

DOC24/1413295

Kiersten Fishburn
Planning Secretary
Department of Planning, Housing and Infrastructure
Locked Bag 5022
Parramatta NSW 2150

18 June 2024

Attn: Rob Sherry

Dear Ms Fishburn

Newcastle High School Redevelopment (SSD-4184831): Incident Notification - Condition A25 & A26.

I refer to Newcastle High School Redevelopment approved on the 12 January 2024.

The Department of Education is writing to the Department of Planning, Housing and Infrastructure of an incident that was identified onsite on 4 June 2024. This Incident report has been prepared following the initial DPHI notification (Attachment A) and in accordance with Condition A25 and A26 of the Newcastle High School Redevelopment Development Consent (SSD-4184831).

Please find below the detailed report addressing the requirements set out in Appendix 2 of the Development Consent.

1. Summary of the Incident

On 4 June 2024, Hansen Yuncken (Head Contractor) notified SINSW of drill holes and drill shavings that were identified along the base of Trees 248 and 251 during a site walk. These trees are located within the Newcastle High School Redevelopment site along National Park Street. The drill holes have not been made by anyone associated with the Project or the School. It is assumed the drill holes are an attempt to poison and kill the two trees by an unknown person(s) who has broken into the school property/ construction site to carry out the act.

2. Outcomes of an incident investigation, including identification of the cause of the incident

Immediately after identifying the drill hole damages to trees 248 and 251, Hansen Yuncken notified SINSW of the damaged trees, providing evidence of the drill holes and a markup of the Trees in School Tree Plan (Refer to Attachment D).

On Friday 7 June 2024, SINSW arranged an onsite inspection of Trees 248 and 251 with Joseph Pidutti Consulting Arborist. The assessment was based on a visual inspection only and did not include any laboratory testing such as leaf or soil analysis or any other advanced assessment. During the observation, Joseph Pidutti identified 15 drill holes to Tree 248 and 21 drill holes to Tree 251. All drill holes were observed around the base of each tree trunk at their root crowns and, noted the browned-off leaves still attached to branches would indicate that the trees have been poisoned. Joseph Pidutti recommended remedial action through Seasol application, watering and monitoring to lessen the effects of the damages. The remedial action will be undertaken by Hansen Yuncken. Refer to the Arborist Assessment Report by Joseph Pidutti (Attachment B) for the full assessment, discussion, and recommendation.

We note that there was no evidence of forced entry or damages to school property and tree protection zone fencing or the construction site access gates, in the lead up to the tree damages. We have also confirmed that the drill holes are unrelated to any termite or pest treatment measures.

3. Details of the corrective and preventative actions that have been, or will be, implemented to address the incident and prevent recurrence

The following corrective actions have been or will be implemented following the identification of the tree damages:

- Hansen Yuncken have re-inspected their Tree Protection measures including the TPZ fencing onsite to prevent further damages and potential impacts on other trees in the area.
- Joseph Pidutti Consulting Arborist was engaged to assess the tree damages on site and to provide an assessment report on the health/ extent of damages to the trees including recommendations to prevent recurrence through remedial action. (Refer to Attachment B)
- SINSW submitted an intentional damage report to the NSW Police (Event Number E97047540) (Refer to Attachment C).
- SINSW have informed the community of the tree damages in the June 2024 Newcastle High School Redevelopment Project update (Refer to Attachment E).
- Hansen Yuncken will undertake the remedial actions recommended in Joseph Pidutti Tree Assessment Report. Following this, Hansen Yuncken and SINSW will monitor the two trees over the coming months for any visual damages or regrowth.

4. Details of any communication with other stakeholders regarding the incident.

On Friday 14 June 2024, SINSW released a Newcastle High School Redevelopment Project Update. Hardcopies were issued via letterbox drop to the

local residents and, a digital version uploaded to the SINSW website ([Schools Infrastructure](#)). The June 2024 project update included a notification to the community on the identified damages to Trees 248 and 251 (Refer to Attachment E).

On Tuesday 11 June 2024, SINSW submitted an intentional damage report to the NSW Police in response to the Tree Damages. This was accepted by NSW Police (Refer to Attachment B).

Should you wish to discuss this incident or require further information please do not hesitate to contact the undersigned and/or the primary contact from the SINSW Planning Compliance Team listed in the submission.

