

27 March 2020

Catherine van Laeren  
Executive Director Central River City and Western Parkland City  
NSW Department of Planning, Industry and Environment  
4 Parramatta Square,  
12 Darcy Street  
Parramatta NSW 2150

Dear Catherine

**PLANNING PROPOSAL - 55 COONARA AVE, WEST PENNANT HILLS**

I write further to the meeting held on Wednesday 18 March 2020 which was attended by Gina Metcalf and Elizabeth Kimbell from DPIE, Susan Harrison, Janne Grose and Sarah Burke from EES, Elizabeth Ashby and Ashleigh McTaggart from Keystone Ecological, and myself and Amanda Blake from Mirvac.

The purpose of this meeting was for Keystone to present to EES the methodology and process undertaken by them in the preparation of the vegetation map which was issued to the DPIE on 4<sup>th</sup> and 27<sup>th</sup> February. We believe this was well received by EES, and aside from agreeing for some additional supporting information to be provided (attached with this letter), no other material has been requested. On that basis, we currently assume the vegetation plan has been accepted.

Prior to the meeting on 18 March, we were also issued a letter from EES dated 17 March which provided a response to Keystone's draft letter dated 2 March, itself a response to the previous letters from EES dated 19 November 2019 and 21 February 2020. We consider this latest letter from EES to be the summation of all of the outstanding issues, and we provide below a consolidated response to each of them. Under the 'status' column, I have noted as 'closed' items for which we believe no further queries from EES or DPIE remain.

**Comments from previous EES submissions**

Issue	Response / Action	Status
Data from rapid data points	Previously issued to DPIE 27 Feb 2020 (revised vegetation plan and attached schedule)	Closed
Additional details on BGHF/STIF vegetation zones: <ul style="list-style-type: none"><li>○ Structural information</li><li>○ Descriptions of low/mid/good conditions</li><li>○ Area of each vegetation zone</li></ul>	<p>See additional Keystone information attached</p> <p>See additional Keystone information attached</p> <p>Previously issued to DPIE in Keystone's Draft letter, dated 3 March 2020.</p>	<p>For assessment</p> <p>For assessment</p> <p>Closed</p>

	(provided again in the Final issue of this letter, dated 27 March, which is attached)	
Map showing veg. types/conditions with APZ overlay	Previously issued to DPIE on 13 March. (provided again in the Final issue of Keystone's letter, dated 27 March, which is attached)	Closed
Copy of methodology used to prepare veg map	Presented by Keystone in meeting on 18 March. No further requests for information received from EES / DPIE.	Closed
Threatened Flora survey for 3 threatened species	Presented by Keystone in meeting on 18 March. No further requests for information received from EES / DPIE.	Closed
Overlay of vegetation map with zoning	Provided with this letter	For assessment
Draft DCP – use of local species as: <ul style="list-style-type: none"> <li>street trees;</li> <li>habitat in E2 where these have been cleared</li> </ul>	As noted in Keystone's Draft letter dated 2 March 2020, and as discussed in meeting on 18 March, the draft DCP already covers use of local species for street trees.  As discussed in the meeting on 18 March, the use of salvaged trees for habitat is to be addressed in the VMP for the whole of the site, which is required by draft DCP.	Closed
Future ownership & management of bushland	DPIE have previously confirm that this is not required to be resolved for Planning Proposal. Mirvac have entered into a Heads of Agreement with Forestry NSW, though note should some of the EES recommendations be imposed (eg. Fencing of bushland), this will need further discussion with them.	Closed

#### Powerful Owl

Issue	Response / Action	Status
Local population calculation Clarification on buffer zones achieved	The buffer zones achieved by the Proposal were defined in the Powerful Owl Assessment Report of 17 September 2019, and reconfirmed in the meeting on 18 March 2020 to be between 84m – 113m, compared to existing buildings which is 66m.  In Keystone's draft letter dated 2 March 2020, this was not clearly explained, but in the final	Closed

	<p>letter (attached) this has been clarified and highlighted as per the above.</p> <p>Mirvac and Keystone believe the Proposal delivers an enhanced outcome, albeit one that does not provide a 100m buffer.</p> <p>Mirvac also note that the Proposal will results in a population that is 50% less than current use generates at capacity. Furthermore, with the re-zoning of the bushland within the buffer and VPM in place, we believe it is better controlled than the current condition.</p>	
Buffer distance	This is a repeat of the above item	Closed
Impact of amplified noise	<p>This matter was previously responded to in Keystone's draft letter of 2 March.</p> <p>Mirvac reiterate that they do not oppose EES suggested restrictions, but these are management controls that, if required are to be conditioned with DA determination.</p>	Closed
Impact of Soccer field	<p>It has been confirmed previously, and again at the meeting on 18 March, that provision of lighting is not part of the Planning Proposal, nor the draft VPA agreed with Council. Nor are Mirvac privy to any plans by Council to install this.</p> <p>With regards artificial turf, this matter was previously responded to in Keystone's draft letter of 2 March (final issue attached with this letter).</p>	Closed
Fencing of the bushland reserve	<p>This matter was previously responded to in Keystone's draft letter of 2 March.</p> <p>Mirvac re-state our view that if this is deemed to be appropriate and practical, it is an issue to be dealt with at DA determination. Having said this, we challenge whether a fence that allows the passage of native animals whilst preventing domestic cats and dogs is practically achievable.</p> <p>Furthermore, Mirvac strongly suggest that the rezoning of the land to E2 and implementation of a VMP over the land is a significant improvement over the land as it currently exists.</p>	Closed
Pathways and Walking Trails	<p>This matter was previously responded to in Keystone's draft letter of 2 March.</p> <p>Mirvac confirm that they have no objection to the rationalisation of pathways and walking</p>	Closed

	trails and suggest this will be addressed in the VPM which is required by the draft DCP. As such, we do not believe it is required or able to be resolved in the Planning Proposal.	
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As agreed in the meeting on 18 March and noted above, we attach for DPIE / EES's further review, additional BGHF/STIF information from Keystone Ecological with respect to the Rapid Data Points [attachment 1]. This provides the requested structural Information, including list of dominant species in each stratum, and descriptions of low, moderate and good condition types, including major weeds and degree of invasion.

To ensure that there is no confusion regarding the latest information provided by Mirvac and Keystone to address EES concerns, we also attach the following:

- Keystone letter dated 27 March 2020, being the 'Final' version of the draft letter issued on 2 March 2020 (noting that this includes the vegetation plan showing all zones, Rapid Data Points and overlay of proposed APZs which was separately issued to DPIE on 13 March 2020) [attachment 2];
- The vegetation map as per above with overlay of amended proposed zone boundaries (note this reflects amended zone boundaries which now align with the final vegetation zones) [attachment 3];
- A comparative zoning plan indicating changes to zones areas as a result from re-aligning boundaries with vegetation areas [attachment 4].

We believe we have now comprehensively responded to all EES queries to enable DPIE to continue their assessment. Should this not be the view of DPIE and/or EES, we are more than happy to meet again in a similar forum. Should there be any remaining technical clarifications required, we are more than happy for Elizabeth Ashby from Keystone and Sarah Burke from EES to liaise directly with each other to resolve.

Naturally, please feel free to contact me by phone or email if there remains any further queries.

Yours sincerely

**Robert Wilson**

Project Director

Mirvac

CC. Gina Metcalf, DPIE  
Elizabeth Kimberl, DPIE  
Amanda Blake, Mirvac