Sent: 25/02/2004 6:04:43 PM
Subject: Development Application Enquiry: R0005/03
Attachments: CFU PITTWATER COUNCIL.doc; CFU PITTWATER COUNCIL.doc;

Atn : Joanne Marshall

Joanne,

I do not see my letter from the Elanora Community Fire Unit in the list of submissions under the development tracking system. 2 copies were hand delivered at 8:30 am to council officers at the reception desk on Friday 20 Feb. I ask what has happened to this submission.

Please see the attached RESUBMISSION which I request be registered as recieved on 20/02/04.

I have further reviewed the Bushfire Impact report of Connacher and Travers. In the view of the CFU, the risk assement table is incorrect. Specifically the index of LOW RISK classification is in question. The report does not recognise the history of significant NEAR destroyed homes in the 1994 fires. This masks the risk assesment in that the only recorded property loss was the scout hall raised in the report. The NSW Fire Brigades have located a CFU in Wesley St on the basis of a HIGH RISK CLASSIFICATION. This is plainly at odds with the bush fire assesment report. The risk rating has a direct and very substantial impact on the fuel free protection zone proposed by the report.
The report also proposes response times from various fire authorities. In particular it sights the Elanora RFS (really its the INGLESIDE RFS in King St, there is no Elanora RFS) as being able to respond in 5 minutes. Does that include the midnight to dawn shift when the RFS is not manned and it takes 30 mins to raise a crew ? or the 15 minutes for the RFS headquarters Flyer from Terrey Hills ? The NSW Fire Brigades station at Narrabeen is the closest 24 x 7 fire authority available to service the proposal. Mona Vale would be a second choice call out only. This indicates to me the lack of thorough research represented in the report.

I seek to challenge the validity of the report.

I also wish to confirm to you that the fire management proposal for U.C. development is covered by the NSW Fire Brigades. This can be validated with the Northern Region Zone Commander, NSW Fire Brigades, Artarmon. Commander Brian Johnson on 9901 2406. I would suggest that an RFS agreement or report is not valid unless NSW Fire Brigades have been involved as part of the review process to determine the degree and rating of fire risk. I do not see an independant assesment by RFS in the report. I question why this is the case. The reference to meeting an RFS officer as part of the process needs to include the question of site inspection by RFS and validation that same took place.
I also note that the assesment is performed by a company outside the immediate Sydney basin. (Sommerset on the Central Coast) and would probably be seen by the U.C. as having less risk of generating a negative finding.

I believe all the above matters should be adressed and validated (audited) before a decision on zoning be made.

I would appreciate confirmation of reciept of this email.

Many thanks

Mike Hale
Elanora CFU Team Leader
30 Wesley St, Elanora.

ELANORA COMMUNITY FIRE UNIT
C/o 30 Wesley Street,
Elanora, NSW 2101

15 February 2004

The General Manager
Pittwater Shire Council
Vuko Place
Warriewood, NSW

CC : Terry Munsey
Community Fire Units Manager
NSW Fire Brigades, Chullora NSW

RE : Rezoning application D.I.P.N.R and Uniting Church land, Wesley St, Elanora

Your Ref : R0005/03 and R0006/03

Dear sir,

In respect of the above notification and on behalf of the Elanora Community Fire Unit I bring to your attention the following matters :

The current proposal for both the DIPNR and UC land covers an area of High to Extreme bush fire risk and is currently classified accordingly under changes to building codes as notified to residents of Wesley St and surrounding streets last year by council. The proposal has a number of high risk implications for Rural Fire Services, NSW Fire Brigades and the Community Fire Unit based in Wesley St. Specifically :

