

Submission for Lots 271 and 273 Powderworks Road, Ingleside

Prepared by the Owners as Joint Submission



Submitted January 2017

Contact Details:
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1.0 Executive Summary

- 1.1 271 and 273 Powderworks Road (hereafter being referred to as the “subject land”) have both been earmarked as environmental management zoning in the draft structure plan (Refer Figure One).

Figure One – 271 and 273 Powderworks Road as Circled in Red. As displayed is the picture the properties will be surrounded by development in all directions.



- 1.2 Based on the technical studies undertaken by the government’s own consultants, supplemented with information from the land owners, **there is an alternative approach the owners of the subject land believe is more equitable to all parties** – particularly in the context of the proposed zoning across the whole precinct.
- 1.3 **Within two hundred metres of the boundaries of the subject land there is proposed development on all sides on land that is owned privately, and by the state and local council.**
- 1.4 This is highly inequitable as we as private owners, based on the proposed zoning will be **sustaining a high loss of value in our holdings, for no compensation, for the ‘public good’ benefit of other private owners, the state and local council.**

1.5 The grounds upon which the subject land has been given a draft zoning of environmental management raises many issues when reviewed in the context of the development of the southern area of Ingleside.

- **Major regional wildlife corridors have been diverted 90 degrees** from existing pathways through a mix of multidirectional corridors, over both ridge lines and riparian corridors and then through the subject land.
- **The proposed number of wildlife corridors has declined** compared to what currently exists.
- **The new corridors go against those recommended** by the government's own bio-diversity consultants ELA.
- **The subject land is within a "Flame zone"** the highest fire rating that can be attained – as it is now proposed to have one main wildlife corridor and in the case of a fire, fauna will be driven into the "Flame zone" and killed (**refer to Attachment One**).
- The changing of direction of the current natural corridors **provides a major financial benefit to the state** as it moves the existing major regional corridor away from state owned lands which have now been earmarked for high density development (300 metre blocks) as a result.
- Should the wildlife corridor proceed through the subject land (not recommended by ELA), **to have the full blocks covered by the proposed environmental zoning is impractical** as the north eastern area of both blocks do not contain heath, is cleared and is vegetated to some extent by lantana and other weeds.
- At the south eastern end of the heath bush area, it is proposed to put medium density (300 square metre blocks on private and council lands). **This will be on the edge of the flame zone and will be at extreme risk.**

1.6 In terms of services, the subject land is already on water, electricity and gas and are close to the sewer mains connection at the Elanora end, therefore development could proceed expeditiously.

2.0 What is being recommended by the Property Owners

- 2.1 The wildlife corridors as recommended by ELA be adopted to ensure the bushfire impact on wildlife can be minimised.
- 2.2 Furthermore, the south west portions of the subject land be swapped for land owned by the government along Mclean Street which is currently under the same zoning. The land holdings could then be zoned for housing consistent with the surrounding properties. The land gained by the government from the subject land could then be zoned conservation ensuring a fully government owned wildlife corridor as per Figure Two. The subject land, combined with the swapped government land, would then be zoned consistent with adjoining properties at 500 square metre blocks.

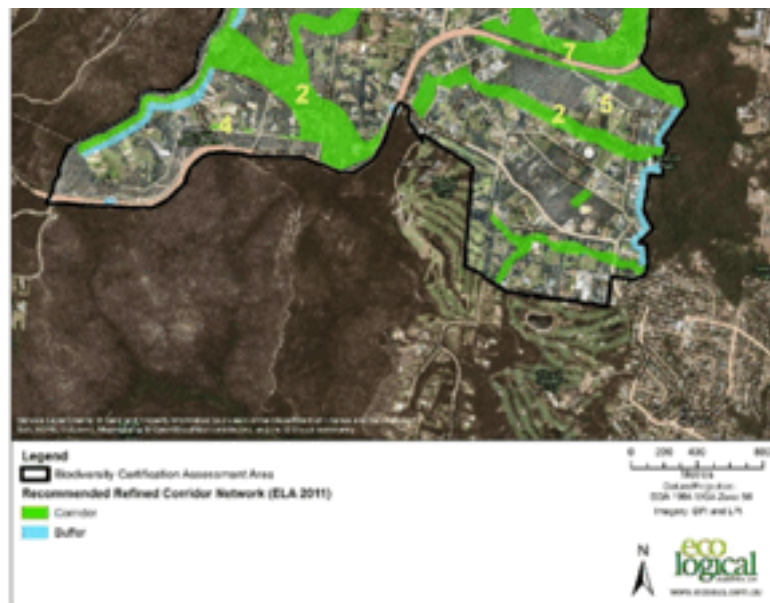
Figure Two – Proposed Land Swap – create a government owned wildlife corridor through the heath bush area as is currently proposed.



