

## Department of Planning and Environment

Our ref: DOC22/508460

Your ref: MP10-0118 MOD 12

Ms Emma Butcher  
Industry Key Sites  
Department of Planning and Environment  
4 Parramatta Square  
12 Darcy Street  
PARRAMATTA NSW 2150

6 July 2022

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**Subject:** EHG comments on Response to Submissions for the Major Project Modification Application Edmondson Park South Concept Plan – MP10-0118 MOD 12 - Ed Square, North-West Quadrant, Edmondson Park

Dear Ms Butcher

Thank you for the email of 22 June 2022 requesting advice on the Response to Submissions (RtS) for this Major Project modification (MP10-0118 MOD 12).

The Environment and Heritage Group (EHG) has reviewed the RtS for the MOD 12 proposal and provides its comments and recommendations at Attachment A. EHG requests that it not be given a role in the conditions of consent unless EHG has agreed to the role and the condition.

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](mailto:janne.grose@environment.nsw.gov.au).

Yours sincerely,



06/07/22

Susan Harrison

Senior Team Leader Planning  
Greater Sydney Branch, Biodiversity and Conservation  
Environment and Heritage Group

**Subject:** EHG comments on the Response to Submissions for the Major Project Modification for Edmondson Park South Concept Plan MP10-0118 MOD 12 – Ed Square, North-West Quadrant, Edmondson Park

The Environment and Heritage Group (EHG) has reviewed the following reports in relation to the Response for Submissions for this Major Project modification:

- Response to Submissions (RtS) – 16 June 2022
- A – Response to Agency and Council Submissions – 16 June 2022
- B - Response to Public Submissions – 16 June 2022
- C – Amended Design Guidelines – Rev - May 2022
- F - Amended Public Domain Plan – May 2022
- G – Amended Urban Design Report – April 2022
- I – Bushfire Statement

and provides the following comments.

#### 4.2.2 Impacts to Regional Park

EES (now EHG) previously requested that the RtS assess:

- the impacts of the MOD 12 proposal on the Regional Park, in particular assess the impact of increased number of people (including the school) accessing and using the Regional Park
- the direct and indirect impacts of the MOD 12 proposal on the Regional Park in accordance with the National Parks and Wildlife Service (NPWS) “Developments adjacent to NPWS lands: Guidelines for consent and planning authorities (2020)

In response Section 4.2.2 of the RtS indicates that:

- NPWS is being consulted by the proponent in relation to the potential access and use of the Edmondson Park Regional Park and assessment of the MOD 12 proposal against the NPWS guidelines
- further details relating to access to the Regional Park by the school will be provided with the SSD Application for that development, which is expected to be lodged later in 2022.

EHG is satisfied with the RtS response.

#### 4.2.3 Deep soil, canopy cover and species selection

The RtS states that “DPE and EESG requested that the proposed MOD 12 amendments consider an increased number of local native provenance trees in the landscape species selection throughout Ed. Square”. The EES submission on the EA for this MOD 12 proposal recommended any landscaping /planting on the site uses a mix of local native provenance species from the relevant native vegetation community that occurs or once occurred on the site rather than use non-native or exotic species. This includes planting local native provenance species on private land in the residential precincts and the public open space areas/ public domain, the Town Square, the parks, Edmondson Park Reserve, the landscaped buffer along the full length of Campbelltown Road and along the streets within the Ed Square site.

The RtS indicates “in general, there will be proposed mix of local native and exotic deciduous tree species, with a focus on native species throughout the public domain. The Public Domain Plan has been amended to include a design target of 75% native groundcovers and tree planting throughout the public realm at Ed Square, with the final planting selections being guided by micro-climatic

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conditions to ensure long-term viability". It is noted section 5.2 of the RtS indicates that the Public Domain Plan has been updated to include that "Across Ed Square's public realm, the design target is for 75% native groundcovers and tree planting and that "where viable local native provenance plants may be used." This means 25% of the plantings would still comprise exotic species. It is unclear why a quarter of the plantings need to be exotic and why the RtS considers it is important "to extend the character of the deciduous trees of the East Plaza to achieve a consistent character, as the tree species shift to the local native varieties". EHG notes the response that "typically, exotic species have a greater chance of success when planted in a podium condition".

