

15 August 2019

Bushfire Risk Assessment: Hams Rd 35 & 69-93, Waurm Ponds

This addendum to my Bushfire Risk Assessment dated 15 August 2019 is prepared in accordance with Planning Panels Victoria Practice Note – G2 Expert Witness.

To assist the Panel, the statement of an expert witness should contain a cover page that clearly identifies, as relevant:
(a) the file number given by the Panel for the relevant proceeding; Amendment C372
(b) the date of the statement; 15 August 2019
(c) if the statement relates to a person, the name of that person; n/a
(d.i) if the statement relates to a property, the address of that property Hams Rd 35 & 69-93, Waurm Ponds
(d.ii) and the date(s) of any inspection; 11 August 2019
(e) the party for whom the statement has been prepared; and Echin Pty Ltd (50%) and Waurm Pond Unit Trust (50%)
(f) the person from whom the expert received his/her instructions. Norton Rose Fulbright att: Victoria Vilagosh
The statement of an expert witness must include the following matters:
(a) the full name and address of the expert witness; John Burke 3 / 1021 Toorak Rd, Camberwell
(b) the expert's qualifications, experience and area of expertise; See attached CV
(c) a statement setting out the expert's expertise to make the statement; See attached CV
(d) reference to any private or business relationship between the expert witness and the party for whom the statement is prepared; The statement was prepared for a fee. Not other private or business relationship exists
(e) all instructions that define the scope of the statement (original and supplementary and whether in writing or oral); To the best of my recollection a discussion was held on Tuesday 6 August 2019 around what bushfire matters would need addressing for a Planning Amendment application currently before Planning Panel Victoria. My emailed quote with a scope of work was provided that day. Verbal authority to proceed based on my emailed quotation was received Thursday morning 8 August 2019. An 8 page letter of engagement setting out not much at all was received late Thursday 8 August 2019
(f) the facts, matters and all assumptions upon which the statement proceeds; The statement is based on my site observations during a site inspection on 11 August 2019 as set out in my statement dated 15 August 2019

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(g) reference to those documents and other materials the expert has been instructed to consider or take into account in preparing his or her statement and the literature or other material used in making the statement;

At my own suggestion; Victorian Planning Provisions (VPP) clause PPF 13.02 and AS3959-2018 Construction of Buildings in Bushfire-prone Areas (Standards Australia, 2018)

(h) the identity and qualifications of the person who carried out any tests or experiments upon which the expert relied in making the statement;

Not applicable

(i) a statement:

- summarising the opinion of the expert;

In my opinion there are no bushfire grounds for the application not to be granted

- identifying any provisional opinions that are not fully researched for any reason (including the reasons why such opinions have not been or cannot be fully researched);

The statement is final and no provisional opinions have been included

- setting out any questions falling outside the expert's expertise; and

I don't consider that any issues in my statement fell outside my area of expertise

- indicating whether the statement is incomplete or inaccurate in any respect.

The statement is final and is not considered incomplete or inaccurate in any respect

(j) A signed declaration by the expert that:

"I have made all the inquiries that I believe are desirable and appropriate and that no matters of significance which I regard as relevant have to my knowledge been withheld from the Panel."

So declared:



JOHN BURKE
BAL Assessments

JOHN BURKE

Bushfire Risk Consultant

CONTACT DETAILS:

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email: John@BAL.net.au

web: www.BAL.net.au



EXPERIENCE:

Over 30 year experience working on large complex engineering projects as a Contracts Manager.

After the loss of my house at Buxton in the Black Saturday bushfires in February 2009, I spent a considerable period undertaking voluntary Bushfire Attack Level (BAL) assessments under the newly released Australian Standard AS3959-2009. This program was coordinated by the Victorian Building Commission and training was provided by the CFA and the Victorian Building Commission.

I have since undertaken many hundreds of BAL assessment under AS3959, all of which have been accepted by the Relevant Building Surveyors. These assessments have been a mixture of both the simplified Method 1 assessments and the more complex Method 2 assessments where radiant heat loads have to be calculated as well as Performance Solutions under the National Construction Code (NCC).

I have undertaken many hundreds of Bushfire Management Overlay (BMO), previously called Wildfire Management Overlay (WMO), assessments in the higher risk areas in accordance with the Victorian Planning Provisions. All these assessments have ultimately been accepted by the CFA as the referral authority.

I also undertake Bushfire Risk Assessments under PPF 13.02, including experts' reports for planning scheme amendments/rezoning applications.

I undertake Experts' Reports for presentation at VCAT, the Building Appeals Board and Panel Hearings.

CONTINUING PROFESSIONAL DEVELOPEMENT:

I am committed to continual improvement of my knowledge and service, the following lists some of the professional education I have attended:

- DELWP Planning Policy Framework 13.02 Bushfire Workshop – 5 June 2019
- Changes to AS 3959 and the new NCC Performance Solution Verification Methods for Bushfire Areas
 - *Australian Institute of Building Surveyors – March 2019*
- Preparing and assessing an application under the Bushfire Management Overlay
 - DPCD & CFA - June 2012
- Introduction to bushfire planning provisions - DPCD, DSE & CFA - December 2011
- Bushfire Behaviour - University of Western Sydney - 2011
- Overall Fuel Hazard Assessment Guide training – *DSE - November 2010*
- Development and Building for Bushfire-prone Areas, UTS, Vic Build. Comm. & CFA – Oct 2010
- Fire Safety, Steel Framed house subject to Bushfire Attack (prequel to the NASH Standard)
 - *Institution of Engineers Australia - October 2010*
- WMO & AS3959, Building in a Bushfire zone
 - *Australian Institute of Building Surveyors - 2010*
- Planning for Bushfire Protection - *University of Technology Sydney (UTS) - August 2010*
- Bushfire Attack Level (BAL) Training – *Victorian Building Commission and CFA - June 2009*
- Introduction to the new bushfire standard - *Victorian Building Commission - May 2009*

JOHN BURKE

Bushfire Risk Consultant

Continuing Professional Development

Statement of Attendance

John Burke

**Bushfire Attack Level (BAL)
Assessment Training**

17 June 2009



Building Commission

This is to certify that

JOHN BURKE

successfully completed the

PLANNING FOR BUSHFIRE PRONE AREAS SHORT COURSE

conducted by the Centre for Local Government

University of Technology, Sydney

9-13 August 2010

Graham Sansom
Associate Professor and Director
Centre for Local Government

This is to certify that

JOHN BURKE

successfully completed the

DEVELOPMENT AND BUILDING IN BUSHFIRE PRONE AREAS SHORT COURSE

conducted by the Centre for Local Government

University of Technology, Sydney

25-29 October 2010

Graham Sansom
Associate Professor and Director
Centre for Local Government