- 2.3 There is considerable precedent for land swaps within Ingleside, as many have been done in the past.
- 2.4 Create a wildlife corridor in line with, and as recommended, by ELA (Refer Figure Three A as per corridor 2 and B). The majority of the corridor exists under what is being proposed except for the last 20% percent which is currently under draft zoning higher density on state owned land. This can be achieved by swapping out land selected development within the heath bush surrounding the subject land as per Figure Three B.

Figure Three – Move Government Development from Powderworks Road to Mclean Street adjacent to Subject Lands

A



B



Advantages of what is being proposed: -

- 2.4.1** Wildlife corridors would be in-line with what was recommended by the government's own consultants.

- 2.4.2** An extra corridor for wildlife would be created providing greater flexibility for wildlife during extreme weather events.
 - 2.4.3** As per the point above, the heath bush surrounding the subject land would not be fully developed and could still provide another (local) corridor.
 - 2.4.4** This would provide wildlife with options in periods of bushfire whereas the current plan does not cater for this.
 - 2.4.5** The total heath bush remaining will reduce and therefore the bushfire risk to the area and medium density development at the end of the heath area would also reduce.
 - 2.4.6** The development in the heath area adjacent to the subject land could be achieved faster as it is currently better serviced than the government lands closer to Mona Vale Road which are earmarked as medium density.
 - 2.4.7** There is no major impact on major transport routes – in fact may slightly improve transport outcomes due to less density close to Mona Vale road.
- 2.5** The impact would be neutral with the same housing to conservation ratios as is currently the case.

3.0 Background

- 3.1** In the recent announcement concerning the Ingleside rezoning proposal both 271 and 273 Powderworks Road have been earmarked as “Environmental Management” or E3 zoning.
- 3.2** It is not clear in any of the Reports what this Zoning will mean for the owners of the subject land nor can government officials at both state and local levels provide any certainty therefore creating confusion.
- 3.3** This confusion has led to significant devaluation of the subject lands according to local real estate agents – **refer to letters in Attachment Two.**
- 3.4** Both properties were classified as “Blue Hatched Area” the purpose of which was to “ensure that this additional development does not impede orderly and economic development of the Blue Hatched Area within any future land release” (Pittwater Council DCP No.12 in force from January 1995).
- 3.5** It is worth noting that this zoning was applied to 94 private blocks of land. State government and local council lands were not included in the LEP (they had the choice), and hence development, and destruction of so called environmental lands, has occurred on public sector owned lands.
- 3.6** 271 Powderworks Road was purchased in 1997 and developed under heavy restrictions on the basis it was earmarked for future development as defined under “Blue Hatched Area”. The local council has been monitoring the property closely for the last 20 odd years with regular notices being forward to the owners to have weeds etc. removed. The source for the seeds for those weeds has been the council owned property (200 metres south east of) and on the other side of McLean Street, opposite the subject land, also owned by the government.
- 3.7** 273 Powderworks Road was purchased in 1965 and land tax has been paid every year since purchase at approximately \$15,000 per annum in current dollars approximately \$750,000 if converted to todays dollars. Owners of this property have also been hit with notices to remove weeds.
- 3.8** Human disturbance on the subject lands has a long history. Based on aerial photography from 1955 there was a history of quarrying and tracks (possibly associated with the quarrying - refer to Figure Four). By 1961 a large cleared area can be seen adjacent to the subject lands and is part of the proposed land swap arrangement put forward by the owners - refer Figure Five – please note borders are approximate for demonstration purposes. Therefore, the land is not pristine and native as has been inferred in various reports.

Figure Four – Photo taken 1955.



Figure Five – Photo taken 1961.



3.9 Both property owners would like it put on the record that at no stage were they contacted by state and local government representatives or their consultants for the conducting of any surveys or inspections of the subject lands despite invitations having been extended by the owners. There is reference in the ELA consultants report that access was not granted. This is definitely not the case.

3.10 Property 271 Powderworks has been extensively cleared from the dwelling to McLean Street as shown in Figure Six.

Figure Six – 271 McLean Street – picture looking back at the dwelling.



3.11 Property 273 Powderworks Road has containers and roofing materials on the property which have been there for decades.

