



1 November 2019

Ms Michelle Niles
Senior Planning Officer, Regional Assessments
Department of Planning, Industry and Environment

By email: michelle.niles@planning.nsw.gov.au

Dear Ms Niles

Wahroonga Estate Concept Plan (MP 07_0166 MOD 8)

Thank you for your email dated 25 October 2019 responding to information provided by the Applicant in relation to bushfire APZ lines, carparking, traffic modelling and overshadowing.

The Commission notes the Department's comments that the APZ should be measured from the boundary of the E2 zone, being the definition of the conservation land under condition B5 of the concept plan, and that the applicant did not seek to amend condition B5(1) during the Modification 8 assessment.

The Applicant has put to the Commission that Modification 5 to the concept plan and the subsequent SSD application to construct the school (SSD-5535) endorsed an APZ that was not measured from the E2 line. Rather, the APZ was measured from the Vegetation Transition Management Line, which the Applicant asserts was approved in the Biodiversity Management Plan prepared to satisfy condition B4 of the concept plan. This was also noted by Council in the supplementary information provided to the Commission on 29 October 2019. The Applicant has also provided additional information at the meeting on 22 October 2019 for the Commission's consideration in relation to conditions B4 and B5(1) of the concept plan.

The Commission is considering whether condition B5(1) of the concept plan remains unchanged since approval of concept plan MP 07_0166 on 31 March 2010 and would appreciate the Department's advice. In addition, the Commission attaches additional information provided by the Applicant, and the supplementary information provided by the Council, and seeks clarification on whether this information changes any components of the Department's assessment or recommended conditions.

It would be greatly appreciated if the Department could provide a response by close of business **Wednesday 6 November 2019**. If you have any questions, please contact Casey Joshua, Senior Planning Officer, on [REDACTED] or at casey.joshua@ipcn.nsw.gov.au.

Yours sincerely

[REDACTED]
Anna Summerhayes
A/Executive Director
Independent Planning Commission