

23A Epping Road
North Ryde, NSW 2113
Ph/fax (02) 9887 2703
wilby11@bigpond.com
4 September 2014

**SUBMISSION re Environmental Impact Statement
for State Significant Development Application for M2 Site
in North Ryde Station Urban Activation Precinct, North Ryde (SSD 5093)
by John McCain and Diane Michel**

CONTENTS	PAGE
I. INTRODUCTION/BACKGROUND	1 - 2
II. SUMMARY OF SUBMISSION	2 - 3
III. DIRECTOR GENERAL'S ENVIRONMENTAL ASSESSMENT REQUIREMENTS, SSD 5093 - Location, Issue Date, General Requirements, Key Issues 5, 6, 7, 8, 13, Consultation, References.....	3 - 6
IV. ECOLOGICAL IMPACT ASSESSMENT, SSD Application 5093 Appendix J – 'Trees and Weeds', Bundara Reserve, M21 Site Study Area, Conclusions	6 - 11
V. VEGETATION MANAGEMENT REPORT, SSD 5093, Appendix K	11
VI. ESD REPORT, SSD Application 5093 Appendix P	11 - 12
VII. BRIDGE CONCEPT S-110 (P3), S-120 (P3), S-130 (P1), S-140 (P1)	12
VIII. RECOMMENDATIONS	13
APPENDIX A	14

I. INTRODUCTION/BACKGROUND

Since 2010, we have involved ourselves in all available public participation concerning planning of the North Ryde Station Precinct. In some cases, it has been necessary to literally deal ourselves into such activities and to seek out individuals inclined to cooperate. Participation was made more difficult by multiple changes in many aspects of the proposal – purpose, focus, justification, legal bona fides, configuration of project area, personnel, Government authorities leading or engaged, attitudes. TCA became TDIC, which then deferred to DP&I which became DPE, which then handed over to a section of Landcom, which recently had adopted the name UrbanGrowth and now is identified as part of DPE.

At this current stage in the evolution of the proposal, our greatest fear is a repetition of the Lane Cove EIS. Like SSD 5093, that one initially excluded Bundara Reserve from the study site and accordingly from any provisions for protection of the Reserve and its environs.

We do not 'liaise' out of a desire for enlightenment, entertainment, or social interaction. It is simply a matter of valuing the place where we live. Long experience of development-inclined planning suggests that without such involvement, our home and the adjoining Bundara Reserve would have long since been sacrificed to one of the several concepts which has drifted in and out of fashion. [See Attachment 'A'.]

We welcomed and supported the Parramatta Rail Link and regretted decisions to shorten it to the Epping Rail Link, to underground the Lane Cove River Crossing, and to cancel plans for an East Lindfield Station. Throughout five years of North Ryde Station Precinct promotion, great emphasis has been placed on public transport as the alternative to congested roads, station carparks and parking at residential accommodation.

It puzzles us that even now, with a huge population increase predicted, no direct public transport is contemplated to carry residents of the North Ryde Station Precinct to Top Ryde and West Ryde. Steadfast refusals to provide on-site parking at North Ryde Station also mystify many who would take the train if there was parking. A consequence is the clogged condition of private parking at Riverside Corporate Park and of residential streets on weekdays, e.g. Blenheim Rd parallel to Blenheim Park; Blenheim Rd residential side-streets including Morshead, Donald, Clarence and Warwick.

For reference, our home is situated as follows:

- to the east, adjoins three RMS rental properties; to the west, adjoins Bundara Reserve; to the north, adjoins two classifications of uninhabited and presumably uninhabitable RMS land above the M2 cutting, i.e. M2 corridor leased to the tollway owner, and remnant surviving from residences compulsorily acquired by RTA during construction of M2;
- faces Epping Rd and the very popular community venue, Blenheim Park; nearest driveway east of Delhi Rd intersection;
- identified for heavy increase in foot, cycle, car and truck traffic in an area already at dangerous gridlock during morning and afternoon travel peaks.

As members of WIRES (Wildlife Information and Rescue Service) in its foundation years, as longtime Ryde Council bushcare volunteers, and due to natural interest, we are very familiar with local fauna and flora. In our immediate vicinity, we have witnessed a heartbreaking reduction in bushland and resulting injuries, deaths and disappearances of wildlife. We also have a good grasp of what remains and why its preservation matters.

II. SUMMARY OF SUBMISSION

The submission which follows may be summarised as a few things to be grateful for, and as fervent hopes that shortcomings of the EIS will be promptly and formally remedied prior to Determination. (Please note that the underlining within the text which follows reflects our emphasis.)

We are grateful . . .

- that some staff attached to TCA, TDIC, NSW Planning (DP&I, DPE) and now UrbanGrowth have patiently listened and assisted. We also appreciate the expertise, hard work and objectivity of some consultants.
- that the RMS Site (23-21 Epping Rd) and OSL Site (Tennis World) have been removed from the North Ryde Station Precinct, and that plans for pathways, lighting and outdoor furniture behind RMS buildings in the M2 corridor appear to have been abandoned.
- that under UrbanGrowth, design of the pedestrian/cycle overbridge extending from the M2 site to North Ryde Station has been reconfigured so that the full span can be installed at one time, and so that installation of a lift will not be necessary.
- that authors of this latest EIA do not accept deletion of Porters Creek from mapping.¹

Regrets, which we sincerely hope will be addressed, are as follow . . .

a. All of Bundara Reserve and adjacent RMS land, nominated for placement of a double Pedestrian-Cycle Overbridge support structure, has been omitted from Director General's Requirements for this EIS. The nominated location of the third bridge support, adjacent the Station North site, also has been omitted. These critical aspects of M2 Site preliminary works were similarly omitted from the Station North EIS, which has not as yet been determined.

