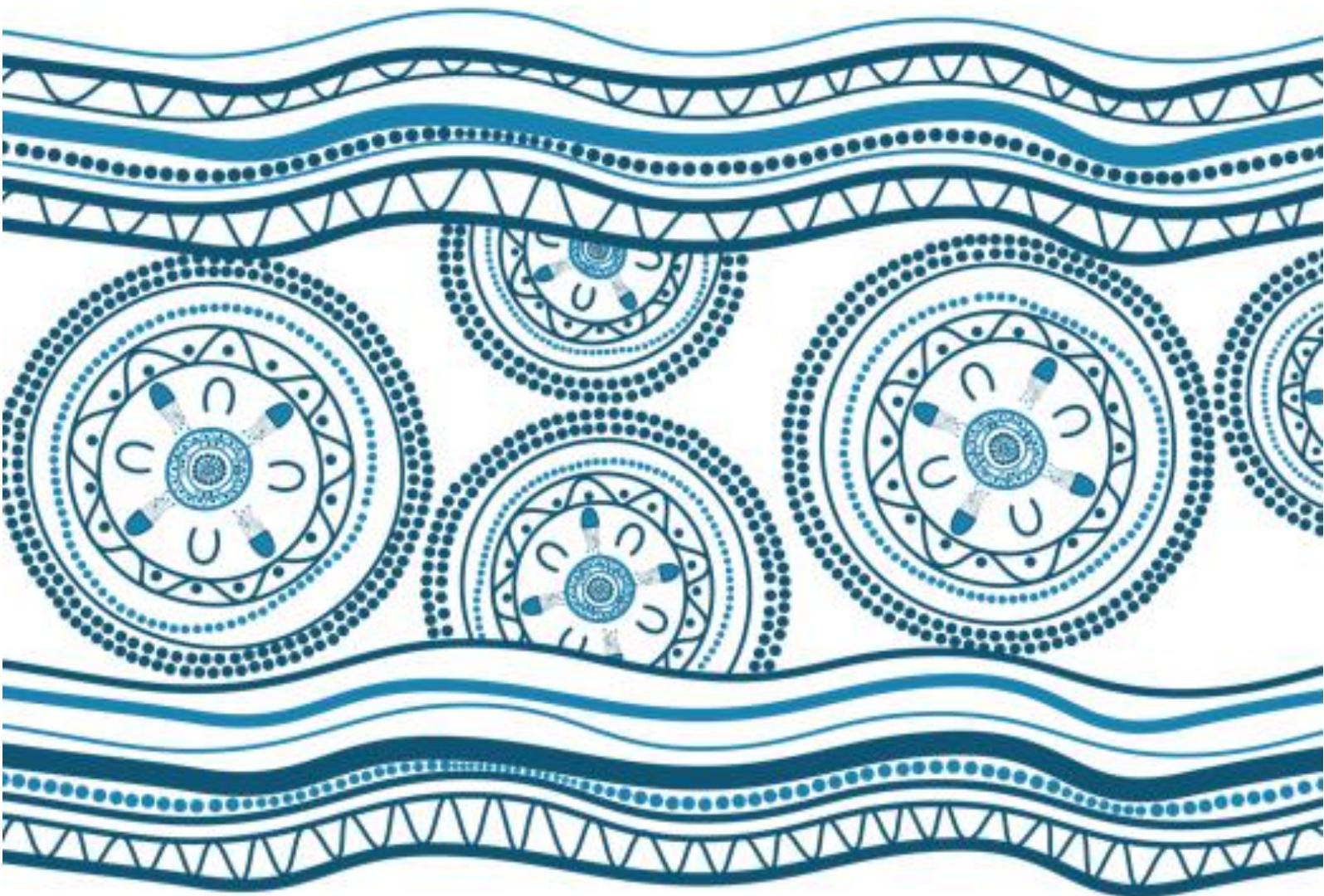


Executive summary



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Executive Summary

Transport for New South Wales (Transport for NSW) is seeking approval to construct and operate the Kamay Ferry Wharves in La Perouse and Kurnell (the project). The approval is being sought from the State Government under Part 5, Division 5.2 of the *Environmental Planning and Assessment Act 1979* (NSW) (EP&A Act) and the Australian Government under Part 9 of the Commonwealth *Environment Protection and Biodiversity Conservation Act 1999* (Cth) (EPBC Act).

