

Our Ref: 16015 Bushfire Huntlee MOD 20 RFS RFI Response 2-09-2022
Via: email

Date: 2 September 2022

Attn: Josh Calandra
NSW Rural Fire Service
Locked Bag 17
Granville NSW 2142

Dear Josh,

RE: HUNTLEE STAGE 1 MOD 20 – RFS RFI RESPONSE

MJD Environmental have undertaken a review of the request for information issued by the NSW RFS (Ref DA20200904003225-S4.55-2 Dated 22 July 2022). In response to the matter raised in the services review we provide the following information for your consideration to enable the completion of your assessment.

Item 1 - As the proposal includes new subdivisions through changes to [Town Centre] Stages 1, 2, 3, 4 and 5, providing additional 185 residential allotments, Subdivision of Substage 14 (86 residential lots) and 15 (83 residential lots) to provide 169 new residential lots and further subdivision within Substage 16 to create 56 residential lots, they should be accompanied by a bush fire report addressing clause 45 of the Rural Fires Regulations 2022.

All areas of proposed development are situated within land that benefits from existing approvals within the approved Huntlee development. There is no intensification of population in a bushfire prone area and/or change to the Huntlee development beyond that anticipated by the original approval. The current modification simply seeks to finalise the subdivision layout for land uses which were assessed under the original approvals, and whilst the number of lots is increased, the total number of approved dwellings within the Stage 1 approval remains the same.

Bushfire reports (per clause 45 of the RF Act) have been reviewed and approved by the RFS. To assist, the key reports have been attached per below. Given that all areas benefit from existing approvals and consistent with MOD 16, a further bushfire report beyond the supporting information provided previously (contemporary APZ / BAL per PBP 2019) and herewith is not proposed.

Attachment 1 A Part 3A Project Application Environmental Assessment Report for Stage 1 of the Huntlee New Town development was approved by the NSW Planning Assessment Commission on 24th April 2013 (MP10_0137). The site is situated within the approved Stage 1 residential area of the Huntlee New Town development.

The Stage 1 Project Application was informed by a Bushfire Threat Assessment prepared by HDB (January 2011).

Document Available - <https://www.planningportal.nsw.gov.au/major-projects/projects/huntlee-stage-1-development>

Attachment 2 Bushfire Threat Assessment for Lot 12 DP729973, Lot 36 DP755211 and Lot 37 DP755211 Huntlee Residential Development, Stage 2-5 Eastern Precinct was prepared by RPS (2015). This assessment accompanied 75W Modification (MOD 3) to Stage 1 of Major Project (MP10_0137) for the Huntlee New Town Residential development. The RPS (2015) BTA was assessed and approved by the NSW RFS.

Document Available - <https://www.planningportal.nsw.gov.au/major-projects/projects/mod-3-19>

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Attachment 3 A revised Bushfire Threat Assessment was prepared by MJD Environmental (2017) to accompany 75W Modification (MOD 8) to Stage 1 of Major Project (MP10_0137) for the Huntlee New Town Residential development.

Note: The MOD 8 BTA was assessed and approved by the NSW RFS. The current report reflects a revised subdivision pattern for the subject land and all other assessment elements and results remain concurrent. As such it is recognised as prevailing over the HDB (2011) BTA prepared for the Stage 1 approval.

Document available - <https://www.planningportal.nsw.gov.au/major-projects/projects/mod-8-3>

Attachment 4 A revised Bushfire Threat Assessment was prepared by MJD Environmental (2018) to accompany 75W Modification (MOD 9) to Stage 1 of Major Project (MP10_0137) for the Huntlee New Town Residential development.

The report was titled 'Bushfire Threat Assessment for Huntlee New Town – Stage 1 S4.55 Modification [MOD 9]. Final V2 / 28 August 2018. Prepared by MJD Environmental for Huntlee'. This report was prepared with due regard to *Planning for Bushfire Protection 2006* to determine APZ and Australian Standard AS3959-2009 *Construction of Buildings in Bushfire Prone Areas* to determine BAL

Note: This report has been assessed and approved by the NSW RFS initially on 30 October 2018 (ref: D18/659) again on 25 March 2019 (ref: D18/659 DA18021911844 AS) and finally on 5 March 2020 (ref: DA20191119001106-Original-1). As such it is recognised as prevailing over the HDB (2011) BTA prepared for the Stage 1 approval.

Document available - <https://www.planningportal.nsw.gov.au/major-projects/projects/huntlee-stage-1-mod-9>

Huntlee acknowledges the project is a large and significant proposal. Following award of the initial approval, we have had several RFS assessment officers assigned to the project, more recently Matt Apps and Emma Jensen. On each occasion, these officers have taken the opportunity to receive a project introduction that included the Huntlee project and history including existing RFS approvals along with an introduction to Huntlee development team. On behalf of Huntlee, we offer the same to you and any other RFS staff that will be working on the Huntlee project. If the service wishes to visit the site for familiarity, this can also be arranged. Alternatively, a project introduction can be arranged via video conference.