1. This proposal puts new dwellings in a known major repeated fire path. The 1972, 1994 fires along with recent fire terrain maps identify the high degree of risk for this particular location. The properties are at the apex of a high risk fuel laden escarpment which is part of the Warriewood valley. Property has been consistently threatened and destroyed over the years in an area exactly covering this proposal. As a result of this, in 1994, the Elanora CFU was formed by volunteers under the guidance of NSW Fire Brigades. The CFU is a key part of the fire protection plan for this community co-ordinated by RFS and NSW Fire Brigades. As such it is tasked with the role of property protection of houses in Wesley and Foxall Streets during an extreme fire event. Standing operating rules clearly limit the extent to which a CFU can take action in a fire event. Part of the standing orders are that no CFU member may work beyond the boundaries of any property that backs onto bush land. CFU members may not pass through bush land areas to reach other property. To do so is very high risk. Therefore volunteers, who number 18 Wesley St residents, have serious fire management safety concerns in respect of the plan. The plan indicates that new dwellings will be set back quite a significant distance from

adjoining properties and that access will be through a narrow corridor which will have varying degrees of fuel loads according to season.
It is the view of the CFU volunteers that in light of the risks, location of the dwellings and the standing operating rules that in the event of an significant fire event, **the CFU will not attend these properties unless directed to do so by NSW Fire Brigades and then only if CFU members agree to placing themselves at higher than normal risk.** As volunteers we also feel that it is asking too much of volunteers to support other property owners who **knowingly build in a known fire path** subsequent to the notification of such a fire zone area.

You are also aware no doubt of the views of NSW Workcover in respect of volunteer organizations. I counsel you to seek opinion from NSW Fire Brigades and Workcover as well as Rural Fire services as there may be serious future litigation consequences for the council or NSW Government should a tragedy or injury result from changes brought about by such a rezoning once having been advised of the bush fire risks as identified in this letter. **I am sure that DIPNR would not risk putting itself at odds with the NSW Government policy of responsible community fire risk management and best practice land development as a result of this proposal** and therefore I would hope that DIPNR would be seeking a report from both NSW fire management services also. This should be a part of any EIS required from DIPNR.

2. The proposal covers two separate command districts for fire services. The RFS covers the Ingleside rd entrances and NSW Fire Brigades covers the Wesley St entrance. Technically the UC land is fire managed by NSW Fire Brigades and I would imagine the DIPNR land to be managed by the RFS. This requires that council seek opinion and direction from both the RFS and NSW Fire Brigades on this matter. In particular is how a fire event will be managed and what implications this has for infrastructure that would need to be in place as a responsible part of the development process. This covers such actions as what access to water is required, with what fittings, degree of fire services co ordination, access by fire fighting appliances, hazard reduction impacts etc, etc. I would suggest to you that the current proposal is far short of delivering satisfactory fire management outcomes. Fire fighting appliance access alone will be an issue.
The CFU seeks a copy of the fire management plan for this proposed development prior to any approvals.

3. The proposal needs to meet the requirements of the three zone protection guidelines that apply to this fire zone classification. This protection guideline will no doubt call for significant land clearing and modification. In doing this the impact of land clearing will be far greater than is indicated by the plan. As the escarpment has not been hazard reduced for over 10 years the fuel load index is very high and the minimum standard of 50 metres clearance is not adequate in this circumstance. I refer to precedents set in the recent Lane Cove Rd, Ingleside development where 8 co owners enforced a greater than 100 metre hazard reduction boundary as specified by RFS inspections. The proposed rezoning is on land that is

affected to a **greater degree than the prior mentioned development due the fuel densities and vertical nature of the apex of the escarpment.** It is also not put in context of the proposed surrounding preservation zones. **The CFU seeks a copy of the EIS from both the UC and DIPNR owners along with maps and drawings that indicate the amount of impact that such clearing will produce prior to any approvals. Such an EIS statement must include a fuel load and terrain risk management statement from fully informed fire authorities, which can only be achieved by inspection. Failure to do so may open a path to challenge for all parties, including DIPNR, in the Land and Environment Court.**

4. The package of publicly available documents with council in respect of this proposal includes a blank DEP form on which a map is drawn of the affected properties and the proposed rezoned properties. The map calls out references to clauses 15c and 17c for the DIPNER land, and 17a and 17c for the UC land. As part of the public review process **the CFU seeks an explanation of what these clauses are.**

I look forward to your earliest reply.

Yours faithfully

Michael J Hale
Elanora CFU team leader

ELANORA COMMUNITY FIRE UNIT
C/o 30 Wesley Street,
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