Figure Seven – 273 McLean Street

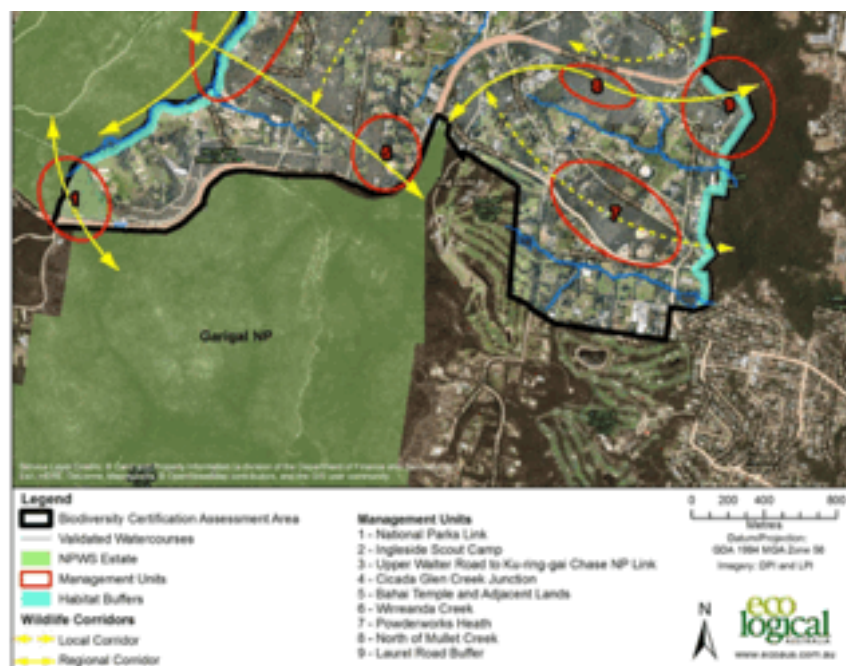


- 3.12** The owners cannot see a plausible reason why the developed section of the subject land would be earmarked as “wildlife corridor” and hence have an Environmental management zoning placed across the whole of the area of the properties.
- 3.13** The land running from the dwelling to Powderworks Road is not cleared and could be allocated as a “wildlife corridor”.
- 3.14** A submission would have been submitted in 2015. However, the owner of 271 Powderworks Road was informed that the subject lands have been pulled out of conservation zoning. This was clearly not the case and the government had changed its view and did not inform the property owners. Therefore, the owners now find themselves in a position of where they are having to respond to a public draft in a small amount of time, over the holiday period and at considerable cost.

4.0 The Proposed Environmental Management Zoning – Wildlife Corridors

- 4.1 The thrust of the proposed environmental management zoning on the subject lands is on the basis of providing a wildlife corridor through the properties.
- 4.2 Figure Eight is an extract from the ELA consultant's reports highlighting the existing corridors as they exist today.

Figure Eight – Wildlife Corridors as per ELA Report Page 80



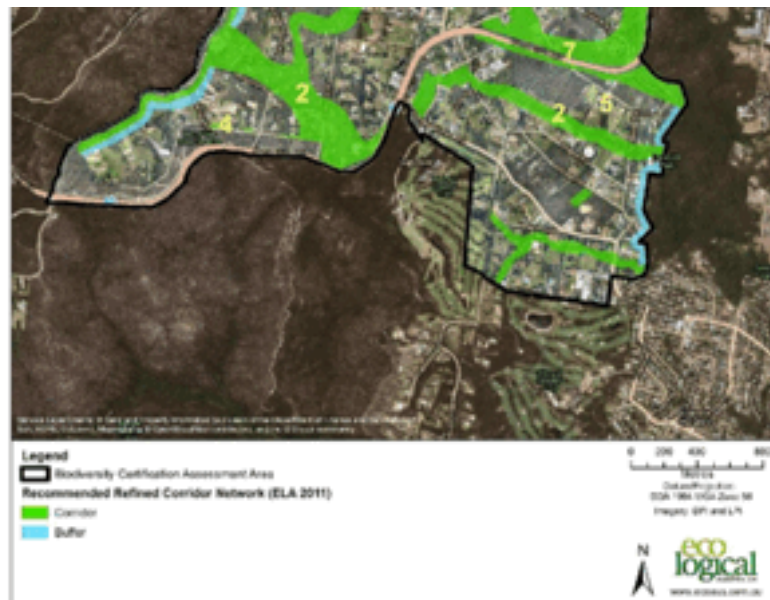
- 4.3 As demonstrated in Figure Eight there is a major regional corridor running in line with Mona Vale road (marked as areas 8 and 9 on the map) with a local corridor running through the subject lands (marked as 7 on the Map).
- 4.4 Figure Nine outlines the wildlife corridor that was recommended by ELA in their report. The map was titled “Recommended Refined Corridor Network Mapping”. As indicated in the ELA report (Page 66): -

“The main objectives of the wildlife corridor mapping were to:

- Include the majority of the EECs within the corridor
- Achieve connectivity between five major conservation areas (Ku-ring-gai Chase National Park, Garigal National Park (Page 69), Minkara Reserve, Katandra Bushland Sanctuary, and Ingleside Chase Reserve)
- Protect known or potential habitats for threatened species or regionally significant flora species habitat

- Retain examples of the native vegetation types which will be removed for development”.