Yours sincerely



Meaghan Bennett
Senior Project Director
School Infrastructure NSW

Attachments:

- Attachment A – DoE Notification to DPHI dated 4 June 2024
- Attachment B – Joseph Pidutti Arborist – Assessment of Tree Nos. 248 & 251
- Attachment C – DoE Police Report Application (E97047540)
- Attachment D – HY Tree Damage Notification
- Attachment E – SINSW Community Engagement Project Update



Attachment A – DoE Notification to DPHI dated 4 June 2024



DOC24/1292830

Kiersten Fishburn
Planning Secretary
Department of Planning, Housing and Infrastructure
Locked Bag 5022
Parramatta NSW 2150

5 June 2024

Attn: Rob Sherry

Dear Ms Fishburn

Newcastle High School Redevelopment (SSD-4184831): Incident Notification - Condition A25 & A26.

I refer to Newcastle High School Redevelopment approved on the 12 January 2024.

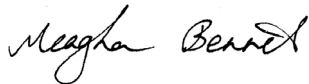
The Department of Education is writing to notify the Department of Planning, Housing and Infrastructure of an incident that was identified on site on 4 June 2024. Please find a summary table of the incident below:

Incident No.	1
Details of the incident	Drill holes were identified along the base of two (2) trees within the Newcastle High School redevelopment site along National Park Street. The drill holes have not been made by anyone associated with the project or the school. Assumed the drill holes are an attempt to kill the two trees. Person has broken into the school property / construction site to carry out this action.
How was the incident detected	The Head Contractor identified the drill holes on the two trees on 4 June 2024 during a site walk. The drilling left light coloured wood shaving on darker mulch surrounding the two trees, making it easier to detect.
When the applicant became aware of the incident	The applicant was advised of the incident by the Head Contractor on 4 June 2024.
Actual or potential non-compliance with conditions of consent	The two trees identified with drill holes have been assessed as having high retention value and are to be retained.

Immediate steps that were taken	<p>SINSW have arranged an Arborist to inspect the damage to the trees and document the event.</p> <p>Note, The Head Contractor has tree protection measures in place to the subject trees and other trees to be retained in the vicinity, when the incident was made aware to SINSW.</p>
Further action(s) that will be taken	<p>An incident report will be prepared within 30 days of when the incident was identified by the Head Contractor and SINSW. The report will include input from the Arborist and The Head Contractor to address all requirements as set out in Conditions A25 & A26 of the consent.</p>

In line with Appendix 2 of the SSDA consent conditions, within 30 days of the date on which the incident occurred we will provide a formal incident report. Should you wish to discuss this incident or require further information please do not hesitate to contact the undersigned and/or the primary contact from the SINSW Planning Compliance Team listed in the submission.

Yours sincerely



Meaghan Bennett
Senior Project Director
School Infrastructure NSW



Attachment B – Joseph Pidutti Arborist – Assessment of Tree Nos. 248 & 251



JOSEPH PIDUTTI
CONSULTING ARBORIST

Diploma of Arboriculture (AQF Level 5)

Certificate No. AHC50510 December 2014

Certificate No. RUH50198 December 2004 -2014

ABN 19 590 337 549 BRN TO356519

3 Victoria Road Tingira Heights NSW 2290

Ph 02 49 471219 Mobile 0412 996659

E-mail: jparborist@bigpond.com Web: www.josephpiduttiarborist.com.au

ASSESSMENT OF TREE NOS. 248 & 251

Platanus x hybrida
London Plane Tree

NEWCASTLE EDUCATION CAMPUS
PARKWAY AVENUE
HAMILTON SOUTH

Prepared for

INFRASTRUCTURE PLANNING
SCHOOL INFRASTRUCTURE NSW

07th JUNE 2024

By
Joseph Pidutti
Diploma in Arboriculture

CONTENTS

1. INTRODUCTION	1
2. OBSERVATIONS	1
3. DISCUSSION	1
4. REMEDIAL ACTION	2
5. CONCLUSION	3
6. RECOMMENDATIONS	3

APPENDIX 1	Photos
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1. INTRODUCTION

The purpose of this assessment is to inspect and provide comments on the suspected poisoning of Tree Nos. 248 & 251 (*Platanus x hybrida* - London Plane Tree).

The contractors have raised concerns that the trees may have been poisoned after it was reported that numerous holes have been drilled around the base of the trunk at the root crown.

It has been confirmed to the arborist by the Hansen Yuncken, SINSW and the school that no actions such as pest control or for any reason associated with construction / development has been undertaken that would involve drilling into the trees.

The assessment is based on visual inspection only and does not include any laboratory testing such as leaf or soil analysis or any other more advanced assessment.

The conclusions and recommendations contained in this report refer to the tree's condition on the day of inspection only.

