



Our ref: DOC22/311306-16

Your Ref: MP10\_0137- MOD20

Christopher Eldred  
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Department of Planning and Environment  
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Dear Mr Eldred

**Request for Advice - Modification 20 - Subdivision of Town Centre and Substages 13-16, Huntlee (MP10\_0137-Mod-20) (Cessnock City & Singleton Shire)**

I refer to your email dated 20 April 2022 in which the Planning and Assessment Group (P&A) of the Department of Planning and Environment (the Department) requested the Biodiversity and Conservation Division (BCD) of the Department to comment on the report for the proposed modification 20 of the Huntlee PA (MP 10\_0137 MOD 20), located at Branxton; in the Cessnock and Singleton local government areas.

BCD has reviewed the report from Urban Ethos titled '*Huntlee New Town Modification 20*' (dated 18 February 2022), including relevant appendices, annexures and attachments in relation to impacts on biodiversity and flooding.

BCD's recommendations are provided in **Attachment A** and detailed comments are provided in **Attachment B**. If you require any further information regarding this matter, please contact Steve Lewer, Senior Regional Biodiversity Conservation Officer on 4927 3158 or via email at [rog.hcc@environment.nsw.gov.au](mailto:rog.hcc@environment.nsw.gov.au).

Yours sincerely

**Steven Crick**  
**Senior Team Leader - Planning**  
**Biodiversity and Conservation Division**

**Date: 9/5/22**

Enclosure: Attachments A and B

## BCD's recommendations

### Huntlee New Town Residential Subdivision Stage 1 MOD 20 – Comment on MOD report

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#### Biodiversity

1. The proponent should confirm that the design of sub-stage 14, including required Asset Protection Zones does encroach on lot 56 DP755211.
2. BCD remains concerned that issues outlined in previous correspondence that the project is not adhering to the initial intent of the *Ecological Assessment Report - Huntlee* (RPS 2010) to protect 35 ha of Central Hunter Riparian Forest and 4 ha of Lowland Redgum Forest (e.g., MOD 14 and 16).

#### Flooding and flood risk

3. No further flooding assessment is required.

## BCD's detailed comments

### Huntlee New Town Residential Subdivision Stage 1 MOD 20 – Comment on MOD report

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#### Biodiversity

1. The lot design of sub-stage 14 may not have considered the accurate boundary location between sub-stage 14 and lot 56 DP755211

Biodiversity Conservation Division (BCD) is aware that recent survey work conducted along the southern boundary of sub-stage 14 of the Huntlee developed revealed that the existing fence and cadastre is positioned further south than the true boundary. This boundary is shared with lot 56 DP755211. As clearing within lot 56 is not part of the Huntlee major project approval it is important that the design of sub-stage 14, including required Asset Protection Zones uses the true boundary in its design.

#### Recommendation 1

The proponent should confirm that the design of sub-stage 14, including required Asset Protection Zones does encroach on lot 56 DP755211.

2. The proposal to remove all areas of vegetation within the MOD20 area is consistent with the Huntlee major project approval

All areas within the MOD20 area were mapped in the *Ecological Assessment Report - Huntlee (RPS 2010)* as Central Hunter Ironbark – Spotted Gum - Grey Box Forest Endangered Ecological Community (EEC) or vegetation that is not listed.

Unlike the Central Hunter Riparian Forest and Hunter Lowland Redgum Forest, which have clear commitments to protect 35ha and approximately 4ha within the Huntlee development area respectively (Table 5-3 in RPS 2010), there are no commitments to protect any areas of Central Hunter Ironbark – Spotted Gum - Grey Box Forest within the development area. Therefore, the proposal to remove all areas of vegetation within the MOD20 area is consistent with the Huntlee major project approval.

BCD reiterates the issues raised in advice about previous modifications, such as the letter of 28 January 2022 (DOC21/13367-11), that the conservation outcomes proposed under the original Huntlee ecological assessment and vegetation management plan are not being achieved.

#### Recommendation 2

BCD remains concerned that issues outlined in previous correspondence that the project is not adhering to the initial intent of the *Ecological Assessment Report - Huntlee (RPS 2010)* to protect 35 ha of Central Hunter Riparian Forest and 4 ha of Lowland Redgum Forest (e.g., MOD 14 and 16).

## Flooding and flood risk

### 1. BCD is satisfied with the flooding and flood risk assessment

BCD has reviewed the '*Huntlee New Town Modification 20*' (Ethos Urban - dated 14/3/22) and 'Huntlee Subdivision Modification – Stormwater and Flood Management Strategy' (Northrop – dated 17/12/21) with regard to flooding and water quantity / quality and have no comments.

#### Recommendation 3

No further flooding assessment is required.