Figure Nine - Recommended Refined Wildlife Corridors by ELA (Page 69)



4.5 As the map indicates **there is no proposed wildlife corridor through the subject properties.**

4.6 The proposed wildlife corridors are outlined in Figure Ten below.

Figure Ten – Draft Structure Plan for Ecological Corridors – Page 86 of ELA Report



4.7 The blue dotted lines represent the proposed wildlife corridors. The heavy red line (added by the author) is the current regional wildlife corridor and the red dotted line is the current local wildlife corridor. The issues with the new wildlife corridors are: -

- 4.7.1** The new wildlife corridors are perpendicular to the current corridors.
- 4.7.2** The new corridor moves through riparian corridors, ridge corridors, a water area and proposed playing field into the heath area surrounding the subject land. We were informed by government officials that fauna either prefer ridge or riparian types of corridors, but not both.
- 4.7.3** The major corridor is now diverted into the heath bush surrounding the subject lands which was classified as a “Flamezone” in 2003 (**refer to Attachment One**).
- 4.7.4** The corridor as proposed by ELA has been completely ignored, but still remains as a conservation zone for almost 85% of what would have been the proposed corridor if the ELA recommendation had been accepted as per Figure Eleven.

Figure Eleven – ELA Corridor 85% in tact as per Red Dotted Line



- 4.7.5** As is highlighted in Figure Eleven the corridor as recommended by ELA is 85% covered by conservation zoning. The remaining 15% has been zoned as 300 square metre blocks, much of which is owned by the State Government (as highlighted by the red circle).

- 4.7.6** The Ownership of the land that was recommended by ELA as a wildlife corridor and is now earmarked for 300 square metre development is owned by the State Government as outlined on Figure Twelve. The area highlighted in the Red circle is the end of the proposed ELA wildlife corridor and is shaded in “Green” indicating state government ownership.

Figure Twelve – Land Ownership – Green, Yellow and Brown is State Government, Blue is Local Government – Source: Cox Report to Community Reference Group December 2013



- 4.7.7** Furthermore, there are already existing Culverts for animals to travel under roads on the wildlife corridor as proposed by ELA compared to what is being proposed which will require three new Culverts.

5.0 The Proposed Environmental Management Zoning – Flora and Fauna

5.1 As highlighted in Figure Fourteen, in terms of Flora on the subject lands compared to what the ELA proposed as the wildlife corridor, there is significantly greater potential habitat for threatened species within the proposed ELA corridor which has been earmarked for development on State Government lands.

Figure Fourteen – Flora Surveys as Conducted and Documented by ELA

Flora	ELA Proposed Corridor – earmarked for development	Subject Lands and Proposed Swap Land	Comments
Coastal Upland Swamp	YES	NO	
Potential habitat Acacia terminalis subsp. terminalis, Melaleuca deanei and Tetratheca Glandulosa	YES	YES	
Potential Habitat Threatened flora species polygons Callistemon linearifolius	YES	NO	Only on edges proposed to be swapped to government ownership
Potential Habitat Threatened flora species polygons Darwinia biflora	YES	NO	Only on edges proposed to be swapped to government ownership
Potential Habitat Threatened flora species polygons Epacris purpurascens var. purpurascens	YES	NO	
Potential Habitat Threatened flora species polygons Eucalyptus camfieldii and Pimelea curviflora var. curviflora	YES	NO	Only on edges proposed to be swapped to government ownership
Potential Habitat Threatened flora species polygons Grevillea caleyi	NO	NO	
Potential Habitat Threatened flora species polygons Lasiopetalum joyceae	YES	NO	Only on edges proposed to be swapped to government ownership
Potential Habitat Threatened flora species polygons Leptospermum deanei	NO	NO	
Potential Habitat Threatened flora species polygons Persoonia hirsuta	YES	NO	Only on edges proposed to be swapped to government ownership

5.2 In terms of Fauna there is also greater potential fauna habitat in the lands that were proposed by ELA as a wildlife corridor but have been earmarked for development instead as highlighted in Figure Fifteen.

Figure Fifteen – Fauna Surveys as Conducted and Documented by ELA

Fauna	ELA Proposed Corridor – earmarked for development	Subject Lands and Proposed Swap Land	Comments
Riparian Corridor	YES	NO	
Potential foraging habitat Threatened fauna species polygons Heleioporus australiacus (Giant Burrowing Frog)	YES	YES	None recorded on subject lands
Potential Habitat Threatened fauna species polygons Eastern Pygmy Possum, Koala, and Red-crowned Toadlet	YES	YES	Nothing recorded on subject lands
Low Potential Habitat Threatened fauna species polygons Rosenberg's Goanna	YES	YES	None recorded on subject lands
Potential Habitat Threatened fauna species polygons Myotis macropus (Southern Myotis) – breeding habitat only	YES	NO	
Low Potential Habitat Threatened fauna species polygons Southern Brown Bandicoot	YES	YES	None recorded on subject lands

6.0 Transport and Services

- 6.1** What has been proposed by the subject land owners is that the government accept the ELA recommendation on the wildlife corridor, by moving some of the planned development close to Mona Vale Road to the some of the heath bush area surrounding the subject land as per Figure Fourteen.
- 6.2** The heath area is already on all major services including water, electricity and gas.
- 6.3** Therefore, development could proceed in the area more quickly and providing earlier financial gain for the government.

