

Our Ref: A16087B3: JT
Council REF: DA2017/0206
RFS REF: DA2014/1062

15th May, 2017

Henroth
Via email: dan@henroth.com.au

Attention: Mr Dan Maurici



Dear Dan

**Re: Review of bushfire issues outlined in the Planning Report
The Falls Estate, Barnes Road, Frenchs Forest (Lot 1113 DP 752038)**

Travers bushfire & ecology (TBE) have been requested by *Henroth Group* to review the Engineering Referral Response prepared by Northern Beaches Council which form the basis of their refusal of the development at the above address.

In particular *TBE* have been requested to address the following comment:

The proposal relies upon a secondary access for emergency egress from the site to the unformed section of Barnes Road leading to Oxford Falls Road. The unformed road does not comply with the standards required by RFS in terms of surface, width, load limits and height clearances. In order to comply with the requirements there will need to be the removal of vegetation in the road reserve and the construction of a culvert over the creek which traverses the road.

The RFS *bushfire safety authority* specifications (D14/3053) dated 12 August 2015 provided the following conditions in relation to access:

- *Internal roads shall comply with section 4.2.7 of 'Planning for Bush Fire Protection 2006*
- *Internal roads shall have a minimum 6.5 metre wide carriageway width*
- *The internal road shall be linked into the northern end of Barnes Road.*

For the purposes of the current plan before Council the same access is proposed as approved in 2015 and the plan responds to;

- The internal roads will comply with PBP s4.2.7.
- The need for a 6.5m road width has been provided.
- The internal road has been linked into the northern end of Barnes Road.

The approved development design includes public access via an upgrade to Barnes Road to the south. The proposed link to the existing road in the north is available as an insitu piece of road infrastructure. Indeed there is no proposal, nor need, to upgrade the northern portion of Barnes Road.

The northern part of Barnes Road is a formed road (asphalt and concrete) that has been used for many years by heavy and passenger vehicles to access the site. A statutory declaration from the owner of the property, Anita Spalivaro (refer attached) explains the history and the use, over time, of this road.

Importantly this northern section of Barnes Road contains;

- Paved seal of 3 metres width.
- An obvious zone of mowing or slashing on its edge, albeit, not managed often but certainly not allowing weed impingement upon the road and or growth of trees.
- Gas mains (50mm) - see attached Jemena plan.
- Water mains 150mm DICL - see attached Sydney Water plan. I note the 150mm DICL main also contains several hydrants and stop valves, presumably for fire fighting purposes which implies it is already an important part of fire fighting infrastructure for this area and thus accessible by apparatus (and suitable for evacuation).
- I believe the aerial cable from the poles some 10m west and parallel of the road is a Telstra comm's line that goes over head rather than under the creek. Checking with Ausgrid reveals that they have no assets on the road corridor or nearby so the aerial cable must be communications and thus a Telstra asset.

These points provide evidence that this road is a well utilised and important local road service.

Importantly Ms Spalivaro declaration/s advise that Council undertook an agreement with her family to enable the road to be upgraded from its former 'track' origins. The agreement was for the Spalivaro family to pay for the road sealing works whilst Council undertook the construction of the causeway over the watercourse.

This no doubt resolved what must have been a long period of wash-outs being experienced by her family until the road was stabilised whilst also providing security for the public assets noted above.

I have also noted truck access now for well in excess of 8 years since I have been involved with this site. For example the eastern neighbour has a shed and gate on the fence line with a well-worn dirt road into that property. In addition I have seen many large trucks use the road to service the steel business that used to occupy the shed near the sandstone rock escarpment / tennis court.

In relation to the specific matters raised by Council's Engineering team the propositions put forward are largely incorrect. Table 1 below identifies the issues raised by Council and provides a response.

Table 1 – Reply to Response from Council's Engineering Team

Council proposition	Response	Response
The proposal relies upon a secondary access for emergency egress from the site	Incorrect	The suggestion is that the plan relies on 'something'. This is entirely incorrect and is without foundation. The plans clearly show sufficient area of managed grassland (the APZ) that any fire truck, bus or whatever can remain on site and wait for as long as necessary.

		There is no need to rely upon access as stated. Indeed the nature of the facility is that it is designed to be within the 10 k/w limit for a special fire protection purpose facility and as such evacuation is highly unlikely. If the need to use the northern portion Barnes Road arose then the road could be used as per the reasons explained below.
The proposal relies on using the unformed section of Barnes Road leading to Oxford Falls Road.	Incorrect	The Barnes Road section to which Council refers is sealed.
The unformed road does not comply in terms of surface	Incorrect	The road is sealed on what appears from pot holes is a substrate of road base. Notwithstanding that the RFS (PBP) do not require sealing on all roads. They require sealing where the slope of the road is excess of 15 degrees. The steep section is just on 15 degrees as measured by me onsite two weeks ago.
The unformed road does not comply in terms of width	Incorrect	This is not the design of a new road construction for a subdivision and does not need to comply. Indeed the road is an existing public road but not built to a full width capacity. That's said the road may provide access from or to Oxford Falls Road for large Cat 10 fire truck. These are 2.2m in width and well within the existing 3.0m wide road. Council not only have the management responsibility of this public road but they have formally recognised the need for this public road by entering into an agreement with the Spaliviaro family. This arrangement between the Spaliviaro family and Council enabled a well-engineered causeway and well-constructed road upon a medium slope which has over many years continued to be both stable and effective for its intended traffic use.
The unformed road does not comply in terms of load limits	Incorrect	The RFS (PBP) require a 12 tonne load capacity only for operational fire tankers. Note: 28 tonne capacity tankers are the large water carriers similar to petrol carriers and which are not used on suburban roads.
The unformed road does not comply in terms of height clearances	Incorrect	The road is already free of over-hanging branches such that the required 4.0m is available. See Photo 1 below.
Need for vegetation removal	Incorrect	Vegetation is already managed by mowing and slashing and that activity should continue given the past access use by the community and the extent of infrastructure within and over the land. This is explained below.
The road needs a culvert over the creek	Incorrect	There is a concrete in place which allows low flow water to pass under the concrete in the

		pipe whilst high flows pass over the concrete and acts as a causeway.



Photo 1 – Barnes Road looking north

Should you require further information or choose to utilise our services again, please do not hesitate to contact John Travers on 4340 5331 or info@traverseecology.com.au.

Yours faithfully

John Travers
BA Sc. / Ass Dip / Grad Dip / BPAD-Level 3-15195 (FPA)
Managing Director – *Travers bushfire & ecology*