This environmental impact statement (EIS) has been prepared in accordance with Part 3 of Schedule 2 of the NSW Environmental Planning and Assessment Regulation (EP&A Regulation), with reference to the Commonwealth Environment Protection and Biodiversity Conservation Regulation (EBPC Regulation), project-specific assessment requirements issued by the Secretary of the Department of Planning, Industry and Environment (DPIE) on 1 July 2020, revised on 4 May 2021 and Significant Impact Guidelines 1.1 Matters of National Environmental Significance. A single EIS has been prepared in accordance with a bilateral agreement between the NSW and Australian Governments made in 2015 under section 45 of the EBPC Act.

The EIS complies with the General Provisions outlined in Part 3 of the EP&A Regulation, while referring to the matters in Schedule 4 of the EPBC Regulation. It therefore describes the project and its alternatives, its likely environmental impacts and mitigation measures, and relevant environmental planning approvals and permits.

What is proposed?

The project would reinstate the two ferry wharves in Botany Bay that were damaged during a storm in 1974. The primary purpose for these wharves would be to allow a ferry service to start operating again for the first time in over 40 years. The ferry service would provide an alternative way for people to access Kamay Botany Bay National Park (the National Park) other than by road. Commercial vessels and recreational boats would also be allowed to use the wharves.

It is expected that a regular ferry service would operate and take about 20 minutes to travel between La Perouse and Kurnell. The final ferry service and schedule would be confirmed by a future operator.

This project is part of the NSW Government's plans to improve visitor amenity and access to the National Park. It would provide a new arrival experience and allow people to connect with Aboriginal and cultural values that are associated with Kamay Botany Bay.

Transport for NSW is progressing the project separately to the wider plans the NSW Government has, to improve the National Park under the Kamay Botany Bay National Park Kurnell Master Plan (NSW DPIE, 2019).

The regional context for the project is shown in Figure 1, and the key features of the project are shown in Figures 2 to 7.

The key features of the project include:

- Demolition of the existing viewing platform at Kurnell
- Construction of temporary ancillary works including access roads, compound areas, stockpiles, fencing and temporary building platforms (including a temporary causeway at Kurnell and temporary crane platform at La Perouse)
- Relocation of swing moorings at La Perouse
- Construction of two wharves on piles, one at La Perouse and one at Kurnell that would include:
 - A berth for passenger ferries (to cater for ferries between 15 metres to 40 metres in length)
 - A multi-user berth for commercial and recreational vessels (to cater for small vessels between two metres and 20 metres long)

- Sheltered waiting areas and associated furniture located on the wharves
- Signage and lighting
- Landside paving and landscaping at the entrance to the wharves
- New footpaths connecting the entrance of the wharves to the existing footpaths
- Reconfiguration of existing car parking areas at La Perouse to increase the number of spaces, and associated footpath changes to accommodate these additional car parking spaces
- Bicycle racks near the La Perouse wharf
- Installation of utilities to service the wharves including power and water.

It would take about 13 months to build the wharves including all landside components, with most of the work taking place during weekdays. Temporary site facilities, including compound areas, small stockpiles and other access tracks would be provided at each location during construction. Figure 6 and Figure 7 show the extent of the proposed construction works and temporary site facilities.



Figure 1: Regional context



Figure 2: Key features of the project (La Perouse)



Figure 3: Key features of the project (Kurnell)



Figure 4: Artists impression of La Perouse wharf



Figure 5: Artists impression of Kurnell wharf



Figure 6: Early works and site establishment at La Perouse



Figure 7: Early works and site establishment at Kurnell

What are the project objectives?

The main objective of the project is to provide multi-user wharves which support the reinstatement of the ferry service across Botany Bay to connect both areas of the National Park. In doing this, the project also aims to create a design outcome that respects and reinforces the important Aboriginal and cultural values of the area while meeting customer and community needs and expectations. Aboriginal community engagement is important because it will help define and deliver a culturally sensitive outcome. It is also important that any impacts are justified against the expected benefits delivered to current and future generations. Naturally, it is important that safety remains a key priority.

Why is it needed?

There is currently no ferry service between La Perouse and Kurnell. This limits the ability for people to easily access and enjoy these historical and culturally significant areas. There are several other reasons why the project is needed which include:

- Lack of formal existing berths or access points between land and sea for vessels within the National Park
- Poor sense of arrival to Kurnell via car is considered to not represent the importance of the site to Aboriginal people and the community
- Lack of connectivity between the areas acts as a deterrent against potential investment from the private sector in exploring new visitor experience market opportunities
- Since the loss of the original ferry service, which operated periodically between the 1890s and 1970s, physical connection to Country has decreased due to the limited accessible transport options between La Perouse and Kurnell.