Attachment One



WAINWRIGHT FIRE SERVICE

'FIRE GOES OUT FOR LACK OF FUEL'

PROVERBS 26 v 20

WAINWRIGHT FIRE SERVICE

Experience: We have provided fire protection services since 1978.

Success: We have a 100% success rate – no buildings that we have protected have been lost to bush fires.

Our Services: We provide the following services:

- Bushfire protection assessments in support of development applications
- Bush fire hazard reduction burning
- Bush regeneration
- Pile burning
- Firebreak construction
- Property specific firefighting
- Fire fighting equipment (knapsacks, fire hose, pumps, extinguishers etc.)
- Training in firefighting
- Emergency evacuation training
- Fire safety inspections and maintenance
- Police Commissioners Permit holder to fire incendiary projectiles during fire control

(the above can also be performed for businesses in support of Occupational Health & Safety needs)

Environmental Sensitivity: Our bush fire hazard reduction work is sensitive to the conservation of a natural and visually pleasant environment.

WE PROVIDE A TOTAL FIRE SERVICE FOR YOUR HOME, OFFICE OR FACTORY

Phone: (02) 9939 6400 or 0417 403 791

Fax: (02) 9939 6411

Email: wainwrightfire@hotmail.com

Mail: P.O. Box 397, Collaroy NSW 2097

. FIRE EXTINGUISHERS . SMOKE ALARMS . FIRE BLANKETS . FIRE BREAK CONSTRUCTION AND SERVICE
. BUSH FIRE HAZARD REMOVAL . EMERGENCY EVACUATION TRAINING . FIRE SAFETY TRAINING
. FIRE SAFETY INSPECTIONS . BUSH FIRE PROTECTION ASSESSMENTS

Buildings protect people and people protect buildings

The creation and maintenance of defensible space around a building increase the survival chances of both the building and its occupants.

What is 'Defendable Space'?

An Asset Protection Zone around a building where fuels are significantly reduced which:

- increases the safety levels for residents and firefighters attempting to defend a building; and
- decreases the fire threat to a building and increases its value as a safe haven.

Wainwright Fire Service uses a two level approach, an inner zone (the **Building Protection Zone**) where flammable materials are minimised, and an outer zone (the **Fuel Modified Buffer Zone**) where a low level of flammable material is permitted. This avoids having to use a 'clear fell' approach over a large area, which is not recommended or supported.

Why?

Moving flammable materials away from a building will mean falling embers will have less fuel to ignite when they land and be easier to put out. Additionally, the impact of the flames and heat from an approaching bushfire will be reduced.

How?

In the **Building Protection Zone**, flammable materials on, under and around a building should all be removed away from the building. Use the table below to work out the distance you need to apply.

The **Building Protection Zone** is achieved by:

- including non-flammable areas such as paths, driveways and short cropped lawns;
- locating dams, orchards, vegetable gardens and effluent disposal areas on the fire prone side of the building;
- using radiation shields and windbreaks such as stone fences and hedgerows, avoiding highly flammable plants;
- removing fire hazards such as wood piles, rubbish heaps and stored fuels;
- replacing highly flammable plants with low flammability species such as dogwood, white flag iris, native frangipani, etc.
- ensuring there is horizontal separation between tree crowns as well as vertical separation between ground litter and the canopy by pruning low branches; and
- maintaining the area in a minimum fuel condition.

It is not necessary to remove all vegetation from within the **Building Protection Zone**. Individual trees rarely cause buildings to burn in bushfires. Trees can screen a building from windblown embers while protecting it from radiant heat. Generally smooth barked trees are favoured for this function as their barks are less likely to catch fire. Ideally, no vegetation should be able to fall on the building or, if it does, it should be removed.

A **Fuel Modified Buffer Zone** is required to separate the **Building Protection Zone** from the general bushfire hazard. In the **Fuel Modified Buffer Zone**, small sized natural fuels are removed and larger fuels are strategically modified to reduce the intensity of an approaching bushfire. Fuel amount and continuity, both on the ground and between the ground and any overstorey trees, is modified by selective removal of vegetation, both horizontally and vertically, followed by on-going maintenance.

The **Fuel Modified Zone** is achieved by:

- retaining established trees to trap embers and reduce wind speeds;
- selectively removing small trees and shrubs to create clumps (rather than continuous wall) separated by open areas;
- removing the fuel between the ground and the bottom of the tree canopy or to a height of at least two metres; and
- minimising *fine fuels* at ground level

Good landscaping design should be able to provide for safety whilst retaining a pleasant environment.