¹ "The watercourse, while not being mapped on current 1:25000 topographic maps does have characteristics of a 1st order watercourse ." [EIA 4.5]

b. Omission from the study area automatically denies Bundara Reserve and similarly affected areas the protection of an adequate Assessment, and of Vegetation Management and Construction Environmental Management Plans.

c. Only a small part of the M2 site itself is included in the EIA, approx. 4,437 sq m of 92,058 sq m.

d. EIA shortcomings in extent of area assessed, and also in rigour where an assessment was applied, have real potential of adverse impact on flora and fauna, on and off site.

Mature native trees at M2 Site southern and eastern boundaries do not appear to be identified for preservation. Presence of a somewhat notorious and extremely invasive noxious weed is neither acknowledged nor earmarked for management.

Loss of habitat is discounted under the assumption that disturbed fauna will find space at Lane Cove River National Park.

e. Various changes in policy, focus, process and personnel have affected aspects of this EIS. Some changes have brought about improvements, but there also is a risk that flaws will be carried over into *"works associated with the proposed development."*²

f. Perhaps due to haste and the practice of boiler-plate material from previous documents, perhaps due to weariness of the subject . . . some documents in this EIS are unreliable in details such as locations, directions and numbers. To us, these errors suggest a lack of respect for the project, the client department and the public. The presence of obvious small errors adversely affects confidence in the whole document.

g. Time constraints do not permit our attention to all reports included in the EIS. (Total time allotted by NSW Planning & Environment was 31 days. For members of the public, working without pay in time taken from business and personal obligations, EIS time has been considerably less than 31 working days. The period has been further shortened by extremely limited availability of printed EIS copies, cost of monster downloads via home computer, and a slapdash approach to the website listing of the SSD Application Appendices. (Appendices G and H were listed only after 14 August, when a member of the public noticed that some material on view at the local library was not listed on the website. After this correction, less than twenty days remained to complete submissions.)

III. DIRECTOR GENERAL'S REQUIREMENTS, SSD 5093

Comments comparing EIS to imperatives of DGRs including Location, Issue Date, General Requirements, Key Issues 5, 6, 7, 8, 13, Consultation, References.

Location (and also Key Issue 7: The stated location – Lot 101, DP 1131776 and part Lot 2, DP 528488 – applies to property west of Delhi Rd and bounded by Epping Rd, Delhi Rd, M2 Motorway and Wicks Rd. However, the location cited in the DGRs does not list Wicks Rd.

More importantly, the DGRs fail to mention two places on the east side of Delhi Rd which will be the site of supports for the substantial pedestrian-cycle bridge. Omission of these two places from the DGRs' location statement would appear to have deprived them of serious attention in the Ecological Impact Assessment, Vegetation Management Plan and Construction Environmental Management Plan.

A double support for the overbridge is proposed for a very tight corner of RMS land at the NW extremity of Bundara Reserve. Presumably, this is why a *"biodiversity assessment of any potential impacts on Bundara Reserve"* appears first on the Director General's listed requirements concerning Biodiversity (although not recognised in the Location of the study site).

A similar omission of Bundara Reserve from the Lane Cove Tunnel & Associated Works EIS created enormous distress in the community, plus delays and added cost to the project. The thought of an encore is painful to contemplate.

² DGRs General Requirement 1. Description of works.

Date of Issue: The DGRs were issued 19 May 2014. The EIA is dated 22 May, the VMP 23 May, the EIS 6 August. We are bemused by the short time between issue of DGRs and completion of some the studies which the Director requested.

General Requirements, 1. Description of works: *"Proposed works associated with the proposed development should be outlined . . . construction and provision of key pedestrian and cycle connections including a pedestrian bridge over Delhi Road to the North Ryde Station."*

The bridge is more than outlined. A much-improved design is examined in considerable detail. Unfortunately, the bridge supports at two locations on the east side of Delhi Rd are not specified in the DGRs as part of the project Location. Although the bridge designers understood that the overhead crossing is a work associated with the project, consultants charged with environmental assessment took a differing view. Accordingly, there is no recognition of potential impacts on Bundara Reserve . . . and no suggestions for mitigation of inevitable impacts.

Key Issue 5. Urban Design: *"Outline any visual impacts of the proposal on surrounding areas and how these impacts will be mitigated, with particular regard to the pedestrian and cycle link between the North Ryde Station and the Mixed Use Sub-Precinct and its visual impact on the Macquarie Park Cemetery and Crematorium."*

We note with relief that DGRs for this EIS place weight on the issue of exterior visual impacts.³ Assuming that the impact on individual cemetery and crematorium visitors will be a rare occurrence, we suggest that the constant visual and physical impacts, at close range, on Bundara Reserve also should be considered.

A sunshade is recommended for a position on the bridge, as near as possible to Bundara Reserve. This device would increase shading of a Turpentine Ironbark ecological community already due for impact from shading via buildings to be raised on the M2 Site. No relief from this environmental impact has been prescribed.

