

SUMMARY OF GOVERNMENT AGENCY SUBMISSIONS- EA

Agency	Key Issues
Department of Environment and Climate Change	Key issues are identified as: significant impacts on the nesting habitat of the endangered population of Little Penguins; significant reduction in the foraging habitat for the endangered population of Long-nosed Bandicoot; impacts on the habitats of the adjoin Sydney Harbour National Park; mitigation measures to address the possible introduction of <i>Phytophthora Cinnamomi</i> and inadequate consideration of development alternatives that have a lesser impact. The DECC advise that the site is currently zoned '8(b) National Parks- to be acquired'. DECC has no plans to acquire the site unless the site use changes. The key issued raised by the DECC are summarised below: <u>Endangered population of Little Penguins</u> • The proposal will encroach within 10m of the known Little Penguin nesting areas on the site. Additionally, there will be more people on-site. • Construction will deter Penguins from nesting in this area. • Once operational, the proposal is likely to result in an increased level of disturbance to penguins nesting and moulting in the area. • The DECC recommends that: ○ <u>Footprint</u>: The development should not encroach further north than existing structures. ○ <u>Monitoring</u>: Monitoring should take place weekly for the first 3 months of construction, if construction is occurring in the breeding session. ○ <u>Construction Times</u>: No construction should occur in the northern section of the site during the breed periods July to February. <u>Endangered population of Long noses Bandicoots</u> • The proposal will result in the loss of approximately half of the foraging habitat on the site. • Increased traffic from the proposal is likely to pose a threat and that the pits and holes produced during site excavation pose a threat. • The DECC recommends that: ○ <u>Offsetting</u>: greater consideration needs to be given to reduce the loss of significant foraging habitat particularly in those areas that are heavily utilised (i.e. south corner) or, the reduction in foraging areas will need to be offset elsewhere in the SHNP. ○ <u>Monitoring</u>: increased monitoring on-site including of the 2 transects occur monthly for the 3 months prior to construction commencement and monthly monitoring for the first three months after the commencement of construction. ○ <u>Traffic</u>: the CEMP and OEMP should be amended to include a reduction in current speed levels along the access roads. ○ <u>Site Excavation</u>: a nominated AIPM person is adequately trained in identifying, handling and removing bandicoots from trenches and to check trenches daily prior to construction. <u>Sydney Harbour National Park</u> The SHNP borders the site to the east, west and south. • Any further encroachments by an APZ along the southern boundary must not occur. Along parts of the eastern boundary with SHNP, the APZ must be within 3m being the existing footprint of the previous disturbance for the creation of and maintenance of the sandstone wall. • A "Bushfire and Vegetation Management Plan" should be prepared. <u>Other measures:</u> • <u>Interpretative Material</u>: the installation of interpretative signage would be of benefit to the site. The signs should state that this is an 'environmentally sensitive area', given the presence of threatened fauna on the site and provide an AIPM contact phone number for enquiries.

	• <u>Landscape</u>: landscaping should use plants that are propagated from plants of local provenance. • <u>Phytophthora Cinnamomi</u>: the DECC supports mitigation measures to address the possible introduction of <i>Phytophthora Cinnamomi</i>, weed invasion and erosion and sedimentation.
NSW Roads and Traffic Authority	RTA raised no objection to the proposal and advised of standard conditions including to address car parking layout; the number of off-street car parking spaces; the requirement for all demolition and construction vehicles to be accommodated on the site, and for works associated with the development to be undertaken at no cost to the RTA.
Department of Environment, Water, Heritage and Arts	Key objections are identified as: Little Penguin (<i>Eudyptila minor</i>); Long-nosed Bandicoot (<i>perameles nasuta</i>); Heritage values; Sydney Harbour National Park; <i>Phytophthora cinnamomi</i>; and Construction and Operational Environmental Management Plans. The key issues are summarised below: <u>Little Penguins</u>: • Adverse impact on the Penguin colony which has been declared a Critical Habitat for the Little Penguin population. • Endorses the advice from DECC. <u>Long-nosed bandicoot</u>: • Significant loss of foraging habitat. • The current measures proposed are inadequate and the measure recommended by the DECC supported. <u>Heritage Values</u>: • If the former Seaman's Isolation Hospital is of national significance, then the heritage assessment may require revision to consider whether to include these elements in the National Heritage values of the place. • The proposal should protect and conserve other elements on the site apart from the Axial Hospital Group Building to ensure that the overall heritage value of the site is not lost. • Impacts can be mitigated through the retaining, conserving and re-using the three residential cottages (Kookaburra, Garden and Harbour); and not overbuilding or obscuring the alignments of the Jetty and Quarantine Station Roads. • Interpretative measures should be provided. • The draft CMP fails to mention the Boundary Wall. <u>Sydney Harbour National Park</u> • Advise that an informal agreement was made between the AFP and the DECC Area where a 5-10m wide asset protection zone (APZ) could be provided within the SHNP, as an APZ of this width is currently maintained for fire protection and suppression. • The encroachment of the APZ into the SHNP along the southern boundary is not supported. • The "Bushfire and Vegetation Management Plan" should be developed in consultation with the local fire authority and DECC. <u>Phytophthora cinnamomi</u> • The Phytophthora Dieback Management Plan is to be based on National Best Practice Guidelines documented in "Management of Phytophthora cinnamomi for Biodiversity Conservation in Australia Part 2- National Best Guidelines. <u>Construction and Operational Environmental Management Plans</u> • The advice from the DECC is supported and should be incorporated into the PPR. • The CEMP and OEMP both do not adequately address the requirements of the Commonwealth. They need to demonstrate certainty associated with specific mitigation measures and their effectiveness, to avoid or manage impacts on the environment. <u>Adequacy of EA</u>