Slope Angle	Building Protection Zone	Fuel Modified Buffer Zone	
		Grassland	Forest
Flat	20	10	15
5 degrees	20	15	25
10 degrees	25	20	30
15 degrees	30	30	45
20 degrees	40	40	50

Building Protection Zone is measured from the external walls of the building in metres along the ground.

Fuel Modified Buffer Zone is measured from the **Building Protection Zone** in metres along the ground.

Wainwright Fire Service – 0417 403 791

WAINWRIGHT FIRE SERVICE

'Fire goes out for lack of fuel' - Proverb

A.B.N: 61 508 942 172

P.O. BOX 397, COLLAROY, N.S.W 2097

BUSHFIRE PROTECTION ASSESSMENT

Bushfire Protection Assessment For

**Lot 26 McLean Street, Ingleside NSW 2101
(aka 271 Powderworks Road, Ingleside)**

This report contains:

- **This cover sheet**
- **The assessment observations and conclusions**
- **The bushfire assessment certificate**
- **Definition of categories of bushfire attack**
- **Aerial photograph of the subject site and surrounds**
- **Buildings protect people and people protect buildings
(information)**
- **.....**

WAINWRIGHT FIRE SERVICE

'Fire goes out for lack of fuel' - Proverb

A.B.N: 61 508 942 172

P.O. BOX 397, COLLAROY, N.S.W 2097

BUSHFIRE PROTECTION ASSESSMENT

Inspection Date: Monday 15th September 2003
WFS Officer: Mr K. S. Wainwright
Property Location: Lot 36 McLean Street, Ingleside NSW 2101
(aka 271 Powderworks Road, Ingleside)
Property Description: Class 1A dwelling; Additions and Alterations
Referenced Documents: Site Plan – Prouds Home Improvements Job no 5590 6/2/03
Property Owner: Lyn Joyce and Mark Gell
Agent:
Contact Phone: 9913 1325 **Fax:** 9913 1327

FACTOR	OBSERVATION	CATEGORY OF BUSHFIRE ATTACK RISK
i. Water	Offsite: Reticulated water main with fire hydrants. Onsite: Domestic.	Low Low
ii. Fuel Type	Offsite: Coastal heath. Onsite: Coastal heath.	Flamezone Flamezone
iii. Fuel Loading	Offsite: NSW Rural Fire Service document ' <i>Planning for Bushfire Protection</i> ' indicates greater than 25 tonnes per hectare. Onsite: Greater than 25 tonnes per hectare.	Flamezone Flamezone
iv. Access	Offsite: To subject land is via Powderworks Road and McLean Street. Onsite: To residence is very poor.	Medium Flamezone
v. Slope	Offsite: Down slope from residence to north about 11 degrees and to the south about 4 degrees. Onsite: Down slope to north about 11 degrees and to the south about 4 degrees.	Flamezone Flamezone
vi. Aspect	All directions to the bush fire risk.	Flamezone
vii. Exposures	North, south, east and west is residential – adjacent land is currently vacant.	Flamezone
viii. Wind	All winds.	Flamezone
ix. Environmental Sensitivity	This development will have no impact on environmental sustainability or sensitivity of known threatened species, population or ecological community. This development will have no impact on any known aboriginal site or relic.	Low Low
x. Asset Protection Zone (APZ)	An APZ is not possible within subject land.	Flamezone

12

Contact: Wainwright Fire Service

Ph: 9939 6400 Mb: 0417 403 791 Fax: 9939 6411

Email: wainwrightfire@hotmail.com

Conclusions:

According to site assessment methodology for bushfire attack, this site is exposed to <Flamezone> bushfire attack risk.

It is recommended that the construction conform to AS3959-1999 Level <Three> plus a Package of Fire Protection Measures.

- Flamezone is beyond the scope of AS3959-1999.
- Should construction and fire protection measures conform, then the bushfire protection is marginal.
- This development together with existing development on the site and any occupants will be marginally protected from the impact of bush fire hazard in accordance with requirements specified by the State Government through the relevant legislation and advisory documents.
- This site would not be expected to survive the passage of a wild fire.
- Early evacuation is advised.

Package of Fire Protection Measures:

1. Asset Protection Zones. All of site not built upon to be established and maintained as an APZ.
2. Sufficient of kink resistant garden hose with brass fittings and nozzles.
3. An extension ladder capable of safely reaching the roof.
4. Gutter plugs for down pipes.
5. An emergency action and evacuation plan.
6. Level 1 Personal Protective Equipment (PPE).
7. WFS approved diesel or petrol pump, hose, stortz fittings and training package.
8. Stored water supply 22,000 litres.
9. An external building sprinkler system to WFS specifications.
10. Tap inside dwelling to enable a hose to be used in the roof void and on small ignitions in the house.
11. Bucket filler tank – small water supply with several large outlets for rapid filling of buckets plus two knapsack fire fighter units.
12. A 'zone of influence' is to be cleared around the building which contains no combustible items, structures or vegetation.
13. Leaf guard for gutters.
14. Gardens and lawns should be maintained in a bush fire fuel modified state.
15. Developed gardens of appropriate species to be maintained on site.
16. A pre bushfire danger period inspection of site is to be conducted on an annual basis.