No visual (or safety) impact is predicted for a "15m x 2m advertising board" slung on the overbridge.⁴ (There is no denying that the purpose of the advertising is to create a 24-hour distraction for Delhi Rd motorists. There is no admission that such distractions are both ugly and hazardous. Existing and proposed on-road advertising at Delhi Rd is positioned near complex merge lanes, access ramps, etc, where accidents are already common. At night, the illuminated advertising on the M2's Delhi Rd bridge already is offensively visible from back windows on Epping Rd and within Bundara Reserve.)

Key Issue 6. Transport and accessibility: It does not appear that road design outside the Precinct is a responsibility of UrbanGrowth. However, the impact of internal Precinct traffic on external roads must surely be a matter of some concern. Exaggerated traffic forecasts for various toll roads and toll tunnels have received considerable bad press in recent weeks. We wonder if understated traffic forecasts for areas such as the North Ryde Station Precinct will eventually attract similar criticism. As well as commuters and existing residents and workers in North Ryde, future residents and patrons of the Precinct will endure impacts on travel and accessibility. Not all of us will be, or can be, cyclists. Public transport does not always take us where we wish to go.

³ The North West Transport Links (M2) EISs extolled fleeting bushland views available from the tollroad, not constant traffic views from homes along the route.

To provide a peep into Pages Creek Bushland, the Lane Cove Tunnel & Associated Works EIS specified see-through panels on the noise wall running from Pittwater Rd to the Lane Cove River. Most of those panels were removed after complaints from Gilda St residents annoyed by headlights. The remainder are effectively fogged by road pollution.

⁴ Appendix B, structural drawing; North Ryde Pedestrian Bridge Urban Design Report Fig. 4.8.

Despite promotion of Urban Activation Precincts as heavily populated areas with limited need for travel by private vehicle, there is no hint that public transport will be available to carry residents of the North Ryde Station Precinct directly to such central destinations as Top Ryde (Ryde Council chambers, main library, planning and business centre as well as Top Ryde Shopping Centre) and to West Ryde (main rail line).

Key Issue 7. Biodiversity: (See page 3, 'Location and also Key Issue 7'.)

Key Issue 13. Construction and operational impacts: *"Provide an assessment of construction and operational impacts and identify appropriate mitigation measures . . ."*

The EIS provides neither assessment nor appropriate mitigation for potentially impacted sites near bridge supports on the eastern side of Delhi Rd (Bundara Reserve and Station North).

Consultation: *"The EIS must describe the consultation process and the issues raised, and identify where the design of the development has been amended in response to these issues. Where amendments have not been made to address an issue, an explanation should be provided."*

We have been unable to locate any such material.

An equally pressing requirement at this stage in the process relates to consultation in the future.

- What consultation will be available during site preparation and construction of the infrastructure described in this EIS?

- Will the always-necessary 24-hour hotline⁵ be made available?

- Will the hotline provide prompt access to someone authorised and inclined to take immediate action? (As any Local Government ranger will confirm, a remarkable percentage of building site infringements occur outside normal office hours.)

References: *"The assessment of the key issues listed above must take into account relevant guidelines, policies and plans as identified. While not exhaustive, the following attachment contains a list of some of the guidelines, policies and plans that may be relevant to the environmental assessment of this project."*

Assuming that 'Attachment A, Government Authority Responses to Request for Key Issues', is the list in question, we are certain that attention to the City of Ryde Council responses⁶ would provide excellent assistance:

"What is the future of CoR assets in the precinct? This included Bundara Reserve which the report says will be 'protected' . . ."

"It is noted that Transport for NSW has undertaken an assessment of the natural assets . . . present on sites within the North Ryde Station Precinct. In this respect, any forthcoming SSDA must ensure that due consideration is given to the possible impacts of the proposal upon existing environmental assets on the sites."

Also of practical interest is material provided by JBA Planning concerning NRSP Station sites. Supplied on request, this briefing includes a clear, concise summary of events influencing the

⁵ Examples of need for hotline: M2 East wholesale clearing including stump removal of steep hillside at Terrys Creek during heavy rain, contrary to conditions of development; identified Aboriginal rock shelter at Devlins Creek damaged by excavator and then used as toilet; un-flocculated muddy water pumped from M2 cutting into major Epping Rd drain leading to Lane Cove River; temporary power pole pointlessly erected in middle of Bundara Reserve.

Lane Cove Tunnel & Associated Works incorrectly laid concrete was excavated and dumped in 'protected' Pages Creek bushland; major roots of significant tree at Bundara Reserve hacksawed to avoid minor trench-widening; contaminated soil used to fill trench along western boundary of Bundara Reserve; untethered, unweighted barriers dangerously blocked traffic lane at night at intersection of Delhi and Epping Rds.

⁶ Letter 30-3-2011 to Michel File, Strategic Assessment, NSW DoP, c.c. Dorna Darab, from Dominic Johnson, Environment and Planning, City of Ryde; Letter 24-1-2012 to Michael File, NSW DP&I, from Dominic Johnson, Environment & Planning, City of Ryde: "Request for DGRs for North Ryde Station Precinct – Ryde LGA (SSDF 5093)."

