



FERN BAY FULLERTON COVE PROGRESS ASSOCIATION

Jane Flanagan
Planning NSW
7th September 2017

Dear Jane,

SUPPLEMENTARY SUBMISSION

**Re: Application for Modification MP06_250 MOD9 - Seaside Boulevard, Fern Bay
Modification 3 - Change a proposed secondary public road access to an emergency
only access road**

The Fern Bay Fullerton Cove Progress Association has noted Cardno's response to submissions on behalf of Rawson and do not believe they provide sufficient basis for the planner to approve their modification application. The applicant's response to submissions also raises further unanswered questions and issues.

Their response does not address the following issues:

1. Hundreds of lots have been purchased on the basis that there would be a full second exit as shown in the attached plans spanning 7 years from 2009 until 2016
2. A full second exit provides a much greater level of amenity for residents

Their response indicates that the proposed modification is a safer solution during emergency situations. ***We would contend that this assertion is incorrect*** for the following reasons:

1. The likely path of a bushfire requiring evacuation is from the north-east rather than from the south or west. The fire-prone vegetation to the south and west of the Estate is less extensive and fragmented by a variety of residential areas which would slow the progress of a fire from these directions. An out-of-control bushfire is more likely to come from the north or north-east.
2. In the event of an evacuation residents would be directed away from the threat, ie to the south, and a left turn only scenario at the second exit would facilitate this.
3. When emergency service personnel are gaining entry to the Estate, those coming from the north would naturally enter via the northern entry, via the left turn slip lane. Those coming from the south would logically enter via the southern (existing) entry. The presence of a central median barrier at the northern entry point would not affect the safety of either of these movements.
4. In the event that the southern, main entry was blocked or too close to the fire, the only access point would be the northern exit. With all evacuating traffic and incoming emergency personnel funnelling through this exit, involvement of police to direct traffic would be a necessity due to the traffic volumes. Their presence would facilitate safe movement regardless of the presence of a central median barrier.

Their response indicates that delays associated with blockages of Seaside Boulevard are simply inconvenient and no different to other situations across the state. Whilst this might be the case for isolated rural properties, small developments adjacent to National Parks or historic developments constrained by geographical features, this is not the case for Seaside. The installation of a full second exit has been planned and budgetted for, is technically feasible and advertised as a feature of the Estate. We would challenge the applicant to find an example of a residential area with in-excess of 900 homes constrained by a single entry/exit point.

The submission from RPS Consultant Stuart Greville concludes with the statement that “the Community Association and all resident will be made aware and provide with a copy” of the Bushfire Emergency Management Plan (BEMP). The Progress Association membership includes a number of individuals who are active in the various Strata Committees that make up the over-arching Community Association of Seaside’s Strata. *We are not aware of any consultation with the Community Association informing them of their potential involvement in communicating the contents of the BEMP in perpetuity.*

Seaside has a high-turnover of owner-occupiers and renters, particularly due to its proximity to RAAF base Williamstown. Ensuring that all residents are aware of the BEMP is both problematic and costly. Whilst the BEMP could be emailed to most lot owners the Strata Manager currently has no visibility of which lots are owner-occupied and which are rented out. The Strata Manager would need to implement a process for contacting each lot-owner at least once per year to ascertain if the residence was rented. Information would need to be obtained and collated as to who the managing agent was and their contact details. The BEMP would then need to be forwarded to each managing agent with instructions to pass the information on to their current tenants. Such a process is lengthy, cumbersome and prone to inaccuracies, with the end-result being that many tenants may not be notified of the BEMP or its contents. Does this leave the Community Association liable for damages should a resident suffer injury or loss as a result of not receiving the BEMP?

In addition, the Strata Manager would levy the Community Association a fee for implementing such a process, and the internet usage associated with emailing the file. This fee would be passed onto the lot owners or tenants.

The BEMP is 41 pages long and requires colour printing. Once the Estate is complete, there will be approximately 950 separate dwellings or businesses. This amounts to a print-out of 38,950 pages. As an example, Officeworks charges colour A4 printing at \$0.23 per sheet or \$8958.50, plus \$950 in postage. So for an initial mail-out, the cost to the Community Association would be nearing \$10,000. Whilst the Strata Manager may be able to secure printing costs less than this figure, they would charge the Community Association for the administration time for completing this task. A yearly mail-out, to all residents, prior to the Bushfire Season is the only way to guarantee all residents are aware of the BEMP’s contents, and the evacuation process. This \$10,000 cost is a yearly recurrent cost to all lot-owners in perpetuity.

The cost of constructing a permanent second entry/exit road will have been included by the applicant in the price every lot owner paid for the initial purchase of their property. The applicant is seeking, to not only reduce the infrastructure provided, but also to place an ongoing cost burden on lot owners for this downgrade.

The Fern Bay Fullerton Cove Progress Association believe that the proposed downgrade of the second access point to emergency only access is NOT a safer option, will only REDUCE amenity, and unfairly place a yearly cost burden on all lot owners.

We would implore the NSW Department of Planning and Environment to REJECT the applicant’s proposal.

Yours sincerely,

S. Johnston

Sally Johnston
Chairperson
Fern Bay Fullerton Cove Progress Association
7th September 2017