How would the project satisfy this need and what are the project benefits?

The wharves satisfy the project's needs by:

Improving access

- Reducing travel times between La Perouse and Kurnell compared to travelling by car or bus
- Creating the infrastructure to allow ferries, commercial vessels, and recreational boats to berth
- Creating a link for pedestrians and cyclists to continue their journey across Botany Bay
- Installing the infrastructure and means to allow vessels and boats to berth in an emergency.

Increasing visitor numbers to the National Park

- Improving access and making it easier for people to travel between La Perouse and Kurnell
- Working within the wider plans for the National Park to create new commercial and recreational opportunities
- Wider commercial and recreational opportunities are expected from increasing accessibility and attracting more people to La Perouse and Kurnell, which is expected to lead to follow-on investment in the private sector from the likes of tourist operators, and an increased spend in local shops
- Generating around 36 ferry trips each day.

Improving the connection to Country

- Reinstating a physical connection between La Perouse and Kurnell therefore helping people to participate in cultural awareness activities
- Restoring and strengthening the cultural connection across Kamay Botany Bay
- Using the project and its design to create a tangible improvement in connectivity and enhancement in Aboriginal cultural values.

Realising and celebrating the area's historical importance

- Allowing people to experience Kamay in a way that has not been seen for over 40 years
- The wharves, along with providing footpaths, landscaping, and signage, create a sense of arrival and connectivity
- Providing seating and other furniture to allow people to enjoy their experience as part of the journey.

Why is the project of State significance?

Transport for NSW can build public ferry wharves under the permitted development rights they are afforded by the NSW Minister for Planning and Public Spaces under section 5.3 of the EP&A Act. However, if the project costs more than \$30 million to build and operate or there is the risk of causing a significant environmental impact then these rights no longer apply, and the project classifies as State Significant Infrastructure (SSI). SSI is important for economic, social, or environmental reasons. Approval to carry out SSI must be granted by the NSW Minister for Planning and Public Spaces.

In May 2020, Transport for NSW formed the opinion that the project may have significant ecological and heritage impacts given its location in the National Park. Accordingly, it applied to the NSW Minister for Planning and Public Spaces to carry out the project as SSI. This approval was granted in July 2020. Transport for NSW also submitted a scoping report to the DPIE. This allows the Secretary of the DPIE to prepare and issue project-specific environmental assessment requirements (SEARs).

Why is a referral to the Australian Government required?

Transport for NSW also identified that the project may significantly impact on various matters (values) that are of national environment significance (MNES). It therefore referred the project to the Australian Government Department of Agriculture, Water, and the Environment (DAWE) in October 2020 to decide if it needed controlling under the provisions of the EPBC Act. The Department's Secretary decided that the project should be controlled under the EPBC Act in January 2021. This is because of its potentially significant impact on nationally significant heritage places and various threatened species and communities.

What alternatives were considered?

It was important to consider what feasible alternatives were available to build, operate and deliver the project to meet the needs and objectives identified above. This includes the consequence of not carrying out the project.

Not carrying out the development

This alternative fails to deliver on the main objective of reinstating the ferry service. There would be an ongoing disconnect for people seeking to have easy access to the National Park. The existing access challenges would remain. Fewer people would be able to enjoy the cultural values associated with the National Park. It would also be a missed opportunity to improve connection to Country and respect the wider plans to improve the tourist and visitor experience across the National Park.

Non-feasible alternatives

Various transport alternatives were briefly looked at including a tunnel or bridge. While these have been proposed in Botany Bay previously, they are very expensive alternatives that would result in notable impacts on the National Park.

The ability to use or upgrade existing wharves in the area was also looked at. The nearest wharf is the Kurnell Port and Berthing Facility Wharf off Silver Beach. It would not be possible to use this

wharf for various technical and safety reasons, such as conflict with shipping vessels. It is also privately owned. There are no alternative wharves near La Perouse that could be upgraded.

As such, neither of these alternatives are feasible.

Feasible alternatives

A feasible alternative would be to provide additional public bus services between La Perouse and Kurnell. It currently takes about two hours to travel between La Perouse and Kurnell by bus service. A bus service with less stops could decrease this time, however the travel time is unlikely to be reduced significantly. This means people are unlikely to use road-based public transport, which goes against the aim of improving access and visitor numbers to the National Park.