Precinct concept in the lead-up to preparation of the EIS for SSD-5093. It also suggests the following inclusion to the DGRs:

*"... amendment to the description of the development site to which the existing DGRs apply, so that they only apply to the M2 site and land associated with the pedestrian bridge..."*⁷

IV. ECOLOGICAL IMPACT ASSESSMENT, SSD Application 5093 Appendix J

'TREES AND WEEDS'

Quite apart from exclusion of entire physical areas from the Ecological Impact Assessment, we are greatly troubled by some omissions within the body of the document. We know the area in question very well. For that reason, we believe that the consultants' treatment of Tree Preservation and/or Tree Removal, and of Weeds worthy of management, damages the credibility of the entire EIA. Furthermore, we contend that attempts to justify (and adhere to) the dubious findings would continue to erode trust in the entire Environmental Impact Statement.

Tree Preservation/Removal at or Adjoining Bundara Reserve: During the years of community consultation on the North Ryde Station Precinct, occasional references were made to the removal of trees at the NW corner of RMS and Bundara Reserve lands. Estimates of this tree loss have varied. Anxiety has been heightened by unexplained tree-markings on both RMS land and deep within the Reserve. Neither the public nor senior proponent personnel were forewarned.⁸

To our recollection, the most recent reference to tree removals at these sites was made at the October 2013 liaison meeting when UrbanGrowth was introduced as the new leader of the North Ryde Station Precinct project. It was suggested that eight or so trees would be removed from the small RMS area at this location. Four months later, more than 26 large Turpentine well within the Reserve proper had been defaced with pink spray paint. Most of these trees were nowhere near the proposed bridge site and were deep within the Reserve. Some markings faced the adjacent residence east of the Reserve. The Reserve is below street level. For all these reasons, it was hard to imagine that the marks would qualify as survey points for the proposed bridge.

Bundara Reserve is a small but valued urban bush site. Ryde Council personnel and contractors, volunteers and ordinary passersby are generally impressed by its biodiverse qualities as Turpentine Ironbark forest. Over time, each round of development-inspired tree removals has exposed a new edge to root damage, heat, wind, and weed invasion. At least some of the newly exposed trees die, further advancing the edge effect. Already-scarce habitat on the ground and overhead is reduced. Although the design of the Pedestrian-Cycle Overbridge has progressed into the EIS, we are unable to find any reference to removing or preserving trees at the proposed work and operation site affecting Bundara Reserve. It would be physically impossible to work at this site without affecting some trees. Failure to specify how many trees would be removed, and how others would be protected, is certain to translate as uncontrolled damage.

Tree Preservation/Removal at M2 Site: To be honest, we are unable to determine whether M2 Site trees outside the arbitrarily restricted Study Area have been assessed or not. Those which remain, including the 'grandmother Turpentine tree' at the NE corner of the site, are valuable connections for birds of this area.

An Unmentioned Noxious Weed of the M2 Site: *Paspalum quadrifarium* (Tussock paspalum) is a gazetted Class 4 Noxious Weed,⁹ well-known to occur in the Ryde City Council area. Large, healthy

⁷ Letter 7-11-2013 to Sam Haddad, Director General, NSW DP&I, cc Michael File, from Stephanie Ballango, Associate, JBA Planning: "Station North and South, Request for DGRs."

⁸ "... I regret to inform you that it was (as you suspected) a surveyor working on our project that has used white paint in the area. 1000-apologies ... I have instructed them again to notify myself and the environment team prior to any consultants going anywhere near Bundara Reserve ..." – Community Engagement Manager, Transport Projects, Transport for NSW, 4-4-2012

"... why are 26 mature trees in Bundara splashed with pink spray paint, all but 8 of them outside the designated destruction area?" D Michel to Urban Growth 30-1-2014. Surveyors 'taking levels' (in Reserve, below street level). – phone call, Development Manager, Urban Growth 3-2-14.

specimens can be viewed inside and outside the Delhi Rd hoardings of the M2 site. Their size indicates that they have been growing there, undisturbed, for quite a long time.

The weed has particular connections to the actual M2 Site and to Ryde as part of the Lane Cove River Catchment Area. Prior to construction of the tollway, the M2 Site was known as Delhi Park. It was maintained by Ryde Council and used for community activities including social cricket and marching band practice. At times, it was provided by Council as a site for circuses. Later, a central section was used as a horse paddock. Council outdoor staff regularly mowed the entire site. One benefit of this maintenance was containment of a thriving patch of *Paspalum quadrifarium*. During and immediately after M2 construction, sites such as Delhi Park remained fenced off and unrehabilitated. Waist-high *P. quadrifarium* spread to thickly cover more than half the site, running west from Delhi Rd. It also invaded the M2 corridor, the edges of Bundara Reserve and Blenheim Park, and both roadsides of Epping Rd, crossing the Great North Walk on the bank of the Lane Cove River.

The weed grows so thickly and seeds so prolifically that it chokes out all other vegetation. A fire at the M2 Site ably demonstrated the hazardous nature of this weed.

The Lane Cove Catchment Management Committee made a small grant to three concerned members of the public. Under Ryde Council administration, these volunteers mapped outbreaks of the weed from Terrys Creek to the Lane Cove River. They experimented with various means of non-toxic eradication and then presented their findings to the Sydney North Regional Weeds Committee. Their aim was to encourage documentation and control of the species. They were the first members of the public to appear before this committee of Local and State Government representatives.