Maintenance of Fire Protection Measures:

Certain measures that form an important part of the bushfire protection package will require ongoing maintenance. To provide the greatest likelihood of this occurring, an indelible instruction placed in an accessible, permanent part of the building will be necessary. Possible locations are the electrical meter box, subfloor access door or a kitchen cupboard.

References:

Environmental Planning and Assessment Act 1979 Section 79C
Rural Fires Act 1997
Australian Standard AS3959-1999
Planning for Bushfire Protection – Guideline (RFS)

The above report is the professional opinion of the consultant with reference to the above documents and specific detailed assessment of the subject property. The final assessment and recommendation remains subject to additional review and assessment by the local council and Rural Fire Service, as applicable, who have the

right to review the report findings in their own opinion, and with reference to other factors, and determine a final requirement for the property.

We also note from AS3959 the comment that: *'A building which will withstand all bushfires is not feasible, but in addition to the building requirements provided by this Standard (AS3959), if the guidelines provided by fire and planning authorities in all States are followed, this will create a property which will have an enhanced chance of surviving most bushfires.'*

Similarly, the Guideline (RFS) states: *'However, no development in a bushfire-prone area can be guaranteed to be entirely safe from bushfires. Providing an acceptable level of protection is to some extent a compromise between the level of threat and the costs (such as financial and environmental) involved in providing the protection.'*

Yours Faithfully,



Chris Wainwright
Fire Protection Manager

Important Note:

This report is only valid when accompanied by a Certificate signed by a Certifying Officer of Wainwright Fire Service.

All reports and certifications are retained on file at Wainwright Fire Service for future reference as may be required by the owner, their agent, legal or statutory bodies.

WAINWRIGHT FIRE SERVICE

'Fire goes out for lack of fuel' - Proverb

A.B.N: 61 508 942 172

P.O. BOX 397, COLLAROY, N.S.W 2097

BUSHFIRE PROTECTION CERTIFICATE

REFERENCES:

Environmental Planning and Assessment Act 1979

Rural Fires Act 1979

Australian Standard AS3959-1999

Planning for Bushfire Protection 2001

CERTIFICATE

Type of Statement: DEVELOPMENT APPLICATION BUSHFIRE PROTECTION ASSESSMENT
Date: 15th September 2003
Identification of Site: Lot 36 Mclean Street, Ingleside NSW 2101
(aka 271 Powderworks Road, Ingleside)
Property Owner: Lyn Joyce and Mark Gell
Owner Address: As above
Certifier Statement: I, CHRISTOPHER EDWIN WAINWRIGHT OF
WAINWRIGHT FIRE SERVICE,
PO Box 397, Collaroy, NSW, 2097

CERTIFY

that:

- Each bushfire protection assessment factor, and category specified, in this statement has been assessed by a properly qualified person.
- A properly qualified person (whether the person referred to in paragraph (a) or another person) has inspected the site & has certified that, as at the date of inspection, the category of bushfire attack risk is <Flamezone>.
- The proposed development is to comply with AS3959-1999 level <Three>plus a Package of Fire Protection Measures. Flamezone is beyond the scope of AS3959-1999.
- This development together with existing development on the site and any occupants will be marginally protected from the impact of bush fire hazard in accordance with the requirements specified by the State Government through the relevant legislation and advisory documents.
- The information contained in this certificate is, to the best of my knowledge & belief, true and accurate.
- This site would not be expected to survive the passage of a wild fire.
- Early evacuation is advised.

BUSHFIRE PROTECTION ASSESSMENT FACTOR	CATEGORY OF BUSHFIRE ATTACK RISK
Water	Low
Fuel Type	Flamezone
Fuel Loading	Flamezone
Access	Flamezone
Slope	Flamezone
Aspect	Flamezone
Exposures	Flamezone
Wind	Flamezone
Environmental Sensitivity	Low
Asset Protection Zone	Flamezone

Certified by:

C. E. Wainwright

Certifying Officer – Mr C. E. Wainwright

Contact: Wainwright Fire Service

Ph: 9939 6400 Mb: 0417 403 791 Fax: 9939 6411

Email: wainwrightfire@hotmail.com

Definition of Categories of Bushfire Attack

(as described in the NSW Rural Fire Service Document 'Planning for Bushfire Protection')

<u>CATEGORY</u>	<u>DESCRIPTION</u>
Low	Minimal attack from radiant heat and flame due to the distance of the site from the vegetation, although some attack by burning debris is possible. There is insufficient threat to warrant specific construction requirements.
Medium	Attack by burning debris is significant with radiant heat and flame attack insufficient to threaten building elements (unscreened glass). Specific construction requirements are therefore warranted.
High	Attack by burning debris is significant with radiant heat levels and flame threatening some building elements (screened glass). Specific construction requirements are therefore warranted.
Extreme	Attack by burning debris is significant and radiant heat levels and flame could threaten building integrity. Specific construction requirements are warranted.
Flame Zone	Flames and radiant heat levels likely to significantly threaten building integrity and result in significant risk to residents who will not be adequately protected.

