

Ms Jennifer Cooper, Director
Urbis
Tower 2, Level 23 Darling Park
201 Sussex Street
SYDNEY NSW 2000

Dear Ms Cooper

Planning Proposal PP_2015_WARRI_001_00 (Ralston Avenue, Belrose)

I refer to the proposal to amend the Warringah Local Environmental Plan 2011, to rezone Lot 1 DP1139826 Ralston Avenue, Belrose to R2 Low Density Residential, RE1 Public Recreation and E3 Environmental Management to facilitate a subdivision for 159 dwellings.

The Department referred the planning proposal to the Independent Planning Commission for advice on whether the planning proposal should be finalised on 21 December 2017. The IPC provided advice to the Department on 22 January 2019. The IPC in forming this advice had consideration of expert advice on bushfire risk and mitigation.

The Department has considered the Independent Planning Commission's recommendation, Council's recommendation and work-to-date, the advice from public agencies and input from yourselves.

The Department acknowledges the importance of the Metropolitan Aboriginal Land Council to provide housing for their community and ensure that land granted to the Land Council can be used, where suitable, for an economic return to support the ongoing needs of the community. In this instance the risks associated with the threat of bushfires as well as risks to human life, property, infrastructure, biodiversity and threatened species outweigh the benefits.

In addition, the planning proposal is inconsistent with the objectives of Direction 4.4 Planning for Bushfire Protection, does not give effect to Direction 2.1 Environment Protection Zones and State, regional and district plans.

For the reasons above, I have decided as the delegate of the Minister for Planning not to make the plan under section 3.36(2)(b) of the *Environmental Planning and Assessment Act 1979*.

Should you have any enquiries about this matter, I have arranged for Mr Joel Herbert to assist you. Mr Herbert can be contacted on 8289 6614.

Yours sincerely



Marcus Ray
Deputy Secretary
Planning Services

15/04/2019