



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: EES comments on Additional Response to Submissions for Harbourside Shopping Centre – SSD-7874 – Darling Harbour

Thank you for your email of 30 November 2020 requesting advice on the additional Response to Submissions (RTS) for this State significant development.

The Environment, Energy and Science Group (EES) has reviewed the additional RTS and relevant attachment reports 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'.

14/12/20

Susan Harrison

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

Subject: EES comments on additional Response to Submissions for Harbourside Shopping Centre – SSD-7874 – Darling Harbour

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

- Attachment A - Response to Agency Submissions – 27 November 2020
- Attachment E – Public Domain and Landscape RtS statement
- Attachment G - Harbourside Redevelopment Microbat Survey - 24 Nov 2020

and provides the following comments.

Microbats

EES has reviewed the Microbat Survey Statement (Attachment G) prepared by EcoLogical and consider that the report adequately addresses the matter EES raised in its submission on the RtS regarding microbats.

Tree removal

EES in its submission on the RtS sought details on the number of existing trees that are proposed to be removed as part of this SSD and requested details be provided on the number of trees to be removed, their location and species. Attachment E confirms that the proposed development requires “the removal of the existing 20 no. *Livistona australis* along the eastern edge of the Harbourside Shopping complex”. It also states that “during the Stage 2 DA process the landscape architectural response should explore opportunities to transplant these existing trees to other parts of the site (subject to confirmation of basement extent, building envelope, potential structural impacts to the existing sea wall.) Technical advice from an Arborist will be required to validate the possibility of transplanting. New tree planting is proposed along the boulevard to increase shade”.

EES does not object to transplanting the existing 20 cabbage-tree palms but EES notes the City of Sydney Council’s comments in Attachment A in relation to the proposed use of palms along ‘The Boulevard’ as potential mature trees. Council advises that palms are not considered as effective canopy trees and these public domain areas should provide a minimum of 50% canopy coverage (Attachment A, page 11). Council advises the planting palette must be updated to include medium to large canopy trees with a minimum 10 metre height and with canopy spreads of at least eight metres, in order to provide for adequate canopy coverage in these areas. EES agrees with Council’s recommendation that any new planting of trees should use large canopy trees.

EES recommends any new tree planting associated with the development uses local native provenance tree species (rather than exotic or non-local native species) and the proponent obtains advice from a qualified bush regenerator on local native trees (and also shrub and groundcover species) that would be suitable to plant at this location and this is included as a condition of consent.

As advised in its submission on the RtS, EES recommends that to assist mitigate the urban heat island effect, improve the urban tree canopy and local biodiversity, a condition is included in the consent to replace any removed trees at a ratio greater than 1:1 .

Relocation of native fauna impacted by tree removal

EES recommended in its submission on the RtS that 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. In response, Attachment E refers to the Eco-Logical report (Under development Nov 2020) for any detail on existing fauna. The Ecological report (Attachment G) only relates to a microbat survey undertaken of existing buildings.

EES recommends a condition of consent is included in the consent to this effect (see below).

Landscaping

EES previously advised that 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 and noted that exotic species were proposed to be used and recommended these should be replaced by local native species. In response, Attachment E indicates the plant palette on page 69 of SSDA Landscape Design Report dated 8th October 2020 is indicative and will be refined during the next phase of design to ensure the right balance of native and exotic species is achieved. EES repeats its recommendation that the planting palette is amended and it only uses local native provenance plant species that once have occurred in this locality and this 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. EES recommends a condition of consent is included to this effect.

Green Roofs

EES in its submission on the RtS recommended the planting on the green roofs consists of a diversity of local native provenance species that once occurred in this locality. In response Attachment E notes the plant palette on page 70 of SSDA Landscape Design Report (dated 8th October 2020) is indicative and will be refined during the next phase of design to ensure the roof terrace achieves biodiversity and habitat goals. EES recommends a condition of consent is included to this effect.

Recommended conditions of consent

In relation to any conditions of consent for this SSD, EES requests that prior to assigning EES any role in the conditions of consent for this SSD that EES's agreement to that role and the relevant condition is obtained.

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 to mitigate the local urban heat island effect and improve local biodiversity over time.***
- ***New plantings (including plantings on the green roofs) consist of a mix of local native provenance trees, shrubs and groundcover species from the vegetation community that once occurred in this locality (rather than plant exotic species or non-local natives).***
- ***Use advanced and established trees, preferably with a minimum plant container pot size of 100 litres, or greater to increase urban tree canopy cover and enough area/space is provided to allow the trees to grow to maturity***
- ***A landscape plan is prepared and implemented by a qualified bush regenerator and it includes details on:***
 - a) the native vegetation community that once occurred in this locality***
 - b) a list of local native provenance tree, shrub and groundcover species to be used in the landscaping***
 - c) the quantity and location of plantings***
 - d) seed collection – the location native seed sourced for the landscape planting***
 - e) the pot size of the trees to be planted***
 - f) the area/space required to allow the planted trees to grow to maturity***
 - g) 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.***

- ***A pre-clearance fauna survey is to be undertaken by a qualified ecologist prior to the clearing of any trees on site to determine the presence of resident native fauna using nests, dreys etc. Any resident native fauna potentially impacted by the removal of the trees should be relocated (preferably prior to removing the trees) to an appropriate nearby location and in a sensitive manner under the supervision of a qualified ecologist or licensed wildlife handler.***

End of Submission