2. OBSERVATIONS

A site inspection was undertaken on the 07 June 2024 to inspect the trees. Upon inspection it was observed that:

- Approximately 15 holes around 1cm in diameter have been drilled around the entire base of the trunk of Tree No. 248 and browned-off leaves still attached to branches (Photo's 1, 2, 3).
- Approximately 21 holes around 1cm in diameter have been drilled around the entire base of the trunk of Tree No. 251 and browned-off leaves still attached to branches (Photo's 4, 5, 6).

3. DISCUSSION

The drill holes observed around the base of the trunk at their root crowns and browned-off leaves still attached to branches would indicate that the trees have been poisoned.

As the trees are deciduous at this time of year canopy density and signs associated with dieback and decline are not as obvious as would be on evergreen trees.

However whilst the trees are deciduous and leaf colour at this time of year (at / or towards the end of the deciduous stage) is typical and not unusual, browned-off leaves are still attached to branches rather than have fallen as would be more typical for this species at this time of year. This is particularly noticeable when compared to other *Platanus x hybrida* within the site that have not been affected.

Based on the results of observation, it appears that the trees have been poisoned affecting the essential life process required for the trees to function properly in a manner that is likely to result in their decline and probable death.

4. REMEDIAL ACTION

Platanus x hybrida are a relatively hardy tree and with some remedial action to try and lessen the effects of poisoning they may be able to recover.

At this stage as most branches are still relatively 'green' and not completely dead and decaying the risk of branch failure is considered low and as such they can be retained whilst remedial action is applied.

However it should be kept in mind that due to their deciduous status the trees are relatively dormant at this time of year and treatment may not be as effective.

The type and strength of poison injected and the tree's susceptibility to cope may also be a limiting factor in the tree's ability to recover and may be ineffective regardless of any remedial action.

To assist the tree to recover initial treatment should include:

- An application of Seasol or other similar product at the recommended rate. Seasol is safe to use and amongst other things is beneficial in:
 - Enhancing root growth & health & vigour
 - Help tree cope with stresses
 - Help increase nutrient uptake
 - Increases beneficial microbial activity in the soil
- Unless rain fall is not upcoming water as much as the root zone as possible taking care not to overwater or flood the root zone.
- Much root zones up to 50mm in depth with a fine organic mulch
- Closely monitor health & vigor for any signs of improvement
- Reapply Seasol in the spring when new growth should be beginning to form. This can be ascertained by monitoring other unaffected *Platanus x hybrida* within the school grounds for signs of new growth
- If no improvement is noticeable and monitor for another two weeks and keep watering.

5. CONCLUSION

The drill holes observed around the base of the trunk at their root crowns and browned-off leaves still attached to branches would indicate that the trees have been poisoned.

It may be possible that with some remedial action to try and lessen the effects associated with poisoning the trees may be able to recover.

However, despite remedial action it is possible that the effects associated with poisoning may be irreversible and the trees may need to be removed.

If litigation action is to be pursued either or tissue / leave / soil analysis to confirm or eliminate the use of chemicals.

The services of a consulting arborist experienced in preparing documentation and representation in lawsuits should be sought.

6. RECOMMENDATIONS

Based on the results of a visual inspection of the tree the following outcomes are recommended:

1. Retain trees for now and undertake remedial action as outlined
2. Undertake remedial action again in the spring when the trees are no longer dormant and new growth would be expected to form.
3. Monitor health & vigour closely for signs of new growth & improvement
4. Remove trees if remedial action is not affective and trees are dead
5. If litigation action is to be pursued either tissue / leave / soil analysis should be undertaken, and the services of a consulting arborist experienced in preparing documentation and representation in lawsuits sought.