Although the weed now is under a Weed Control Order in 37 Local Government Areas, some difficulties still frustrate efforts to "*continuously inhibit the ability of the plant to spread*":¹⁰

- Uninformed individuals assume that it is merely the nuisance *paspalum* which invades their lawns.
- Too many common names have been applied to the species, eg tussock grass, blue grass, goldentop grass, etc.
- The mature clumps, waist-high and more than a metre in diameter, are often mistaken for a native grass such as a *Lomandra*.¹¹

BUNDARA RESERVE

The consultants appear to have limited their activity, in keeping with an interpretation of DGRs which may be something like this: *A biodiversity assessment of any potential impacts on Bundara Reserve is required . . . but there can be no impacts to assess, since the pedestrian bridge supports which will impact the Reserve are not listed as occurring at a 'Location' of the proposal.*

Despite this anomaly, we feel compelled to comment on the required (but less than relevant) EIA's biodiversity assessment for the following reasons:-

- Earlier, more detailed studies of Bundara Reserve for the North Ryde Station Precinct proposal exhibited some omissions and inaccuracies which were addressed only in submissions by the public. The abbreviated EIA provided for 5093 references but does not correct or supplement those studies.
- Those (2007-2012) studies were predicated on a very different view of the North Ryde Station Precinct, i.e. high-rise housing replacing three RMS single dwellings of one-storey each, pathways leading behind the new dwellings and through Bundara Reserve, pedestrian overbridge extending only halfway to the train station, i.e. from M2 site to a lift at NW corner of the Reserve. Any

⁹ Noxious Weeds (Weed Control) Order No. 30, 26-2-2014, NSW Government Gazette No. 23, p 840; also Order No. 28, NSW Government Gazette 30-9-2011, etc.

¹⁰ Eco Logical Australia makes no mention of the weed in materials provided for the current EIS. For the Lane Cove Trunnel consortium, Ambrose Ecological Services assessed Pages Creek bushland (east of the M2 site). *P. quadrifarium* was not listed as a weed, but a photograph was used to illustrate the bushland.

¹¹ Outdoor staff continue to mow carefully around clumps of this weed along Lucknow Rd and Epping Rd.

observations which may have been appropriate six or seven years ago are less likely to apply to the current situation.¹²

Bundara Reserve 6.3.2 pg 37:

In the latest EIA, the consultants dispose of Bundara Reserve with a total twelve lines of text . . .

Lines 1-2 describe not the Reserve but its separation from the M2 Site and from M2 Site drainage.

Lines 3-5 describe not the Reserve but the barren nature and weed infestation of the SE corner of the M2 Site across the road. The arguably worst weed on the M2 Site is not mentioned. Given so much attention in the Bundara assessment, the M2 Site is said to be approx. 40 m from the Reserve and on the opposite side of Delhi Rd.

Lines 6-9 finally refer to Bundara Reserve itself. They appear to dismiss the Reserve from constructive consideration since *"the patch is less than 1 hectare"* and accordingly *"does not meet the definition of Turpentine Ironbark Forest . . . under the EPBC Act."*

Degradation due to edge effect, road and footpath widening, gas lines, power lines, edge-pruning, fire protection clearing, etc all eat away at urban bushland such as Bundara Reserve. Wait long enough, and most of these treasured remnants will fall below the magic 1-hectare measurement.

Lines 10-11 contain assurances that somehow, *"separation via Delhi Road"* will remove all possibility of *"direct impacts"* on the Reserve. The authors fail to explain how the road will shield the Reserve's floral and faunal species from the following:

- Clouds of abrasive silica dust from construction on the M2 Site (as occur now, due to activities occurring under a lease from UrbanGrowth).
- Weed seeds which blow and/or wash across Delhi Rd in westerlies.
- Incursion consequences including tree loss and tree root damage, vegetation loss, soil compaction, habitat loss or disturbance, contamination by weed seeds and disease from another worksite, transfer of edge effects to locations deeper within the Reserve due to removal of unspecified number of current edge trees. (These are among inevitable direct impacts of erection and ongoing presence of a double truss arrangement supporting the pedestrian and cycle overbridge. This largest support in the latest bridge design is shown on the narrow strip of RMS land adjoining the NE corner of Bundara Reserve. The overbridge is referenced repeatedly in the DGRs, i.e. under *Description of works*, and *Key issues* 5, 6. It also is addressed in detail in several Appendices to the EIS.) The need for mitigating measures is overlooked.

Lines 10-12 also refer to *"indirect impacts"* assessed under an *"abovementioned guideline"* (which does not appear to have been mentioned.)

Bundara Reserve Table 6 pg 38:

At last, there is an admission that there are issues related to development *adjoining Bundara Reserve*, as opposed to development across the road. Regrettably, the consultant scores the specified nine issues as: Not relevant, 6; Not applicable, 1; See technical reports, 2.

Consultant's Assessment: Erosion, sediment control of no relevance because Reserve *"upstream of the study area."*

Another View: Meaning of *"upstream"* unclear. Previous work for M2 Tollway and Lane Cove Tunnel Western Surface Works required straw bales and staked sediment fencing at Bundara Reserve.

Unlike current proposal, previous activities ended without installation of a large piece of infrastructure which will become a source of run-off in perpetuity.

