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23 July 2010

Panel Secretariat
Joint Regional Planning Panel - Hunter and Central Coast Region

Attention: Carol Pereira-Crouch
Delivered by email: carol.pereira-crouch@planning.nsw.gov.au

Dear Madam,

**RE: JRPP 2009HCC004 – Lake Macquarie DA/1297/2009
Stage 14 North Wallarah Peninsula**

We refer to Council's Assessment Report (July 2010) provided to the Panel Secretariat for determination at the upcoming Joint Regional Planning Panel meeting 28th July 2010.

We note that the Assessment Report references an internal referral from Ms Warner of Council (Referral Response, 8th July 2010) containing recommendations that differ from those of Council's Assessing Officer and those of eminent owl experts Mr. John Young and Dr. Rod Kavanagh, and ornithologist Dr. Jacqueline Coughlan (NGH Environmental Flora & Fauna Consultants).

To aid in the Panel's considerations and decision-making on this matter, and in support of the Council Assessing Officer's recommendations, we have prepared a brief Summary Response with the assistance of our experts to address issues raised in Ms Warner's internal referral, to summarise the extensive information which is known about the relevant species, and to confirm that a Species Impact Statement is not required.

Please find our Summary Response attached for your review, together with:

- Legal advice prepared by Norton Rose Australia (23rd July 2010) on this matter.
- Advice from Mr. John Young (email dated 19th July 2010) confirming his position following review of Ms Warner's Referral Response.
- Masked Owl Resources Plan (May 2010), NGH Environmental identifying key tree resources in the vicinity of Stage 14 Murrays Beach.
- Copies of Masked Owl Discussion Paper (February 2010) and Revised 7-Part Test (May 2010), NGH Environmental, as submitted previously to Council.

We advise that our experts are available to the Panel to clarify any issues at any time. We thank the Panel for this opportunity to present this important information, and note that we intend to supplement this response via a brief presentation at your Panel Meeting and answer any queries your may have on this or any other matter.

Sincerely,

A handwritten signature in blue ink, appearing to read "Jac McKeon", is written over the word "Sincerely,".

Jacqueline McKeon
Development Manager
Stockland Wallarah Peninsula Pty Limited