

Our ref: DA 22/5186 MOD 1 (PAN-502460)

Mr Greg Attewell
Transport Asset Holding Entity of NSW
36-46 George Street
Burwood NSW 2134

27 March 2025

Subject: DA 22/5186 MOD 1 - Request for Information - Digital signage on Princes Highway, Loftus (PAN-502460)

Dear Mr Attewell,

I refer to the above section 4.55(1A) modification request (DA 22/5186 MOD 1) for the removal of trees as part of the installation of new digital signage on the Princes Highway, Loftus.

Sutherland Shire Council has provided comments to the Department regarding the proposed modification. A copy of these comments is enclosed for your information.

The Department requests that you review and respond to the issues raised by Sutherland Shire Council, with the view of providing additional information under section 104 of the Environmental Planning and Assessment Regulation 2021 (the Regulation). The recommended conditions are matters for the Department to consider and do not need to be addressed by you. In regards to the type of modification application, the Department will discuss this matter with you once you submit the additional information on biodiversity requested by the Department in the additional information request dated 03 February 2025.

At the date of this letter, three (3) days in the assessment period have elapsed.

The Department requests a response to this request by **11 April 2025** via the NSW Planning Portal. If you are unable to provide the requested information within this timeframe, you are required to provide, and commit to, a timeframe detailing the provision of this information. In accordance with Part 5, Division 1, section 104(2)(d) of the Regulation, the assessment period ceases to run from the date of this request until the information is provided.

Department of Planning, Housing and Infrastructure



If you have any questions, please contact Daniel Neely, Para Planner on 9407 2134, or via email at daniel.neely@dpie.nsw.gov.au

A handwritten signature in black ink that reads "M. Garland".

Mary Garland

Team Leader, Transport and Water Assessments

as delegate for the Minister for Planning and Public Spaces



File Ref: DN25/0003
PAN-502460
25 March 2025

Daniel Neely
4 Parramatta Square
PARRAMATTA NSW 2150
Email: Daniel.Neely@dpie.nsw.gov.au

Dear Mr. Neely

Development Referral No. DN25/0003 (Your Ref: DA22/5186-MOD 1)

Proposal: Vegetation clearing in the vicinity of an approved advertising sign under DA22/5186

Property: 104A Loftus Avenue, Loftus

I refer to the above development proposal which was referred to Council on 24 February 2025 and thank you for the opportunity to provide comments on the proposal.

We note the request for additional information dated 3 February 2025, and support the questions raised in respect of biodiversity values, tests of significance and environmental considerations.

Council records indicate that the site is mapped as Greenweb Support Areas (to which Chapter 39 of Sutherland Shire DCP 2015 applies) and powerful owl sightings have been observed within the adjacent property. The Greenweb seeks to conserve and enhance Sutherland Shire's bushland and biodiversity by identifying and appropriately managing key areas of bushland habitat and establishing and maintaining interconnecting linkages and corridors. It is disappointing to see that Chapter 39 has not been addressed within the Planning Statement submitted with the proposal.

Council officers have reviewed the proposal and, in view of the above, and nature of the amendment, questions the justification provided within the Applicant's planning statement with respect to whether this application meets the tests for minimal environmental impact under s.4.55(1A). It is Council's view that the tree removal is significant, with 11 of the trees being identified within the Arborist report as 'important' and that the application would be better assessed under s.4.55(2). This would afford valuable community feedback to be obtained and considered in relation to this significant modification to the development.

Council officers note the findings of the submitted Arboricultural report and request that the following matters be taken into consideration in your assessment:

- The area in question is identified as Greenweb Support Areas which carries requirements for retention and replacement of trees therein. In the first instance it is recommended that all trees are retained. In the alternative, every attempt should be made to reduce the extent of clearing. Council officer observations note that several trees do not appear to be within line of sight of the billboard, nor affected by the proposed work - in particular the Grey Gums (trees 3 and 4), and accordingly these trees should be retained.

Should the application be recommended for approval we can offer and recommend that the following conditions be provided in response as well as replacement planting (8:1) within the corridor. This is to offset the tree removal (a total of 112 replacement trees) given the maturity of the trees to be removed. As the subject site is identified as being within a Greenweb Support Area, all new tree plantings must be indigenous species and 80% of understorey plants must be indigenous species. All indigenous species must be selected from Sutherland Shire Council's 'Native Plant Selector' available on council's website (www.sutherlandshire.nsw.gov.au and search for Native Plant Selector). Where planting cannot occur within the rail corridor, offsite planting can be offered via a deed of agreement with Council.

- The following condition is recommended for tree protection during works:

DURING BUILDING WORK

Tree protection during work

While site work is being carried out, all required tree protection measures must be maintained in good condition in accordance with:

1. the relevant requirements of AS-4970 Protection of trees on development sites.
2. Chapter 39 of Council's relevant development control plan (in force as at the date of determination of this consent)
3. the Arboriculture Impact Assessment prepared by Mathew Phillips of Synertree Pty Ltd dated 8th December 2023.

This includes maintaining adequate soil grades and ensuring all machinery, builders refuse, spoil and materials remain outside the tree protection zones.

Condition reason: To protect trees during the carrying out of site work.

- There are noxious weeds on the site: Lantana sp. and Purple Morning Glory (*Impomoea indica*). Council staff request that these weeds should be removed as part of the works in the event that the application is approved.

If you need any clarification of the above comments, please contact Council's Development Assessment Officer David Sheehan on 9710 0965 or email dsheehan@ssc.nsw.gov.au and quote the application number in the subject.

Yours faithfully



Ben Latta
Manager Development Assessment & Certification