Item 2 - Areas identified by the bush fire consultant as Woodland, Grassland with scattered trees or Low Hazard vegetation must be demonstrated as complying against appendix 1 of Planning for Bush Fire Protection 2019. The woodland areas appear consistent with forests, grasslands with scattered trees appear to be woodland or open forests and the low hazard exemption does not appear to comply with A1.10 Low Threat Hazard Exclusions of Planning for Bush Fire Protection 2019.

Please refer to Item 1 response above, as stated in previous correspondence a contemporary APZ and BAL per PBP 2019 using vegetation classification and slope inputs approved by the RFS has been provided. It must be recognised that these inputs approved by the RFS underpin the existing and proposed development arrangement.

Item 3 - Where Asset Protection Zones (APZs) are proposed on adjacent lands there must be an 88b easement in accordance with the Conveyancing Act 1919 and at a minimum the provision of an agreement between the land owner and the beneficiary.

Noted. Please refer to existing MP10_0137 Approval instrument bushfire conditions (per MOD 9) provided in previous advice.

There are no APZ proposed on lands that are outside of the Huntlee ownership or control (that have not already been established). Note that temporary 100m APZ around the TC 1-5 area represent an existing

approval and will be established on Huntlee owner or controlled lands. Where shown diagrammatically over a roadway, this is on the basis the land represents a permanent management feature.

Refer to **Attachment 5** that provides the proposed modification instrument plans.

Item 4 - Demonstrate how the Reservoir and Access provides the proposed subdivision with a perimeter road and adequate APZs.

Perimeter roads must be provided between the proposed new subdivisions and the hazard.

Please refer to **Attachment 5** that provides the proposed modification instrument plans. Consistent with the development approach to Huntlee, generally perimeter roads will be established at the hazard interface.

Regarding the reservoir road, Rothbury Street will be formalised along the existing road reserve. The road to be constructed will be public and completed in the same fashion as all perimeter roads in the Huntlee development. Perimeter, collector and internal roads within sub stage 14-15 connect to this road and make connections through the existing North Rothbury village and into the existing Huntlee sub-stage 1 area.

The required APZ will be established within the road reserve and front building setback (where required). Refer to constraints on amended lots plan in **Attachment 5**.

Other Matter

While not related specifically to the current MOD 20, a recently approved for MOD 16 has resulted in the approval instrument being amended to state:

Asset Protection Zones

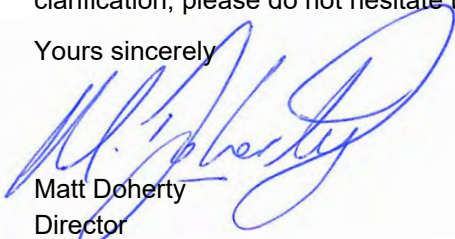
At the issue of a subdivision certificate, and in perpetuity to ensure ongoing protection from the impact of bush fires, lands within the development area including open space land outside the nominated riparian corridors must be managed as an inner protection area (IPA) in accordance with the requirements of Appendix 4 of Planning for Bush Fire Protection 2019.

The layout of the asset protection zones (APZs) must comply with Attachment 1, with reference Table 3 Required APZ of the submitted bush fire report MJD Environmental (Dated July 2020, Reference 16015). At the issue of a subdivision certificate, suitably worded instrument(s) created pursuant to section 88 of the Conveyancing Act 1919 must be placed on the proposed lots which requires the provision of the above APZs and prohibits the construction of buildings other than class 10b structures within these APZ.

We request that the condition stating that all structures other than Class 10b restriction be removed and/or reconsidered to allow non-habitable class buildings and structures in the APZ area as has always been permitted in the Huntlee development area. Thus, Class 10a and Class 10b would be permitted in the APZ area provided compliance with the NCC and PBP (2019) Section 8.3.2.

We trust this is sufficient for your purposes, however should you require any further information or clarification, please do not hesitate to contact the writer.

Yours sincerely



Matt Doherty
Director
MJD Environmental (Aust) Pty Ltd

Encl: Attachment 1 – Bushfire Report (HDB 2011)
Attachment 2 – Bushfire Report (RPS 2015)
Attachment 3 – Bushfire Report (MJD Environmental 2017)
Attachment 4 – Bushfire Report (MJD Environmental 2018)
Attachment 5 – MOD 20 Instrument plans

Attachment 1 – Bushfire Report (HDB 2011)

Document Available - <https://www.planningportal.nsw.gov.au/major-projects/projects/huntlee-stage-1-development>

Attachment 2 – Bushfire Report (RPS 2015)

Document Available - <https://www.planningportal.nsw.gov.au/major-projects/projects/mod-3-19>

Attachment 3 – Bushfire Report (MJD Environmental 2017)

Document available - <https://www.planningportal.nsw.gov.au/major-projects/projects/mod-8-3>

Attachment 4 – Bushfire Report (MJD Environmental 2018)

Document available - <https://www.planningportal.nsw.gov.au/major-projects/projects/huntlee-stage-1-mod-9>

Attachment 5 – MOD 20 Instrument plans

**Refer plans submitted as part of RFI
dated 30 August 2022**