



Our ref: DOC21/319134

Senders ref: SSD-8640 - MOD 3

Mr Dimitri Gotsis
Planning and Assessment Group
Department of Planning, Industry and Environment
4 Parramatta Square, 12 Darcy Street
PARRAMATTA NSW 2150

Dear Mr Gotsis

**Subject: EES comments on the Modification application for Picton High School
Redevelopment – SSD-8640 MOD 3 – 480 Argyle Street, Picton**

Thank you for your referral of 20 April 2021 requesting advice on the modification application for this State significant development.

The Environment, Energy and Science Group (EES) has reviewed the MOD 3 proposal and provides its recommendations and comments at Attachment A.

If you have any queries regarding this matter, please do not hesitate to contact Janne Grose, Senior Conservation Planning Officer on 02 8837 6017 or at janne.grose@environment.nsw.gov.au

Yours sincerely

A handwritten signature in black ink that reads 'S. Harrison'.

27/07/21

Susan Harrison

**Senior Team Leader Planning
Greater Sydney Branch
Environment, Energy and Science**

**Subject: EES comments on the Modification application for Picton High School
Redevelopment – SSD-8640 MOD 3 – 480 Argyle Street, Picton**

The Environment, Energy and Science Group (EES) has reviewed the following reports for this SSD modification application:

- Modification Application Report by Ethos Urban – 7 April 2021
- Attachment A - Landscape Advice – 6 April 2021
- Attachment B - Arborist Advice - 30 March 2021

and provides the following comments.

The Modification 3 proposal seeks to amend Condition D36 by removing (d) of the Development Consent for SSD-8640 which states:

D36. Prior to occupation of the building, the Applicant must prepare a Landscape Management Plan to manage the revegetation and landscaping works on-site, to the satisfaction of the Planning Secretary. The plan must:

- (d) include details that the native trees to be removed from the site are to be salvaged, including tree hollows and tree trunks (greater than 25cm in diameter and 3m in length) and used to enhance habitat at the site.

The Response to Submissions Report (RtS) (Attachment A) for SSD-8640 advised the “The proponent consents for the salvaging of native trees to be used to enhance habitat in remnant areas to be required as a condition of consent”. The issues now raised for the MOD 3 proposal were not previously mentioned in the RtS.

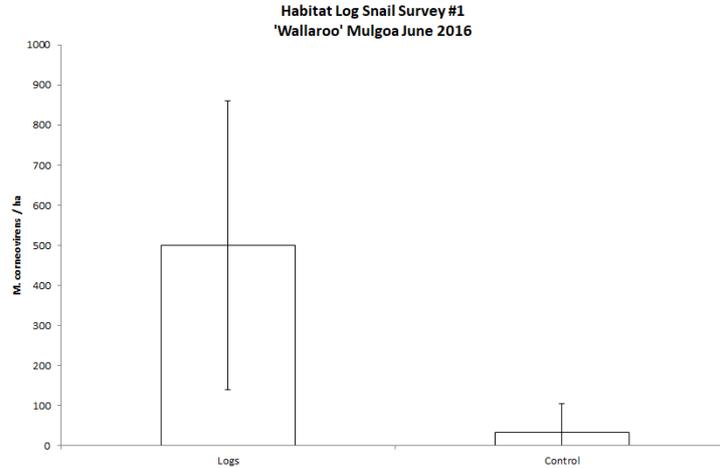
While the Modification Application Report and the Arborist Advice confirm that no hollows were identified on the site, the Arborist Advice also refers to "identifying habitat hollows greater than 25mm in diameter and or 3m in length that may be suitable for use as fauna habitat within tree trunks or scaffold branches". This criteria of '25 mm in diameter and 3 m in length' relates to the size of the cut tree trunks/logs to be used as habitat on the ground and not to the tree hollows.

The Landscape Advice indicates that “the re-use of tree hollows as noted in SSDA condition D36(d) was not able to be achieved as there were no tree trunks that fit the criteria noted in the SSDA”. However, there are no criteria for tree hollows, only tree trunks. The condition requires re-use of any tree hollows, regardless of size.

EES is concerned that the Landscape Advice indicates that all native trees impacted through the construction of the construction works have been “redistributed across the site as mulch”. This implies the trees have already been removed and mulched and are now no longer available for reuse as habitat which is not consistent with Condition D36(d).

The Landscape Advice also indicates the tree trunks greater than 25cm in diameter and 3m in length were not incorporated into the design “as leaving tree trunks would have been in conflict with ESFG DG14 “Safety (Accident Avoidance) and General Security” and DG90 “Landscape Design”, student safety will be compromised as tree trunks or tree hollows cannot be securely fixed to prevent slip, trips falls, and crushing injuries”. It is unclear if the proponent contacted Planning and Assessment Group (P&AG) in relation to this issue with the condition of consent. EES could have clarified that the removed tree trunks/logs were meant to be placed on the ground in the landscaped areas to provide habitat for ground dwelling fauna. Appropriate placement of logs in a landscaped area is unlikely to cause slips, trips, falls or crushing injuries. Also, tree hollow re-use involves strapping branches with hollows to retained trees, therefore is unlikely to cause 'slips, trips, falls and crushing injuries'.

The reuse and salvage of tree trunks is important, particularly as the endangered Cumberland Plain Land Snail can be found under logs and the snail is known to occur in the Picton area. While the Biodiversity Assessment Report for this SSD indicates that land containing bark and leaf litter accumulation is not present on the site for this species the graph below shows the benefits to Cumberland Plain Land Snail populations where logs (20 tonnes/hectare) were added to a conservation property in Mulgoa:



Condition D36(d) should only be removed from the consent if it conflicts with any standard safety and landscape design requirements of the Department of Education. If the condition has been not adhered to because the trees have already been mulched, the condition should not be retrospectively amended. This instead is a compliance matter for P&AG.

End of Submission