Report By



Diploma of Arboriculture

APPENDIX 1 - PHOTOS



Photo 1 – Leaves retained on branches

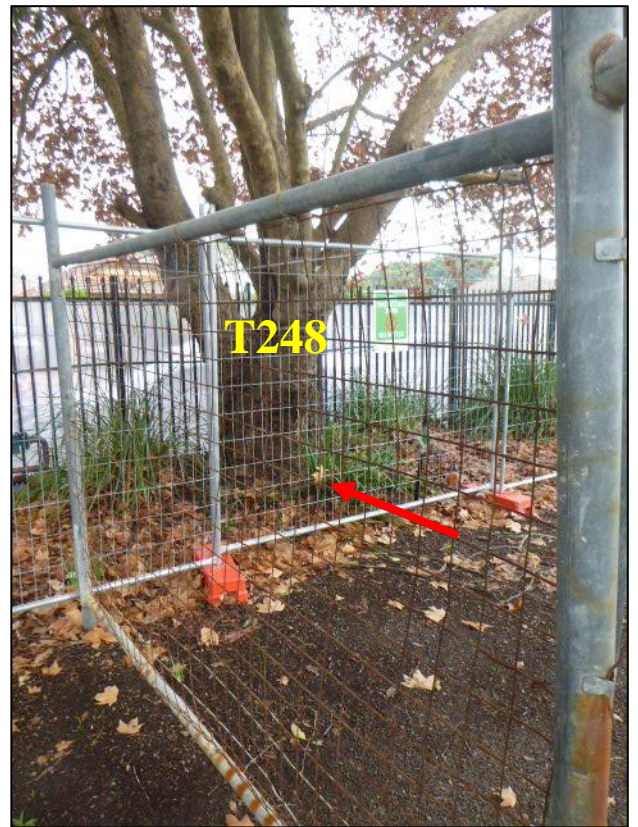


Photo 2 – Holes drilled around the entire base of the trunk



Photo 3 – Holes drilled around the entire base of the trunk



Photo 4 – Leaves retained on branches



Photo 5 – Holes drilled around the entire base of the trunk



Photo 6 – Holes drilled around the entire base of the trunk

Attachment C – DoE Police Report Application (E97047540)



From: [Soane Puliueva](#)
To: [Soane Puliueva](#)
Subject: FW: Report Successfully Accepted. Event Number: E97047540
Date: Monday, 17 June 2024 1:41:26 PM

From: NSW Police Force Community Portal <no-reply@police.nsw.gov.au>
Date: Wednesday, 12 June 2024 at 3:42 AM
To: Meaghan Bennett (Meaghan Bennett) <meaghan.bennett3@det.nsw.edu.au>
Subject: Report Successfully Accepted. Event Number: E97047540

You don't often get email from no-reply@police.nsw.gov.au. [Learn why this is important](#)

[External Email] This email was sent from outside the NSW Department of Education. Be cautious, particularly with links and attachments.

COMMUNITY PORTAL

[CONTACT US](#)



NSW Police Force Community Portal

Intentional Damage Report Accepted | Event Number E97047540

Dear Meaghan,

Thank you for submitting your recent Intentional Damage Report, Community Portal Reference Number **R0000929379**, through the NSW Police Force Community Portal on 11/06/2024 12:26 PM.

This email is to confirm that your report has been **accepted**. Your NSW Police Force Event number is **E97047540**.

What happens now?

The information you have provided has been made available to the local Police where your incident occurred. Where you have provided information that allows Police to investigate further, Police may contact you to provide an update or seek clarification. In the absence of further information or evidence, no further action will be taken in relation to this matter. At this

stage, we will not be in contact again. However, if you receive new information, please contact us straight away.

How do I see my report?

At all times you can refer back to this report by retrieving it using the 'View / Update an Existing Report' tool on the Community Portal home page. To retrieve this report you will need the above Community Portal Reference Number or Event Number, your email address and your date of birth as entered in this report.

Can I update my report?

You now have the opportunity to make updates to this report. You will be able to make the following updates:

- Add additional items
- Change values such as serial numbers, colours, brand model, value of property etc.

Please Note: You will not be able to delete items from your report online, however you may contact the Police Assistance Line on 131 444 to make any changes to your report.

Information for Victims of Crime

Charter of Victims Rights

Victims of crime have rights under the Charter of Victims Rights. The NSW Police Force upholds the Charter to ensure that you:

- Are treated with courtesy, compassion, cultural sensitivity and respect
- Are told information about services and remedies
- Are told information about the investigation of the crime
- Have your property returned as soon as possible

Learn more at www.victimsservices.justice.nsw.gov.au.

You can obtain more information and resources about the NSW Police Force's commitment to Victims of Crime on our website www.police.nsw.gov.au/crime/are_you_a_victim_of_crime. Alternatively you can contact your nearest [Police Station](#).

NSW Police Force Customer Service Charter

The NSW Police Force is committed to providing the community with responsive and meaningful Customer Service. Ensuring that we maintain quality Customer Service is one of the highest priorities of every officer. It is what the community demands, deserves and expects. The Customer Service Charter is available on our [website](#).



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Website

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[Facebook](#)

1 Charles Street

Parramatta, NSW 2150



[Twitter](#)

Postal Address



YouTube

Locked Bag 5102

Parramatta, NSW 2124

Triple Zero (000)

For emergencies, or a crime in progress

Police Assistance Line

(131 444)

Non urgent crime reporting and general enquiries.

Crime Stoppers

(1800 333 000)

To provide information confidentially.

