



Our ref: DOC20//233760

Your ref: SSD 9741 MOD 1

Mr Patrick Copas
Planning and Assessment Group
Department of Planning, Industry & Environment
GPO Locked Bag 5022
PARRAMATTA NSW 2124

Dear Mr Copas

Subject: EES comments on Response to Submissions - Modification Application for Lane Cove West Data Centre – SSD-9741 MOD 1 – 1 Sirius Road Lane Cove West

Thank you for your email of 19 March 2020 requesting advice on the Response to Submissions (RTS) for this State Significant Development Modification Application (MOD 1).

The Environment, Energy and Science Group (EES) has reviewed the RTS for MOD 1 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

06/04/20

Susan Harrison

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

Attachment A

Subject: EES comments on Response to Submissions for Modification Application - Lane Cove West Data Centre – SSD-9741 MOD1 – 1 Sirius Road Lane Cove West

The Environment, Energy and Science Group (EES) has reviewed the following documents:

- Response to Submissions for MOD 1 – 17 March 2020
- Appendix 1 – Landscape Plans
- Appendix 2 - Landscape Design Report (LDR) – issue G – 11 March 2020
- Appendix 3 – Geoscapes letter of 12 March 2020
- Appendix 4 – Travers Bushfire and Ecology letter of 13 March 2020

and provides the following comments.

Biodiversity

EES has reviewed the RTS and accompanying documents and finds that some of the RTS responses in Table 1 (Response Matrix) are confusing as they don't specifically address the issues previously raised by EES in its submission on the Environmental Assessment (EA) for MOD 1. EES notes, however that responses to EES issues are found elsewhere in the RTS and accompanying documents.

EES sought clarification in its submission on the EA for the MOD 1 proposal as to whether the MOD 1 proposal reduced the landscape planting area compared to the total area for SSD-9741. The RTS confirms the total landscape area for the MOD 1 has increased from that previously proposed in the LDR for MOD 1, to a total of 14646 m² (page 5). The RTS states the Landscape Plans and Landscape Design Report have been amended to reflect the proposed revisions to the proposed landscaping across the site (page 5). EES notes the revised Landscape Plan (LDA-01) now appears to indicate that APZ planting is proposed underneath the ramp (see below). The Department needs to be satisfied that this is appropriate for the purposes of an APZ.



As noted above, Table 1 (Response Matrix) in the RTS is confusing in relation to some of its responses to the issues previously raised by EES on the MOD 1 proposal, for example:

1. EES advised that in comparing the Tree Assessment reports (TAR) for SSD-9741 and MOD1 that the total number of trees to be removed had increased from 122 to 127 trees

and that the proponent should explain why an additional 5 trees were to be removed and also clarify why the MOD 1 proposal only proposes to remove nine of the 11 invasive trees.

The RTS response does not address this EES comment. Instead the RTS response notes that total planting across the subject site has been increased to approximately 150 canopy and subcanopy trees (page 5). The RTS response for point (3) below, however clarifies that the number of trees to be removed by the MOD 1 proposal is 122 trees which is the same number of trees that were to be removed for SSD-9741.

In its submission of 3 October 2019 for SSD-9741, EES recommended 11 invasive trees that were shown to be retained on the landscape plan (LDA-05) be removed. A revised TAR has not been provided with the RTS but EES notes the Landscape Plans submitted for MOD 1 EA and RTS show all exotic trees are to be removed.

All invasive tree species should be removed from the site and an ongoing maintenance program implemented to regularly control and remove invasive species from the site as per the recommendation in the VMP for SSD-9741, particularly as the Lane Cove National Park is located to the west of the site

2. EES advised the proponent should clarify the total number of trees proposed to be planted.

According to the RTS response provided for point (1) above, the planting across the subject site has been increased to approximately 150 canopy and subcanopy trees but this is not consistent with the RTS response provided for point (3) below which indicates the total number of additional trees across the subject site is approximately 106 trees (page 6). The proponent needs clarify if the proposed total number of trees to be planted is 106 or 150 trees.

3. EES advised the proponent should clarify if the MOD 1 proposes to replace the 127 trees to be removed at a ratio of greater than 1:1 in accordance with the Development Consent for SSD-9741 which includes the following mitigation measure 20(e) in Appendix 3 and requires that:
(e) Any trees that are to be removed from the site are replaced at a ratio greater than 1:1.

While the RTS clarifies that 122 trees are to be removed instead of 127, this response implies that only 106 additional trees are to be established, whereas the response for point (1) above, indicates the total planting across the subject site has been increased to approximately 150 canopy and subcanopy trees. The proponent needs to clarify if the 150 trees consist of the additional 106 trees plus 44 trees to be retained. Existing trees that are to be retained on site should not be counted as replacement trees for the trees that are removed.

The proponent needs clarify to the Department the total number of trees proposed to be planted. If 122 trees are to be removed, EES repeats that any trees removed from the site should be replaced at a ratio greater than 1:1.

End of Submission