	Information is inadequate for the purpose of assessment of the Commonwealth's issues under the EPBC Act 1999. The EA fails to meet all the requirements listed in the DG Requirements and the Guidelines on EPBC Act Matters appended to these requirements.
NSW Maritime	NSW Maritime requested further development of the foreshore vegetation structure, including greater number of large shrub species to complement both <i>Monotoa elliptica</i> , <i>Notelaea ovata</i> and the grasses, with an outlook to net improvement of the ecological values and habitat quality abutting North Harbour. The integrity of the foreshore and intertidal areas are to be fully protected during construction and access is not to be carried out via the waterways or foreshore.
NSW Rural Fire Service	The RFS has advised that the development proposal is to comply with the Bushfire Compliance Assessment & Recommendations Report. The RFS supports the incorporation and implementation of the recommendations of the report. The completed development will afford a greater level of bush fire protection than currently exists for the site.
Manly Council	
<i>North Head Sanctuary</i>	- The submission does not recognise that all publicly owned land on North Head has been identified since 2002 for inclusion in the North Head Sanctuary. - The proposal has not taken into consideration the identified need for integrated management of the AIPM site within the overall context of North Head.
<i>Negative Impacts on the Natural Environment and Built Heritage</i>	- The proposal does not conserve the recognised heritage significance of the SIH buildings and their origins as part of the original Quarantine Station and Reserve at North Head. - The development does not remove unsympathetic past alterations and additions carried out by the AFP and AIPM. - The proposal includes demolition of heritage cottages considered to be of heritage significance. - The proposal will have negative impacts on their heritage significance, will have significant visual impacts on the natural foreshore setting and will reduce the site's association with the principal Quarantine Station building and reserve which is considered the most significant phase in the sites use. - The proposal ignores the historic land use agreement requiring the site to be returned to the NSW Government upon cessation of Quarantine and Defence uses permitted by the 1910 NSW and Federal Government Agreement, and relies upon internal Federal government memos to justify the transfer of management to the AFP in 1960. - An interpretation plan should be provided. - The proposal ignores the integrated management of the SIH/AIPM site within the context of North Head. - Council supports the concept of a 'natural creek to improve stormwater drainage and quality from the site.
<i>Aboriginal Heritage</i>	The negative impacts of development, both direct and indirect, on Aboriginal heritage significance and relics, include both site specific and broader North head contextual impacts.
<i>Built Form/Visual Impacts</i>	- The location and form of the new development will result in significant increased visual impact on the site's natural setting. - There will be a significant amount of tree removal resulting in loss of tree canopy and bushland connectivity to the Sydney Harbour National Park. - The materials and finishes are not sympathetic to the natural setting. - Potential adverse impacts on flora and fauna including the habitat of threatened species.

• <i>Traffic and Transport</i>	• Increased traffic from non-police uses will have the potential significantly impact on the amenity of residents of North Head. Such uses are exempt development under the Major Projects SEPP. • Increase traffic will create new hazards for the threatened populations of the Little Penguin and the Long-nosed Bandicoot. • Such events (lasting up to 3 days) will only serve to dramatically increase the uncontrolled access to this area of the Sydney harbour National Park after dark when the animals are most active and will place them at greater risk. • There is no commitment to the support for and use of shuttle buses to serve the transport needs of the AIPM. • Manly Council has consistently called for the support of all owner/managers on North Head for integrated, small scale public transport.
• <i>Director-General's Requirements</i>	• These requirements have not been met particularly in relation to heritage (built and natural) impacts, strategic justification and visual impacts and the built form.
• <i>Justification for the proposal</i>	• No genuine consideration of alternative options or locations for the development is provided. • The expenditure of \$27 million of taxpayers' funds is not justified by the application as submitted.
• <i>Inadequacy in Documentation</i>	• General comment.
• <i>Limited Consultation</i>	• There has been very limited consultation with the local community and the Council, and very limited notification of residents in the surrounding area. • The exhibition of the application between late December 2007 to 15 February 2008, was almost entirely within the Christmas/New Year period, is considered to be a tactic to avoid public comment.
• <i>Cumulative Impacts</i>	• The cumulative impacts of the proposal illustrates that the site with such environmentally sensitive issues is unsuitable for the proposed development. • There is strong community concern regarding the proposal.