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Attachment D – HY Tree Damage Notification



Newcastle High School Redevelopment
25A National Park Street
Newcastle West
NSW 2302 Australia



MAIL TYPE	MAIL NUMBER	REFERENCE NUMBER
General Correspondence	HY-GCOR-000560	HY-GCOR-000560

Tree 248 & 251 - Drilled Holes

From Mr Robert Petersen - Hansen Yuncken

To (2) Mr Anthony Harrigan - APP Corporation Pty Ltd
Mrs Meaghan Bennett - NSW Department of Education

Cc (4) Mr Chris Histon - Hansen Yuncken
Mr Jordan Watters - Hansen Yuncken
Mr Jake Higgins - Hansen Yuncken
Mr Liam Tamsett - Hansen Yuncken

Sent Tuesday, 4 June 2024

MESSAGE

Hi Anthony/Meaghan,

As discussed this morning, we have discovered that 2 trees onsite (Tree 248 & 251) have had a series of holes drilled around their base that look to be recent with wood swarf still around the base.

We wanted to bring this to your attention in case there has been unauthorised access to site in a deliberate attempt to kill these trees noting that HY have in place a fenced off tree protection zone and these trees are nominated to remain.

Please see attached photos and mark-up of holes that have been drilled in these trees.

Any queries, or if further information/action is required please do not hesitate to call.

Regards,

Robert Petersen
Project Manager
Hansen Yuncken Pty Ltd
PO Box 2200 Dangar NSW 2309
Suite 12/125 Bull Street, Newcastle West, NSW 2302
M: 0431 500 923 | P: (02) 4908 6300

TREE LOCATIONS DIAGRAMMATIC ONLY
NOT TO SCALE

8509 - Newcastle High School
Site Plan (11878) MAP 28















Attachment E – SINSW Community Engagement Project Update





Newcastle High School redevelopment

Project update | June 2024

Project overview

As part of the NSW Government's plan to rebuild essential services, the 2023-24 Budget is delivering a record \$8.8 billion for new and upgraded schools. This targeted investment in growing communities will ensure working families get access to a world class public education.

The 2023-24 Budget has committed funding to progress the redevelopment of the Newcastle High School main campus. This project will upgrade facilities to meet future demand by delivering:

- a new 3 storey learning hub which includes a library, canteen and covered outdoor learning area (COLA), facilities for specialist support classes, general classrooms, hospitality classrooms and science labs
- a new multipurpose facility with gymnasium, stage, fitness lab, flexible classrooms, outdoor courts and end of trip facilities
- a new student hub within existing Building A and student entry from Parkway Avenue
- retention of key heritage buildings on site.

Progress summary

The temporary demountable, known as Building Q, was removed from the school grounds via National Park Street in March 2024.

Site establishment works to prepare for construction were completed in March 2024 and demolition of Building B and part of the existing sports courts were finished by May 2024.

Construction of the new learning hub near the corner of Parkway Avenue and National Park Street and the new multipurpose facility near Smith Street started in late May 2024. Other works associated with this include inground services (sewer, water supply, stormwater, gas and electricity), remediation of the area and landscaping.

Building H was relocated from the north-east section of the school to its new home near the library in early June 2024.

Next steps

Construction of the new learning hub and multipurpose facility will continue and is expected to take around 18 months, subject to weather and site conditions.

Works over the next few months include:

- piling and foundation works for the new learning hub and multipurpose facility
- concrete pours for the ground floors of the new learning hub and multipurpose facility
- inground service and upgrades for the new learning hub and multipurpose facility.

During this time vehicles will enter the site from National Park Street and Smith Street. Traffic controllers will be used where required for the safety of staff, students and the local community. Please follow the directions of any temporary signage and traffic controllers when in place.



Artist impression of Newcastle High School redevelopment

London Plane trees

One of the conditions of consent to proceed with this project is the protection and retention of the London Plane trees within the school fenced area on National Park Street, identified as 248 and 255 in the [Arboricultural Impact Assessment](#) prepared by Joseph Pidutti Consulting Arborist.

Unfortunately, it appears that these trees have been the subject of vandalism with holes drilled into the base of both trees at about 10 to 15 cm apart. Investigations have confirmed that this was not carried out by anyone from the school or the contractor. It is believed the purpose of the drill holes was to poison and kill the trees.

The new learning hub has been designed around these trees. They are valued by the school as they provide sustainable canopy to students, staff and visitors, provide shade from the west and will provide shade to the courtyard once construction is complete.

Our consulting arborist has inspected the trees and is working hard to save them. If you notice vandalism of school property you can call Crime Stoppers on 1800 333 000 or report it online at nsw.crimestoppers.com.au.

We will keep the community updated about the health of these trees.

Keep up to date about this project

If you have any queries or concerns about the project, you can contact us during business hours via the contact details below.

For the latest information, visit the project web page edu.nsw.link/NewcastleHS or scan the QR code.