¹² Ambrose Ecological Services 2007, for TDIC - *"Flora and Fauna Survey near corner of Wicks Road and Epping Roads, Macquarie Park"*.

Eco Logical Australia (ELA) 2008, for TDIC - *"Assessment of the Ecological Values of TIDC's M2 and Bundara Reserve sites"*; ELA 2009, for TDIC - *"Assessment of the weed management area and Red Crowned Toadlet habitat along the M2 site boundary, North Ryde"*; ELA 2012 for Transport for NSW - *"Ecological Assessment for SSDA, North Ryde Station Precinct"*.

Consultant's Assessment: Stormwater run-off of no relevance, again because Reserve *"upstream of the study area."*

Another View: Bundara Reserve slopes west to east and north to south. Mechanised activity will damage ground cover. Unmitigated stormwater will run downhill, to detriment of Reserve.

Consultant's Assessment: Wastewater of no relevance because M2 Site across the road *"will be connected to wastewater system."*

Another View: Unmitigated wastewater from cementing, etc at site of bridge support construction will contaminate Bundara Reserve.

Consultant's Assessment: Management implications relating to pests, weeds and edge effects of no relevance because *"Due to proximity from the study area no additional edge effects or increased presence of pests or weeds would occur for vegetation within Bundara Reserve."*

Another View: Removal of trees at site of bridge support will obviously advance edge effects further into Reserve. Subsequent tree loss due to root damage will increase edge effects. Increased pests and weeds may be imported during construction and later via the overbridge.

Consultant's Assessment: No asset protection zones for fire management required . . . because *"appropriate setbacks have been incorporated into the design."*

Another View: There is no fire management protection zone for the Reserve, and none is wanted. There is reason to worry that *"appropriate setbacks"* of unspecified breadth will further reduce size, amenity and general viability of Reserve.

However, there is real concern that the bridge design must prevent smouldering cigarettes and other incendiary items from being flicked into the Reserve via the elevated overbridge.

Consultant's Assessment: Boundary encroachments and access through DECCW land not applicable because *"The proposal does not adjoin or require access through Bundara Reserve."*

Another View: It is difficult to believe that there will be no incursion during construction. It is impossible to believe that the bridge support on RMS land adjoining the Reserve will somehow not adjoin the Reserve.

Consultant's Assessment: Visual, odour, noise, vibration, air quality and amenity impacts addressed in other technical reports. *"Reserve has been subject to construction related noise and light impacts. The existing continuous noise and light impacts from Delhi Road and (sic) unlikely to be increased such that nocturnal species using the STIF vegetation within the reserve would be significantly impacted by the proposal."*

Another View: Despite years of observation, rescue, rehabilitation and release of wildlife, we do not feel qualified to judge the impact on wildlife of increased noise and light. However, we do see a need to minimise such impacts on Bundara Reserve and adjoining residences. We also are aware of recent research suggesting that birdsong, alarm calls, and avian mating habits are affected by noisy environments.

Consultant's Assessment: Threats to ecological connectivity and groundwater dependent ecosystems have no relevance because *"Bundara reserve is currently disconnected from native vegetation"* and *"There are no Groundwater Dependant Ecosystems that would be impacted"*.

Another View: Bundara Reserve is *"native vegetation"* in itself. It has connectivity to other native vegetation sites via fruit-eating and seed-eating birds, flying foxes, airborne and waterborne seeds. Major threats to connectivity would be the killing of a very large Turpentine at the extreme NE corner of the M2 site, near the M2 on-ramp, and also destruction of surviving native vegetation elsewhere in the North Ryde Station Precinct and M2 corridor.

In view of the fact that Delhi Rd is the ridgetop, surface water and groundwater would appear to finish up at the Lane Cove River. Examples of groundwater seepage appear to be visible on the footbridge section of the Great North Walk between Fairyland and Epping Rd. Other, more permanent examples can be found in the southern section of Riverside Corporate Park. Any contamination on the Delhi Rd ridgeline, i.e. at the M2 site or Bundara Reserve, would be likely to work its way downhill.

M2 SITE STUDY AREA [EIA 6.1-6.3.1]

In a lengthy text document, brief statements associated with pictures are likely to be retained in readers' memories. Example: - Fig. 8 "*Sandstone Ridgetop Woodland . . . not consistent with any Endangered Ecological Communities*", and "*Weeds and exotics*" with "*some native species . . . sparse and considered to be of low ecological value*" [EIA p 22]. These are descriptions provided for Kywung Reserve and Wicks Park bushland on Wicks Rd at the western edge of the M2 site. The treatment is almost a template for takeover by stealth and loss through indifference – degrade, discard, isolate, erase identity, obliterate. It appears that even the names are being taken away. Contributors to the EIA have consigned this bushland to the anonymity of labels including "Public Reserve" [EIA Fig.2], "*North Bushland Park*" [EIA 5.6.1.1] or "*public recreation areas owned by Ryde City Council and Crown Land*" [EIA 6.3.1]. In doing so, they remove any real indication of place, content, character, and history.

Kywung means 'resting or camping place'. Robert Wicks donated land for the public school which survives as the Schoolhouse Museum of Public Education in nearby Coxs Rd.

In contrast to meaningful place names of local significance, "*North Bushland*" means nothing, and "*Recreation area*" is misleading.