It is noted that attack from burning debris increases as the category of bushfire attack becomes more severe.

Contact: Wainwright Fire Service

Ph: 9939 6400 Mb: 0417 403 791 Fax: 9939 6411

Email: wainwrightfire@hotmail.com

Attachment Two

SYDNEY
COUNTRY LIVING

14 February 2017

Mr M Gell & Ms L Joyce
36 McLean Street
INGLESIDE NSW 2101

Dear Mark and Lynne,

Thank you for you asking us to give you an up to date appraisal of your property.

As you are aware areas of Ingleside are currently being rezoned and depending upon the ruling for your land I have assessed whether this would have a positive effect or negative effect upon a potential sale price.

If the property was zoned R2 this would be the best possible outcome for you and if this is achieved I believe the property would sell in the vicinity of \$7,000,000 to \$7,700,000.

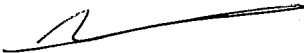
If the property was zoned R1 I believe the property would sell in the vicinity of \$3,000,000 to \$3,300,000.

With the current zoning of the property, I have taken into account recent sales in area and would expect a sale in todays market to be \$2,500,000.

Unfortunately, if your land was to be rezoned as an environmental corridor the property would be near unsaleable. This zoning would create such uncertainty as to the use of the land for any potential purchaser that it would be near impossible to sell.

I hope the abovementioned assists your queries and if I can be of any further assistance please let us know.

Kind Regards,



Shayne Hutton
Principal

VALUATION REPORT

Property Address: 271 Powder Works rd Ingleside NSW 2101, also know as 36 Mclean St

Owners: Lynette Kay Joyce & Mark Edward Gell

Description: Privately owned land with existing dwelling

Instructions: Acting under instructions from property owners to determine current market value ex GST of the freehold interest in the subject property

Instructing Party: Mr Mark Gell

Date of Inspection: 3rd January 2017

Land Details

Interest to be Valued: The interest to value is the owners freehold interest assuming a sale of the subject property given vacant possession

Title Particulars: Lot 36 DP 11594 VG number 1306400000000

Land Dimensions: Regular – 32 M approx Nth & Sth perimeter – 248 m approx East & West perimeter

Land Area: 7369 m²

Property Identifications: This property has been identified by reference to a Cadastral Map

Site Description: Generally level site with minimal undulation and no irregular shape

Encumbrances: No known service easements encumber this site

Market Value: Valuation is subject to assumptions, limiting conditions and descriptions available to the owners under the current zoning and is further limited by the proposed rezoning indicated in the Draft Plan released 2nd December 2016 – NSW Planning and Environment. The market value assessment is undefined based on the proposed re zoning of the subject land to E2 Environmental Management.

Further instruments can be used to determine an accurate market assessment based on surrounding density sectors of Low & Medium Density – this information is available on request and a unit rate per sqm would apply.

A handwritten signature in black ink, appearing to read "Stephen Allen".

Stephen Allen

Residential Sales Belle Property Mona Vale & Terrey Hills

M 0402 359 710

E stephen.allen@belleproperty.com



7th November 2016

Lot 36 Mclean Street, Ingleside

Dear Mark & Lynne,

Thanks for your request for an Appraisal on your property.

For your information I have done a comparison of recent property sales in the area. Also after having consulted with developers on multiple feasibility investigations. I am able appraise your property should zoning rule favourable or negatively on your land holding. Developer sentiment towards land in the area is at high prior to gazettal due to the implied opportunity value and land is achieving good prices. The target achievable price will vary on what Zoning status is awarded.

I believe R2 would be the ultimate result for your land and if this was achieved your land would expect to sell for \$7,000,000 – \$7,700,000

If R1 was achieved your land would expect to sell for \$3,000,000 - \$3,500,000

If your land was to be unaffected by the zoning I would expect to see a sale price of around \$2,500,000

Finally, if the current plan to zone your block as an environmental corridor stands, your property would become near unsaleable. This is due to the uncertainty a potential buyer would have with the usability of the land.

The cost to develop this land is looking to be among the highest Sydney has ever seen. The end purchaser demographic is calling for R2 sites and while R1 appeals to existing residents, the great majority of the market is avoiding large blocks of high maintenance land. This is apparent if monitoring the acreage market in Bayview. This market has been overtaken by the smaller blocks in Bayview purely due to this market demand.

I hope this helps you assess the potential of your home and wish you both good luck.

Sincerely,

Phil Vanstone / Stone Real Estate Mona Vale
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