

5th February 2026

Bird In the Hand 2 Pty Ltd
c/- King & Campbell Pty Ltd
PO Box 243
PORT MACQUARIE NSW 2444

Dear Sir/Madam,

Re: Bushfire Attack Levels (BALs), Stage 8 (in the Approved Subdivision of 344 John Oxley Drive, Port Macquarie), The Sanctuary Residential Estate

As requested, I have inspected the subject site and reviewed the draft Plan of Subdivision which is relevant to the residential lots within Stage 8 of The Sanctuary Residential Estate in order to identify the vegetation and slope conditions which will be relevant to the determination of the Bushfire Attack Levels (BAL's) pursuant to Appendix 1 of NSW Rural Fire Services, *Planning for Bushfire Protection*, 2019 as applicable to the 'infill' residential lots which are located within Stage 8 of the estate.

The following vegetation and slope characteristics are considered to be relevant to the determination, (pursuant to NSW Rural Fire Services, *Planning for Bushfire Protection*, 2019), of the BAL requirements for the future residential development within the residential lots which form part of Stage 8 of the subject residential subdivision as provided for by the draft Plan of Subdivision, refer to **Attachment 1**.

Table 1 – Summary of Bushfire Hazard Vegetation Characteristics

ASPECT	VEGETATION DESCRIPTION	VEGETATION CLASSIFICATION (Keith, 2004)	SLOPE CONDITION
Northwest	Grasslands within electricity distribution easement	Grassland	<5° Down slope
South/Southwest	Grassland with scattered and clusters of trees (between Public Roads No's 10 (Persimmon Parkway) and 11 (Desert Lime Drive))	Grassland	<5° Down slope
Southeast	Wet Sclerophyll Forest and Coastal Swamp Forest vegetation which is located to the	Forest	<5° Down slope

	south and east of Brush Cherry Boulevard		
West	Wet Sclerophyll Forest and Coastal Swamp Forest vegetation which is located within undeveloped areas	Wet Sclerophyll Forest	<5° Down slope

The identification of the areas of bushfire hazard vegetation which are relevant to Stage 8 was based upon:

- The presence of a variable width Asset Protection Zone (APZ) to the south and east of Public Road No.1, (Brush Cherry Boulevard). In this regard whilst the development concept and approved Vegetation Management Plan (VMP) for the Sanctuary Residential Estate provided for a minimum 15m wide APZ immediately to the east of Public Road No.1, (Brush Cherry Boulevard), it is noted that a variable width, (approximately 12m – 18m), area of managed vegetation appears to be present to the south and east of the carriageway of Brush Cherry Boulevard and not the road reserve.
- The absence of hazard vegetation in the northern aspect due to the presence of managed vegetation within the recently constructed Thrumster Business Park which includes land which is burdened by an electricity distribution line.

In this regard the land immediately to the north of the Stage 8 residential lots has been approved for development as carparking areas, refer to **Attachment 2**, and accordingly a managed vegetation classification has been adopted for the northern aspect.

- Vegetation in the southern aspect between Public Roads No's 10, (Persimmon Parkway), and 11, (Desert Lime Drive), being unmanaged despite this area being identified as forming part of a managed open space area.

However, in the absence of an indication of the timing of the implementation of the management regime for this area of land provides that a conservative approach to vegetation hazard assessment be taken.

In this regard it is noted that a minimum 11m wide Asset Protection Zone (APZ) is nominated as being present to the south of Desert Lime Drive.

- The nominated presence of a minimum 9m wide Asset Protection Zone (APZ) to the west of the Desert Lime Drive road reserve which together with the width of the road reserve provides for a minimum 24m APZ along the western aspect of Stage 8.
- Ongoing management of grassland vegetation within the electricity supply easement to the northwest of the Sanctuary Estate.
- The proposed public reserve within proposed Lot 825 has not been assessed as being managed vegetation apart from the 9m wide APZ area along the western aspect of Stage 8.

The creation of the area of proposed Lot 825 so as to meet APZ standards may provide for reduced APZ requirements for adjacent lots to the east.

Based upon the information provided for in **Table 1** above the following setback distances, (between the areas of hazard vegetation and dwellings to be constructed on each lot within Stage 8), are relevant to the determination of the Bushfire Attack Levels which maybe applicable to the future 'infill' residential development of the individual lots within Stage 8 of the approved residential subdivision based upon Table A1.12.6 of Appendix 1 of NSW Rural Fire Services, **Planning for Bushfire Protection**, 2019;

Table 2 – BAL Setback Distances (Table A1.12.6 of PFPB, 2019)

VEGETATION	SLOPE	ASPECT	DISTANCE TO HAZARD VEGETATION (WIDTH OF MANAGED AREA BETWEEN DWELLING AND HAZARD VEGETATION)	BUSHFIRE ATTACK LEVEL (BAL)
Forest	0° - 5° Down slope	Eastern and Western aspects	<19m	Flame Zone
			19m - <25m	BAL 40
			25m - <35m	BAL 29
			35m - <47m	BAL 19
			47m - <100m	BAL 12.5
Grassland	0° - 5° Down slope	North-western and Southern aspects	<8m	Flame Zone
			8m - <11m	BAL 40
			11m - <16m	BAL 29
			16m - <23m	BAL 19
			23m - <50m	BAL 12.5

It is noted that in accordance with Appendix 1 of NSW Rural Fire Services, **Planning for Bushfire Protection**, 2019 and Section 3.5 of AS3959 – 2018 those elevations of any future dwellings on the subject lots which are shielded from the areas of hazard vegetation can be assessed as having one level of construction less than that which is applied to the remainder of the dwelling. This concession can however only be applied where an elevation of a proposed building is shielded from the bushfire hazard vegetation in accordance with Appendix 1 of NSW Rural Fire Services, **Planning for Bushfire Protection**, 2019. It is also noted that this concession cannot provide for a BAL outcome which is less than BAL 12.5.

