs.nsw.gov.au/_data/assets/pdf_file/0020/55244/Bush-Fire-Protection-for-Existing-Development-Guidelines-Draft.pdf

We are aware that the guide is published with a cover note: "This Guide does not apply to proposed development on bush fire prone land. For matters relating to bush fire protection requirements for proposed development on bush fire prone land refer to Planning for Bush Fire Protection" (PBP 2006). The PBP 2006, which is the appropriate guideline for the above DA, is available at this link:
https://www.rfs.nsw.gov.au/_data/assets/pdf_file/0008/4400/Complete-Planning-for-Bush-Fire-Protection-2006.pdf

We also note that requirement to comply with the PBP 2006 was confirmed in correspondence from the Rural Fire Service to Council on 1 May 2017 (ID 5164057). Specifically, the RFS correspondence required Council to ensure:

"the provision of Asset Protection Zones (APZs) **within the proposed lots** in accordance with Table A2.4); Access to be provided in accordance with design specifications set out in section 4.1.3, and, Services to be provided in accordance with section 4.1.3)."

We further note that the *Bushfire Threat Assessment* (BTA) prepared as part of the rezoning process, and the *Bushfire Assessment Report* (BAR) that was submitted as part of the Development Application, were both prepared by [REDACTED]. We note that these two documents provide inconsistent advice about the required controls for the site. And that both reports provide advice that is inconsistent with the PBP 2006.

Open Newcastle has requested independent expert advice on appropriate APZs for this site and a review of both of [REDACTED]. We will forward this information to Council as soon as it is available.

Yours sincerely

Louisa Connors

Open Newcastle Inc