Alternative forms of water-based public transport, such as water-taxis, would still need to use the wharf infrastructure to berth in the National Park. These alternatives may also not be inclusive due to their fare costs or their lack of low mobility and disabled access.

The preferred project

The preferred option is the reinstatement of the wharves and ferry service which reintroduces a once well-used public service that operated intermittently for 90 years in the area. This alternative also provides the easiest way for the broadest range of people to access the National Park. While there would be a range of impacts associated with this option, it was concluded that this option addresses the project's needs.

Once a decision was taken to reinstate the ferry service, Transport for NSW considered where to locate the wharves in La Perouse and Kurnell. Three options were considered in each location that were relatively close to each other due to the limited space along the shoreline. When considering how well the options support the project's objectives along with some more focussed considerations around safety and environmental impact, it was concluded that the preferred option would be to build the wharves near the original location of the 1974 wharves.

Specifically:

- The La Perouse location provides the best overall balance in terms of access, design suitability and the avoidance of key social, environmental, cultural, and historical features
- The Kurnell location provides the best option for the landside works, avoids some of the more highly valued and important social, cultural, and historical features in the National Park. It minimises impacts on the largest areas of sensitive seagrass.

How did the community participate in selecting the preferred project?

The community has helped shape, inform, and influence the project from the point of developing the wider plans for the National Park dating back to 2008. Specific community engagement on the project started in 2016 to initially confirm if the project was feasible. In 2020 and 2021, various engagement activities including meetings have helped the project in the selection of the preferred option.

Aboriginal community participation has influenced the project throughout all stages of development. This has included workshops, meetings, cultural interpretation sessions and feedback on design and specific elements such as landscaping and artwork inclusion.

What are the key environmental impacts?

A detailed assessment of potential environmental impacts has been carried out. While several impacts are predicted from building and operating the project most of these are temporary and reversible, meaning that they would not have a long term or permanent environmental or social impacts. There are also a few impacts that cannot be (entirely) avoided if the project is to proceed due to constructing the project in a sensitive heritage and marine biodiversity environment.

The potential impacts are summarised below.

- **Aboriginal heritage:** Two Aboriginal artefacts would be lost due to excavation work for the proposed utilities trench at Kurnell. While the overall heritage impact has been reduced in selecting the preferred project, the above impacts cannot be avoided. There is also potential to impact unknown heritage and archaeology within the Foreshore Midden Potential Archaeological Deposit (PAD) at Kurnell and Low Potential PAD and rock engravings at La Perouse. A salvage program and archaeological supervision during construction in these areas would help to avoid impacts on Aboriginal heritage. The likelihood of indirect impacts from vibration activities would be reduced through adopting safe working distances and vibration monitoring.
- **Non-Aboriginal heritage:** Construction of the wharves, installation of utilities and landscaping at Kurnell would directly impact and cause damage to the coursed stone sea wall, Monument Track and an African Olive tree. There would be direct impacts to the Landscape element of the La Perouse Conservation Management Plan. During construction, access would be restricted to visiting the heritage items within the construction boundary. Construction at the wharf tie-in areas would cause archaeological impacts to the former wharf approach road at La Perouse and the former sandstone sea wall at Kurnell. These impacts would have a wider impact on the heritage value and setting of the Kurnell Peninsula Headland, Kamay Botany Bay National Park (North and South) and Towra Point Reserve and Kurnell Historic Site (in Kamay Botany Bay National Park). A Heritage Management Plan would detail construction measures and procedures to minimise and manage impacts on non-Aboriginal heritage.
- **Underwater heritage:** Construction at the wharves would directly impact the second slipway, old wharf approach road and potential Aboriginal heritage at La Perouse, and the Trust Wharf remains and potential Aboriginal heritage at Kurnell. If there were unknown underwater heritage features within the wharf alignment, these could also be impacted during wharf construction. A Heritage Management Plan would include measures to avoid impacts to known underwater heritage and unexpected finds procedures for unknown heritage.
- **Marine biodiversity:** Piling for the wharves, construction vessel movements and anchoring would cause a direct loss of habitat including intertidal and subtidal reefs and seagrass habitat. This loss of habitat would have indirect impacts on marine fauna. Piling activities creating underwater noise would cause behavioural responses in marine fauna. Lighting during construction would cause temporary artificial light impacts on fauna and marine birds. Shading impacts from the permanent wharf structures would restrict light and cause fragmentation of seagrass habitat, resulting in a loss of connectivity for marine fauna. A Biodiversity Management Plan would be prepared to minimise and manage construction impacts on marine biodiversity, including measures such as preventing water pollution, limiting sediment disturbance, limiting vessel movements/anchoring and avoiding vessel strike. A marine biodiversity offset strategy would be implemented to offset any impacts that cannot be avoided.
- **Terrestrial biodiversity:** Construction of the project would require the permanent loss of native vegetation and potential habitat for threatened fauna including Gang-gang Cockatoo, Large-eared Pied Bat and Eastern Cave Bat. Measures would be included in the Biodiversity Management Plan to minimise impacts to terrestrial biodiversity during construction, such as mapping sensitive habitats, establishing exclusion zones, preventing water pollution, limiting sediment disturbance and implementing biodiversity measures.
- **Traffic and transport:** During construction there may be short-term and minor traffic delays as well as access restriction to areas within the construction boundaries, both in the land based and marine construction areas. A Traffic Management Plan and Marine Works Management Plan would be prepared and implemented to minimise and manage traffic impacts during construction. The project would cater for the increased demand for parking from the operation of the wharves. However, the project would not resolve existing traffic and parking issues.