To this day, there is some recognition of Kywung Reserve north of the M2.¹³ The remnant is still identified as a City of Ryde reserve, still yields numerous listings to an internet search, and still is recognised by some corporate entities. For example, the RMS's 2013 M2 Lane Cove Road Eastbound On-ramp Modification Environmental Assessment made the following references:

"Wicks Road east of the M2 Motorway is lined by Kywung Reserve . . ."

"The natural vegetation of the region is reserved within Kywung Reserve along with isolated remnant stands within the urban fabric of the adjoining areas . . ."

Local activists and sympathetic Department of Urban Affairs and Planning personnel made studies and recommendations concerning responsible management of Wicks Park at North Ryde. As temporary occupants of the land upslope later on, PRL personnel contributed to a cleanup of the creek and made major efforts to control runoff from tunnelling spoil and stored acid-sulphate soil taken from the underwater rail crossing.

The entire, current M2 Site has suffered similar relegation, sliding from Delhi Park (another local place name linked to colonial history) to M2 depot site, RTA northern districts dumpsite, M2 Surplus Lands Parcel 5, PRL/ECRL main tunnelling worksite and excavated soil rehabilitation and storage site, to North Ryde Station Precinct M2 Site. Once presented to the developers, there is a strong likelihood that the site will be given a bland new name.

Conclusions 8 pg 42:

¹³ M2 Lane Cove Road Eastbound On-Ramp Modification environmental Assessment; Addendum M2 Lane Cove Eastbound On Ramp Urban Design and Landscape Management Plan 27-9-13; Google 2013; UBD & Gregory's Sydney & Blue Mountains 2014, Map 17 and 194.

The consultant's assessment is that: *"Off-site impacts on the nearby Porters Creek Catchment Areas, Lane Cove National Park and Bundara Reserve are expected to be minor."* Another view, from us as authors of this submission, is that: Quite apart from off-site impacts, a section of Porters Creek itself is on the M2 Site. The proposed overbridge is planned to be on-site at three locations – on the M2 Site, on RMS land abutting Bundara Reserve, and on the Station North site. It is difficult to share an expectation that impacts would be *"minor"*. Activity will occur, but no impacts are recognised and no mitigation is recommended.

We assume that the consultant's 'Conclusions' are partially derived from material presented as 'Direct Impacts' [EIA 6.1.1, 6.1.2 and 6.1., p 30-31.] To us, the following comment on loss of fauna habitat is particularly offensive . . . and particularly common in attempts to justify habitat destruction: *"The amount of habitat that would be directly impacted comprises only a small portion of habitat for threatened fauna throughout the locality. Larger areas of habitat are present in the locality, mostly . . . within the Lane Cove National Park."*

Our objections to this 'easy way out' are as follow:

- The nearby National Park and other quality bushland is overpopulated by refugee fauna from cleared development sites. For that reason, it is illegal to relocate captured or rehabilitated wildlife in National Parks. The possibility of driving fauna from other sites into a National Park should not be seen as an environmental triumph.
- Many dispossessed species would be unable to safely cross the river, the multi-lane road, or the cavernous M2 cutting. Each new development in the neighbourhood has produced a fresh wave of casualties.
- Species which are simply classed as 'protected' also are treasured bushland residents. We would prefer to save them from falling into the 'threatened' class.

No doubt because we enjoy Bundara Reserve and see what occurs there on an almost daily basis, we are aware of rather more fauna than the consultants noted in any of their studies. The threatened Powerful Owl hunts there at intervals. Seasonal visitors include the Pacific Bazza, Crimson Rosella, Eastern Rosella, King Parrot, Glossy Black Cockatoo, Galah, Brush Turkey and more. Yesterday, the black cockatoos were looking for casuarina seeds and wattle borers along the M2, and the brush turkey wandered into the front garden. Regulars and full-timers include both possum species, two or more frog species, tawny frogmouths, crested pigeons, noisy miners, currawongs, rainbow lorikeets, sulphur-crested cockatoos, superb fairy wrens; butcherbirds, three skink species, wrens and a great many interesting invertebrates. Now and then, we also come upon an interesting surprise.

V. VEGETATION MANAGEMENT REPORT, SSD 5093, Appendix K

This Report appears to be adversely affected by:-

- reliance on previous studies, with no indication that objections then raised have been addressed;
- absence of assessment and management recommendations for two sites of pedestrian/cycle overbridge footings on east side, i.e. North Ryde Station side, of Delhi Rd;
- apparent failure to seek/accept local knowledge.¹⁴

In this Report, it is particularly saddening to see the specifications for "best practice" fencing and erosion control which are not recommended for Bundara Reserve.

VI. ESD REPORT, SSD Application 5093 Appendix P

An understandable but regrettable reliance on flawed reportage provided by other consultancies limits this ESD assessment. Like other ecology-related documents prepared for the EIS, this one is adversely affected by:-

¹⁴ *Ninox strenua* Powerful Owl recorded and photographed at Pages Creek bushland, North Ryde, and repeatedly in recent years at Bundara Reserve. Witnessed by members of public, consultants on Lane Cove Tunnel project, Ryde Council staff.

- absence of an assessment on two sites – pedestrian/cycle overbridge footings on the east (North Ryde Station) side of Delhi Rd;
- restricted area of M2 Site included in flora and fauna studies;
- inadequate content of M2 Site assessment;
- resultant failure to provide VMP and CEMP for an exceptionally sensitive location (Bundara Reserve Sydney Turpentine Ironbark Forest community);
- over-reliance by too many assessors on desk-top reviews, windscreen surveys and other alternatives to site visitation.

