

File Ref: 20/060
MP 10_0137 MOD 14

18 September 2020

Department of Planning, Industry & Environment
Locked Bag 5022
PARRAMATTA NSW 2124

PO Box 40, Maitland NSW 2320
1st Floor, 44 Church Street
Maitland NSW 2320
ABN: 35 078 017 508
T (02) 4933 6682
F (02) 4933 6683
W hdb.com.au

Attention: Silvio Falato

**Submission to Modification in respect to
Huntlee New Town (MP 10 0137 MOD 14)**

Dear Silvio

I refer to the above notification received from the Planning, Industry and Environment Department 2 September 2020. The following submission is offered by Mr PD Vizzard, in respect to the above modification.

Mr Vizzard originally owned this site being the subject of the above modification and sold it to Huntlee Propriety Limited. As part of the agreement he retained Lot 11 DP1105639 on which his existing dwelling is located. As part of that sale he agreed to lot layout that facilitated the future development of Lot 11. Lot 11 is R5 zoned Large Lot Residential and proposed Amendment 14 will extinguish the development potential of this lot. A copy of the proposed future lot layout for Mr Vizzard's land is attached. This is unchanged from that proposed as part of the recent rezoning application for this site.

The following further examines Mr Vizzard's concerns.

1. Lot Layout

The current lot layout as proposed in MOD14 should be amended to provide for the future development of Mr Vizzard's land (Lot 11) as shown in the attached plan.

Comment

Lot 11, currently owned by Mr Vizzard, is capable of being developed as Large Lot Residential in accordance with the attached plan. Failure to provide for this in proposed MOD 14 would represent an underutilisation of the area and be contrary to the following objective of the *Environmental Planning and Assessment Act 1979*.

c) to promote the orderly and economic use and development of land



2. Bushfire Risk

The original design, as it pertains to the northern boundary, appears like that originally proposed, however the Act has been amended to place greater emphasis on the provision of perimeter trails. The bushfire attack rating for housing in this area is high and there is only one Cul-de-Sac leading in and out which may be longer than 200m. This access also crosses a heavily timbered drainage line which creates a bushfire risk on all sides of dwellings in this location.

Comment

The provision of a perimeter trail road or road should be considered along the northern boundary as the adjoining property, to the north, and will never be developed due to its environmental value, thus promoting its continued state of dense bushland.

3. Ecological

The revised design seeks to remove the previously identified Endangered Ecological Communities (EEC) located on the south eastern section which was previously left as bushland. The current design shows this area to be totally replaced with housing.

In addition, the area along the northern side of the site was previously identified as habitat for *Personas Passiflora*, which is listed under the *Environment Protection and Biodiversity Conservation Act 1999*. While there may not be plants currently in this location, it is not to say that seed stocks remain and may regenerate in the future.

Comment

Justification for the removal of the EEC in the south eastern corner has not been provided and should be. Its removal is also objected to, as it currently acts as a buffer for traffic noise on Wine Country Drive. Due to the proximity of critically endangered flora it is considered that it may be more appropriate to maintain a buffer on the northern edge of the development.

4. Flooding

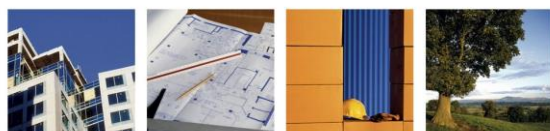
Mr Vizzard is a longtime resident of this site and has regularly recorded flood events up to his boundary. The flood study shows flood levels lower than experienced on this site. Water also flows across Wine Country Drive from the east and adequate protection is required for the existing drainage lines.

Comment

Further protection in the way of the easements or drainage reserves should be established over the existing Category 2 drainage lines, and the flood study should be revised.

Conclusion

Mr Vizzard does not object to the proposed development however would request that the Department appropriately consider his above concerns, and especially the requirement that his lot is not prejudiced by the amendments proposed.



Yours sincerely

HDB Town Planning & Design



Kerry Nichols

Director

KN:kw