- **Landscape character and visual amenity:** There would be temporary visual amenity impacts associated with construction materials, equipment and vehicles. The urban design of the project considers natural features of the landscape setting and area which means the project would be in harmony with the setting and surrounds once constructed.
- **Socioeconomic:** During construction there may be actual and perceived short-term access and amenity loss for sensitive receivers and recreational users of La Perouse and Kurnell, which could cause frustration, anxiety and temporary changes to people's way of life. Once operational, people may perceive there to be an increase in traffic congestion and use of the area, as well as a change in landscape character from particular viewpoints which could impact how people value the areas and their sense of place. Measures would be implemented through a Community Liaison Implementation Plan to provide information to the community during construction, allow for enquires and feedback and to resolve issues and disputes.
- **Noise and vibration:** During construction, temporary noise impacts would be heard by nearby sensitive receivers. Underwater noise impacts would cause behavioural response in marine fauna and may restrict areas for recreational use. Vibration impacts would be managed but could still impact unknown archaeological heritage both underwater and on land. A Noise and Vibration Management Plan would be prepared and implemented to minimise construction impacts and would include out of hours works protocol, a monitoring program, consultation requirements and contingency measures.
- **Coastal processes:** Construction would cause mobilisation of sediment from installation of the temporary causeway, piling and vessel movements. Turbidity monitoring would be implemented to ensure compliance with turbidity water quality standards. The causeway at Kurnell may temporarily change sediment and wave movement along the shoreline. Temporary causeway armour would be installed to minimise these temporary impacts. The operation of ferries would cause localised scour near the wharves. Operational restrictions to control approaching, berthing and departing from the wharves will be enforced for all vessels using the wharves to limit scour. These measures will be agreed in consultation with the Harbour Master.

Does the project result in a significant impact?

The reason the project was classified SSI and needed controlling under the provisions of the EPBC Act was due to the potential significance of the impacts at a State and National level on heritage and biodiversity.

Having assessed the impacts in this EIS:

- The project is not expected to result in a significant impact to the State and National heritage values, setting and/or fabric for both non-Aboriginal and Aboriginal heritage. The direct impacts would largely be limited to elements that do not contribute to the heritage values of the Nationally heritage listed items. The impacts to the setting of listed items are consistent with the historical setting and landscape of the listed items.
- The project would also result in potential impacts to State and Nationally listed biodiversity including *Posidonia australis* seagrass, White's Seahorse and Black Rockcod. Impacts to these habitats and species would be mitigated by implementing a marine biodiversity offset strategy.

What stage is the EIS at?

