



Our ref: DOC20/870961

Senders ref: SSD-7874

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

Dear Mr Glasgow

Subject: Revised EES comments on Response to Submissions and further amended Concept Plan for Harbourside Shopping Centre – SSD-7874 – Darling Harbour

I refer to the Environment, Energy and Science Group's comments dated 27 October 2020, on the Response to Submission report for this State significant development.

Subsequently, the Planning and Assessment Group has provided further information, specifically regarding the waterfront foreshore area. EES now understands that because the current amended concept plan does not propose to modify the foreshore area width and the width is still the same as presented in the original EIS, EES's comments on the width of the waterfront foreshore area are out of scope.

As requested by Planning and Assessment Group, EES has revised its comments and these are in 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'.

29/10/20

Susan Harrison

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

Subject: EES comments on Response to Submissions and further amended Concept Plan for Harbourside Shopping Centre – SSD-7874 – Darling Harbour

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

- Response to Submissions and Further amended Concept Plan (RtS) – 12 October 2020
- Appendix H – Landscape Design Report (LDR) – October 2020

and provides the following comments.

Microbats

EES notes previously, no physical works were proposed as part of the concept DA and demolition was to be subject to a future Demolition DA following the approval of the concept application. However, approval is now sought for Stage 1 demolition works (physical works) involving the demolition of existing site improvements, inclusive of the Harbourside Shopping Centre, existing Monorail station, and existing pedestrian bridge over Darling Drive and associated tree removal down to ground slab level (no ground disturbance) as part of the concept DA approval process (sections 3.5.8 and 4.2 of 61 of RtS).

The amended Concept Plan has not considered the presence and possible value of habitats afforded by the existing artificial/built structures, for example the existing building and pedestrian bridge. Several microchiropteran bat species, some threatened, are capable of roosting in a variety of natural and constructed sites, so it is possible that they might utilise the existing built features on this site.

Information is required to confirm the absence of roosting habitat for threatened microbats within the existing buildings. A search for evidence of microbat roosts should be undertaken using appropriate methods, such as those described on page 9 of the '*Species credit' threatened bats and their habitats NSW survey guide for the Biodiversity Assessment Method* (OEH 2018).

Attention should be given to inspecting cracks or seams in the roofs and a handheld bat detector of ultrasonic calls can assist in alerting the searcher to the presence of bats. Searches must be undertaken by someone with appropriate experience, as described on page 5 of that guide. If bats or signs of bats are observed, the bats may need to be captured to identify species and breeding status using traps, nets or other methods. The information provided should include photographs of any holes, cracks or crevices that were searched; any associated observations about bats and/or signs of bats; and any results from a bat call detector.

Pre-clearing surveys should apply to any buildings or structures with potential roosting habitat that are to be demolished and such surveys should be carried out by a suitably qualified and experienced microbat specialist and if microbats are present, then works should not be carried out when they are likely to be in torpor.

Tree removal

The RTS indicates trees are proposed to be removed as part of this SSD. It is unclear how many trees are proposed to be removed from the site. Details need to be provided on the number of trees to be removed, their location and species.

Relocation of native fauna impacted by tree removal

EES recommends any resident fauna potentially impacted by the removal of the trees should be relocated in a sensitive manner under the supervision of a qualified ecologist/licensed wildlife handler prior to any clearing commencing and this is included as a condition of consent.

Landscaping

Details should be provided on the number of trees proposed to be planted, their location and the plant species.

The Planting Palette in the LDR does not indicate the trees and other plants to be planted in the public open spaces comprise local native species. While the Planting Palette notes *Phoenix canariensis* is native, it is not native to Australia but rather it is native to the Canary Islands. The proposed use of exotic species such as *Cycas revoluta* which is native the southern Japan and *Philodendron Xanadu* which is native to Brazil should be replaced by local native species.

EES recommends the planting palette is amended and it only uses local native plant species. The proponent should obtain advice from a qualified bush regenerator on local native tree, shrub and groundcover species that would be suitable to plant at this location.

The SSD should demonstrate that the plant species to be used in the public open spaces and green roof planting consist of local native provenance species that once have occurred in this locality.

EES recommends that to assist mitigate the urban heat island effect, improve the urban tree canopy and local biodiversity the following conditions are included in the consent:

- **replace any removed trees at a ratio greater than 1:1**
- **the trees, shrubs and groundcover species to be planted consist of local native species from the vegetation community that once occurred in this locality rather than plant exotic species or non-local natives**
- **use advanced and established local native trees, preferably with a minimum plant container pot size of 100 litres, or greater to increase urban tree canopy cover**
- **enough area/space is provided to allow the trees to grow to maturity**
- **a landscape plan is prepared and includes details on:**
 - a) the native vegetation community that once occurred in this locality**
 - b) a list of local provenance tree, shrub and groundcovers to be used in the landscaping**
 - c) the quantity and location of plantings**
 - d) the pot size of the trees to be planted**
 - e) the area/space required to allow the planted trees to grow to maturity**
 - f) plant maintenance regime. The planted vegetation should be regularly maintained and watered for 12 months following planting. Should any plant loss occur during the maintenance period the plants should be replaced by the same plant species.**

Green Roofs

The RtS indicates the current design maximises the green roof opportunity and the proposal has been revised to provide a more extensive and diverse mix of local native plant species for improving biodiversity and habitat value of the green roof (page 26). EES supports the provision of the green roofs but recommends the planting consists of a diversity of local native provenance species that once occurred in this locality.

End of Submission