EHG considers the MOD 12 proposal provides an opportunity to amend, improve and strengthen the environmental outcomes at the Ed Square site, particularly as the site is near the Regional Park. EHG recommends advice is obtained from a suitably qualified bush regenerator on using native species of local provenance at the site and the following conditions of consent are included:

- *Any planting/ landscaping, on the Ed Square site is to use a diversity local native provenance tree, shrub and groundcover species from the relevant native vegetation community (rather than use non-native or exotic species).*
- *Prior to the removal of any local native vegetation from the Ed Square site, seed from native vegetation (trees, shrubs and groundcover) that has been approved for removal is collected and it is propagated by a suitably qualified bush regenerator and used in the site plantings.*
- *The Applicant must where it is practicable reuse any native trees that are to be removed from the Ed Square site, including tree hollows, tree trunks (greater than 25-30 centimetres in diameter and 2-3 metres in length), root balls and logs on the ground to enhance habitat in the Edmondson Park Town Centre Reserve, other open space areas and the Regional Park.*
- *Tree planting shall use advanced and established local native trees for local native tree species which are commercially available. Other local native tree species which are not commercially available may be sourced as juvenile sized trees or pre-grown from provenance seed.*
- *The Applicant is to source local native provenance plant species particularly trees and/or commence growing local native trees as soon as possible, so the trees to be planted across the Ed Square site are advanced in size to assist improve the urban tree canopy and local biodiversity.*
- *Enough area/space is provided to allow the trees to grow to maturity.*
- *A Landscape Plan is to be prepared and implemented by an appropriately qualified bush regenerator and include details on:*
  - a. *the native vegetation community (or communities) that occur or once occurred on the site and the plan demonstrates that the proposed plant species are from the relevant vegetation community*
  - b. *seed collection – the location of all native seed sources should be identified*
  - c. *the type, species, size, quantity, and location of local provenance trees*
  - d. *the species, quantity and location of local provenance shrubs and groundcover plantings*
  - e. *the quantity and location of plantings*
  - f. *the pot size of the trees to be planted*
  - g. *the area/space required to allow the planted trees to grow to maturity*
  - h. *plant maintenance regime. The planted vegetation must 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.*

As Nearmap (4 June 2022) shows there is still some vegetation/trees remaining on the Ed Square site:



EHG recommends the following condition is included in the consent to engage a suitably qualified and experienced ecologist to undertake pre-clearance surveys:

*Prior to removing any vegetation or other habitat that has been approved for removal from the site the applicant must engage a qualified and experienced ecologist to:*

- *undertake a pre-clearing survey to delineate, map, and mark habitat-bearing trees and shrubs to be retained/removed and other fauna habitat features and determine the presence of any resident native fauna using nests, dreys, tree hollows etc*
- *native fauna found during pre-clearing surveys including in tree hollows must be captured and relocated to appropriate nearby habitat*
- *cover the tree hollows once checked for native fauna to ensure the hollows are not reoccupied prior to removal of the trees*
- *supervise the clearance of trees and shrubs (native and exotic) and other habitat to capture, treat and/or relocate any displaced native fauna to an appropriate nearby location*
- *remove sections of a tree containing a hollow or habitat prior to clearing and felling the tree and reuse as habitat on the site or the Regional Park.*

*The clearing of trees and shrubs should be avoided in late winter/spring during breeding/nesting period for birds*

*Evidence of the pre-clearing surveys and inspections for fauna and any relocation of fauna must be provided to the satisfaction of the Secretary of Planning.*

Where existing tree hollows and other habitat features can't be salvaged and relocated for use as fauna habitat, EHG recommends replacement habitat (artificial hollows using a HollowHog tool (<https://www.hollowhog.com.au/>) is installed nearby and the following condition of consent is included:



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- **Where tree hollows are to be removed, and/or hollow dependent native fauna are found using the hollows compensatory artificial hollows using a HollowHog tool (<https://www.hollowhog.com.au/>) should be provided prior to removing the tree hollows and the release of the hollow dependent fauna unless the removed tree hollows can be relocated and installed on the same day they are removed.**
- **The applicant should:**
  - **provide details on the size, type, number, and location of artificial hollows required – this would be based on the results of the pre-clearing survey**
  - **install replacement artificial hollows in trees being retained nearby**
  - **install replacement artificial hollows prior to any vegetation removal (preferably one month prior), to provide alternate habitat for hollow-dependent fauna displaced during clearing**
  - **salvage and relocate the tree hollows approved for removal to appropriate locations on the same day the tree hollows are removed and prior to the release of any native fauna found using the tree hollows**
  - **install other habitat features such as logs on the ground.**

### 4.5 Bushfire

The RtS notes that DPE and EESG requested clarification of the proposed bushfire Asset Protection Zone (APZ) adjacent to the proposed school lot and confirmation that no encroachment into the Regional Park is required. The RtS confirms that the recommended APZ does not involve any vegetation removal or placement within the Regional Park across Macdonald Road. The APZ will comprise the managed portion of Macdonald Road (being the outer footpath and the road) and within the school site itself.

EHG also recommended the MOD 12 proposal considers factors such as the ability to safely evacuate the school during a potential bushfire in the Regional Park. The RtS confirms that the school site will be able to comply with 'Planning for Bush Fire Protection 2019' in relation to evacuation capability. This would be subject to being demonstrated in the future SSD Application for the school. The Department needs to be satisfied with this. EHG repeats locating the school near the Regional Park must not result in any impacts on the Regional Park.

### 4.6 Flooding, Stormwater and Water Cycle Management

EES previously advised that the RtS needs to clarify if it is proposed to locate any part of the drainage solution within the Regional Park. In response the RtS states:

“MOD 12 does not propose any changes to the approved Water Cycle Management Plan (under MOD 4). MOD 12 does not seek approval for new stormwater infrastructure within the Regional Park. Therefore, an assessment of biodiversity impacts associated with potential stormwater infrastructure in the park is not required. We understand that changes to the water cycle management system were subject to discussions between the proponent, DPE and EESG during MOD 11, but were subsequently removed from the application. No subsequent changes are sought in this application. “

EES previously advised the proponent should undertake the assessment of overland flooding conditions and the development of an overland flood risk management plan to address and mitigate any potential flood risks. The RtS indicates that the proponent will undertake the flooding risks during the detailed DA stage for each of the development sites.

EHG does not have any further comments subject to the assessment of overland flooding conditions and the development of an overland flood risk management plan for sites included in MOD 12.

### *5.2 Amendments to the Public Domain Plan*

The RtS notes that in response to DPE and EESG comments, the Public Domain Plan has been updated to include targets and guidance for the use and location of native planting throughout Ed. Square. As noted above, the inclusion of the design target for 75% native groundcovers and tree plantings in the Plan and the inclusion of “where viable local native provenance plants may be used” means at least a quarter of the plantings at the site would be exotic. EHG recommends advice is obtained from a suitably qualified bush regenerator on using native species of local provenance at the site and that conditions of consent are included to use native species of local provenance.

### *5.3 Amendments to the Urban Design Report*

The RtS notes “to ensure consistency with the Amended Public Domain Plan, the Urban Design Report (Appendix G) has also been amended to include the above “Approach to Planting” text in Section 1 Introduction”. As noted above, the inclusion of the design target for 75% native groundcovers and tree plantings in the Plan and that “where viable local native provenance plants may be used” means a quarter of the plantings would be exotic. EHG recommends advice is obtained from a suitably qualified bush regenerator on using native species of local provenance at the site and that conditions of consent are included to use native species of local provenance.

End of Submission