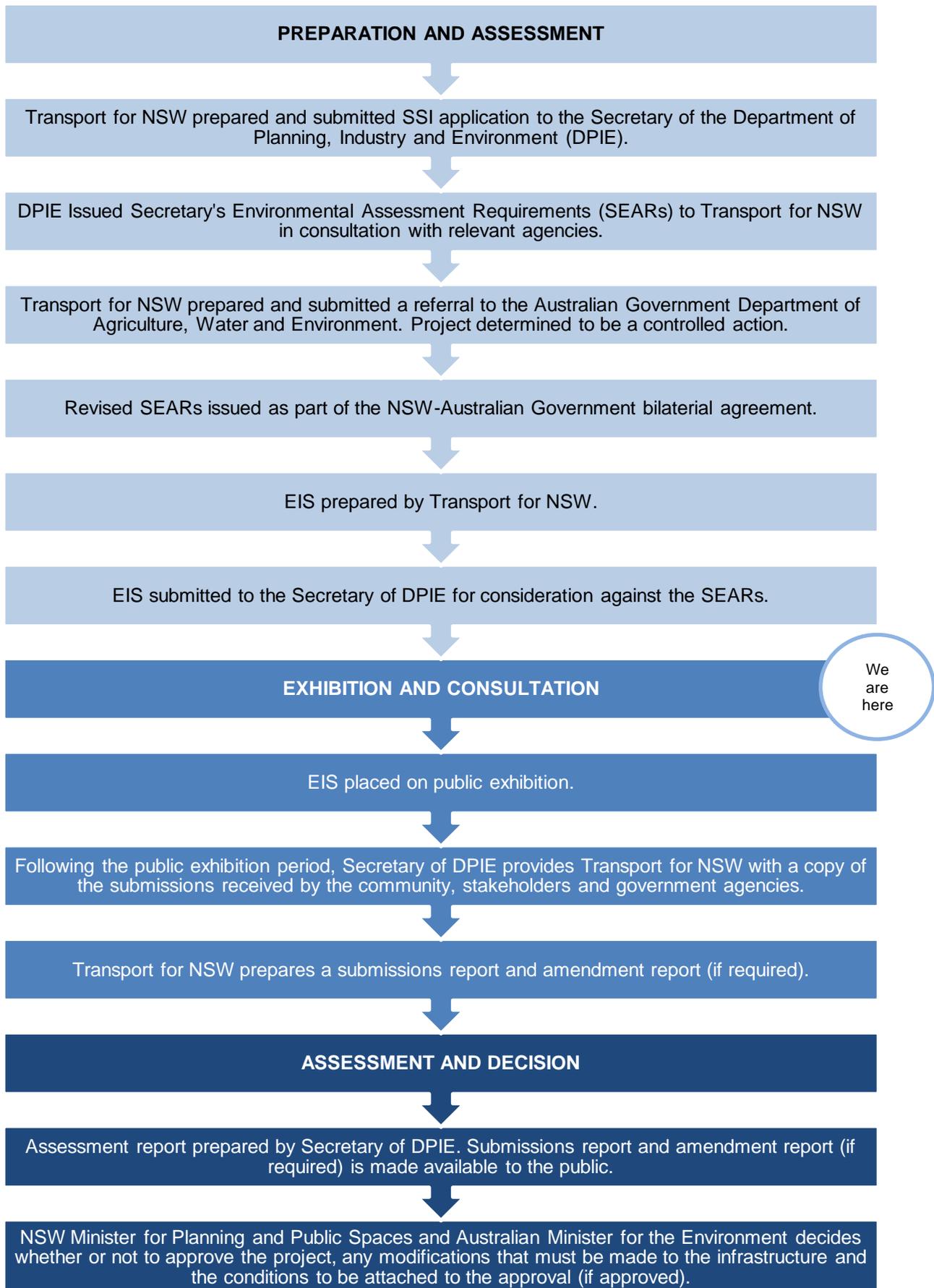


Figure 8: Approvals process under Division 5.2 of the EP&A Act and EPBC Act

How can I comment on the proposal and/or the environmental impact statement?

This EIS is being publicly exhibited for at least 28 days on the DPIE's major project website [Kamay Ferry Wharf Project | Major Projects - Department of Planning and Environment \(nsw.gov.au\)](https://www.planningportal.nsw.gov.au/major-projects/projects/on-exhibition). It is also available on Transport for NSW's project website [Kamay ferry wharves - Projects - Roads and Maritime Services](https://www.transport.nsw.gov.au/projects/roads-and-maritime-services) (nsw.gov.au).

Transport for NSW will also be carrying out community information sessions while the EIS is on exhibition. A project information line and email address will also be available throughout the exhibition period to answer questions 1800 228 554 (toll free) and kamayferrywharves@transport.nsw.gov.au.

A person can make a written submission to the Secretary of the DPIE during the exhibition period. All submissions received will be placed on the DPIE major project website. Submissions should be made to <https://www.planningportal.nsw.gov.au/major-projects/projects/on-exhibition>. Written submissions may also be directed to:

Director,
Transport Assessments,
Planning and Assessment,
Department of Planning, Industry and Environment,
4 Parramatta Square,
12 Darcy Street, Parramatta NSW 2150.