The EIS, and this ESD Report, fail to recognise that:

- If one end of the pedestrian-cycle overbridge is on the M2 Site, the middle and other end of the bridge are equally worthy of M2 Site assessment.
- At least two of UrbanGrowth's four guiding sustainability principles – '*protect biodiversity*' and '*minimise pollution*' – cannot be realised at Bundara Reserve unless environmental impact is recognised.

VII. BRIDGE CONCEPT S-110 (P3), S-120 (P3), S-130 (P1), S-140 (P1)

North Ryde Pedestrian Bridge Urban Design Report: We are grateful for the thoughtfulness and honesty of the Pedestrian Bridge Urban Design Report, both for the design and for admission that the design will impact on Bundara Reserve. Most particularly, we say 'Halleluja' to the only consultants known to have come right out and addressed the situation potentially affecting Bundara Reserve. It would appear to us that the prospect of impacts would suggest a need for a fresh EIA leading to a site-specific VMP and CEMP. Our comments are made with reference to the following entries in the Urban Design Report:

p1 illustrates bridge extending from M2 site, to Bundara Reserve NW corner, to Station North.

p5 identifies "*significant mature Eucalypts*" at the NW corner of Bundara Reserve as an "*opportunity to express bushland setting*".

p6 notes six practical constraints affecting bridge alignment, including "*potential locations for piers in the vicinity of Bundara Reserve*" and "*mitigation of impacts to significant vegetation*".

P7 suggests a need to "*minimise impacts to significant vegetation ...visually engage with Bundara Reserve...integrate the alignment with the existing vegetation north of the M2 ...maximise user's experience of existing trees*".

P19 & 23 fig 4.18 appear to illustrate shading, which we hope may be avoided or minimised.

Pedestrian and Cycle Bridge Structural Report:

p3 of this document also has the honesty to state that the Bridge "*crosses the . . . Corner of Bundara*". It prescribes a protective barrier relative to a steep embankment which other authorities have somehow failed to recognise: "*The central abutment for the main spans sits in the North East corner of Bundara Reserve and at the lower end of a steep embankment which drops from the Delhi Road pavement above. The embankment gradient is greater than 1:4 therefore, in accordance with Austroads, a barrier protection system is needed.*"¹⁵

¹⁵ On several occasions, we have picked broken glass, cars, car parts and stunned people out of the unfenced section of RMS embankment.

VIII. RECOMMENDATIONS

1. Congratulate UrbanGrowth and npc ARUP on developing a practical and sensitive approach to the Delhi Rd Pedestrian-Cycle Overbridge. If it is essential to the project, the current design is an improvement on predecessors.
2. Encourage any further, environmentally friendly refinements to the overbridge design.
3. Initiate a fresh SSD 5093 Environmental Impact Assessment, to include:
 - detailed EIA of entire M2 Site, including eastern section, perimeter trees and all good and bad vegetation.
 - full environmental assessment at sites of overbridge supports and immediate surrounds on the east side of Delhi Rd,
 - updated species lists, supplemented by less “desktop” and more “boots on the ground” surveys,
 - realistic summary of potential impacts of construction and operation of the pedestrian-cycle overbridge,
 - more appreciation of currently existing flora and fauna . . . and of ways to retain them.
 - potentially impacted trees (M2 Site, RMS/Bundara lands, Station North land) to be recorded and assessed for value as habitat and aerial ‘stepping stones’ within an otherwise severed wildlife corridor,
 - consultant to be assisted in recognition of *Paspalum quadrifarium*, so that this Class 4 Noxious Weed may be included in the EIA,
 - consultant to liaise with City of Ryde Council Bushcare personnel and Ryde-Hunters Hill Flora & Fauna Preservation Society re revised assessment of western bushland on the M2 site.
4. Initiate revised VMP and CMEP to include all new information and the entirety of the affected area including full M2 Site and location of overbridge supports. Include City of Ryde Bushcare personnel and Bundara Bushcare Group in drafting of these plans.
5. Ensure existence during construction of 24-hour hotline (not an after-hours answering service).

ATTACHMENT 'A' – DISCREDITED PLANS FOR NORTH RYDE

At least for North Ryde, many previous 'solutions' have been discredited and scrapped. If there had been no opposition, Bundara Reserve would have been 'sterilised' to facilitate enlargement of television studios, the entire M2 site would be covered with bulky goods warehousing, and a retail stationery outlet could stand on the North Ryde Station site.

Further examples of abandoned proposals for North Ryde include: 1960s-style Los Angeles super highway overbridge overshadowing Reserve and enveloping Blenheim Park; retail centre including take-away liquor for North Ryde section of M2 Tollway; something vaguely described as 'highway services' to replace four homes; Epping Road frontages of Bundara Reserve and of four homes to be acquired for sliplane/overbridge serving Riverside Corporate Park; Blenheim Park to be leased as private putting range or private horticultural centre with facilities for retail sales, bus tours, propagation of exotic plants, broadcasting, restaurant, etc. Because it makes us sad, we will not dwell on the needless loss of eight families and their good-quality homes in an altered plan for the M2 Tollway.