The BAL setback distances provided in **Table 2** above have been applied to Stage 8 of the approved subdivision development, refer to **Attachment 3**. In this regard the indicative BAL contour lines on the attached plan have been based upon a conservative assessment of the areas of land within the adjacent road/public reserves/open space areas which are to be managed to the standards which are applicable to APZ's.

In this regard the following is specifically noted as being relevant to the determination of the BAL's which are relevant to the residential lots within Stage 8 of the approved residential subdivision.

- (i) Notwithstanding the approved development concept and Vegetation Management Plan (VMP) for the Sanctuary Residential Estate, the width of the APZ immediately to the south and east of Brush Cherry Boulevard carriageway is variable with the averaging of the APZ width used for the purposes of determining the relevant worst case BAL rating for the lots within Stage 8. This approach provides for a conservative identification of the worst-case BAL outcome for the lots within Stage 8.
- (ii) Stormwater management infrastructure has been incorporated into the APZs which are located immediately to the south and east of the Brush Cherry Boulevard carriageway. Accordingly, it has been assumed for the purposes of this report that Port Macquarie Hastings Council has accepted the ongoing management of the vegetation within this infrastructure so as to meet APZ standards.
- (iii) It is noted that significant vegetation removal has been undertaken on the adjoining and adjacent land to the north of the subject site as part of the development of this land for the purposes of the Thrumster Business Park which includes land which is burdened by an electricity distribution line.

In this regard the land immediately to the north of the Stage 8 residential lots has been approved for development as carparking areas, refer to **Attachment 2**, with developed industrial lots extending to the north of the electricity distribution line easement. Accordingly, a managed vegetation classification has been adopted for the northern aspect. A reassessment of BALs will be required where vegetation within the land immediately to the north of Stage 8 is not subject to management.

- (iv) A minimum 11m wide Asset Protection Zone (APZ) is provided to the south of the Desert Lime Drive road reserve, (adjacent to Lots 801 – 804 inclusive) as provided for on the preliminary plan of subdivision dated 08/12/2025 (area nominated as 'E').
- (v) A minimum 9m wide Asset Protection Zone (APZ) is provided to the west of the Desert Lime Drive road reserve, (adjacent to Lots 804 – 806, 812 – 815 and Lots 823 and 824 inclusive) as provided for on the preliminary plan of subdivision dated 08/12/2025 (area nominated as 'D').
- (vi) Ongoing management of grassland vegetation within the electricity supply easement to the northwest of the Sanctuary Estate.

Any changes to the nature and or width of the areas of adjacent land which are to be managed as an APZ will have a corresponding change to the BAL contour lines and the subsequent Bushfire Attack Level which will apply to any residential development on the subject lots. Accordingly, the information provided for in **Attachment 3** is specifically contingent upon the implementation of points (i) – (vi) inclusive as part of Stage 8 of the approved subdivision development.

It is noted that the information which has been provided is preliminary in nature and the determination of compliance with the relevant requirements of NSW Rural Fire Services, *Planning for Bushfire Protection*, 2019 and AS 3959 – 2018 to future residential dwellings must be determined on a development specific approach as the determination of the Bushfire Attack Levels is based upon the spatial separation between a dwelling, (and relevant associated infrastructure), and the relevant areas of bushfire hazard vegetation.

Notwithstanding the above the following worst case BAL's are applicable to the residential lots within Stage 8 of the approved residential subdivision.

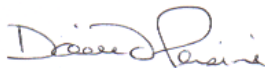
Table 3 – Preliminary Bushfire Attack Levels (BAL's) for Approved Lots (Stage 8 Only)

BUSHFIRE ATTACK LEVEL (BAL)	LOTS – STAGE 8
BAL Low Risk	N/A
BAL 12.5	Lots 801, 802, 807, 808, 809, 810, 811, 816, 817, 818, 819, 820, 821, 822
BAL 19	Lot 803
BAL 29	Lots 804, 805, 806, 812, 813, 814, 815, 823, 824

Please note that the above assessment of BALs is based upon worst case arrangements as applicable to the boundaries of the lots within Stage 8. In this regard the determination of BALs which are applicable to future residential dwellings within the individual lots is to be based upon site specific conditions, the APZs which are applicable to a future dwelling and the nature of future building development.

Should I be able to provide any further assistance please do not hesitate to contact me on 0434 166 150.

Yours Faithfully,



David Pensini
David Pensini - Building Certification and Environmental Services

ATTACHMENT 3 – INDICATIVE BAL CONTOUR PLAN

