



1ST SAILORS BAY SEA SCOUTS

OBJECTION TO BEACHES LINK PROJECT

1 March 2021

Outline of submissions

1ST SAILORS BAY
SEA SCOUTS

Context

Reasons for objection:

- Lack of consultation
- Negative impact on Middle Harbour and its surrounds
 - o Impact on water activities and aquatic life
 - o Loss of bushland - Flat Rock Gully
 - o Potential destruction of Aboriginal rock art sites - Clive Park
- Significant apparent contamination risks in dredging Middle Harbour

Conditions requested

Closing comments

1ST SAILORS BAY SEA SCOUTS

Be prepared for adventure!



Attention:
Director, Transport Assessments
Planning & Assessment
Department of Planning, Industry
and Environment
Locked Bag 5022
Parramatta NSW 2124

(VIA DPIE WEBSITE, EIS DIGITAL SUBMISSION)

1 MARCH 2021

We refer to the Environmental Impact Statement (**EIS**) lodged by Transport for NSW (**Proponent / TfNSW**) for the Beaches Link and Gore Hill Freeway Project #SSI-8861 (**Beaches Link Project**). 1st Sailors Bay objects to the entirety of the Beaches Link Project and submits that the EIS findings and conclusion are insufficient for the Minister to approve the project in its current form.

We have set out the reasons for our objections / concerns, together with requested conditions, in this document.





1ST SAILORS BAY SEA SCOUTS

1st Sailors Bay was established over 100 years ago, in 1914, and the group has been an active member of the Lower North Shore community since that time. 1st Sailors Bay operates from a Hall at 43 Eastern Valley Way and a Boatshed off Rockley Street in Sailors Bay, next to Castlecrag Marina and across the waterway from Clive Park.

The Boatshed was built ~86 years ago and rebuilt in 2003 after the original structure was burnt down. Our Boatshed is located within 900 metres of the proposed western cofferdam and if the project proceeds, both cofferdams will be visible from the Boatshed and located in areas where are youth members typically sail and paddle.[1] **Attachment 1** shows the location of our Boatshed in relation to the proposed construction work for the Beaches Link Project.

[1]Youth members undertake water activities (canoeing, sailing, kneeboarding, swimming) from the Boatshed, around Sailors Bay up to Roseville Bridge and Bantry Bay, Long Bay, Northbridge and under the Spit Bridge as far as Balmoral Beach.

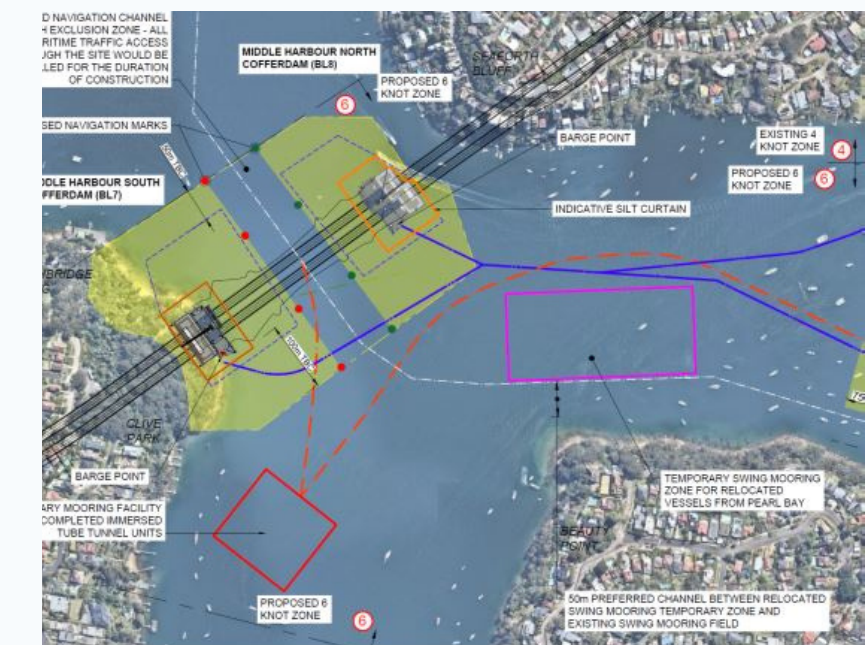
1ST SAILORS BAY ACTIVITIES

Nearly 200 youth members access our boatshed and Middle Harbour for several hours early evening from Tuesday to Friday during the period September to March and on Sunday afternoons throughout the year.

The Boatshed is also used by other Scout and Guide groups throughout the year, providing the opportunity for many young people throughout the Lower North Shore and beyond to experience canoeing and sailing on Middle Harbour. The Boatshed is used as a training facility for sailing instruction, snorkelling, scuba diving and boat licence courses (open to the general public) and the Boatshed is also available for private hire.



Figure 1 - Middle Harbour - 1st Northbridge and 1st Sailors Bay Sea Scouts – Primary Boating Activity Area (Note, some activities transit Balmoral Beach)



1 EIS Appendix F (Part 2) - Restricted waterway

ATTACHMENT 1

Objection #1: Lack of consultation with 1st Sailors Bay (a directly affected stakeholder)

POOR TIMING OF EIS RELEASE

The release of the EIS over the Christmas period has not allowed sufficient community awareness about the specific details of the project, particularly the impacts on Middle Harbour and its surrounds. The timing suggests a lack of transparency in relation to the process given that the Business Case for the Beaches Link Project has not been released.

FAILURE TO APPROACH 1ST SAILORS BAY

1st Sailors Bay has at no point been directly approached by the Proponent to provide feedback about the Beaches Link Project; nor have we been consulted regarding the project's impact to us / Middle Harbour and surrounds. This represents a lost opportunity by TfNSW to access significant community knowledge about Middle Harbour, in its preparation of the EIS. Further, we, as a group that are significantly impacted by the Beaches Link Project if it proceeds, have had limited time and resources to prepare this response to the EIS.

Consultation conditions requested by 1st Sailors Bay

1

1:1 CONSULTATION

1:1 Consultation regarding impacts of project
on Middle Harbour / 1st Sailors Bay.



2

FORMATION OF CONSULTATIVE GROUP

Implementation of a “Recreational users’ of
Middle Harbour and surrounds” consultative
group.



1st SAILORS BAY BOATSHED

Objection #2: Negative impact to Middle Harbour and its surrounds

- impact on our water
activities and aquatic life

LIFEBLOOD OF 1ST SAILORS BAY

The water is the lifeblood of our scouting group. Most of our activities are in and around water – canoeing, kayaking, sailing, power boating, paddle boarding and other watercraft that the youth members learn to use whilst within the environs of Middle Harbour. Our members swim often at Northbridge Baths and snorkel and scuba dive around Clive Park and other coves in Sailors Bay.

EIS IMPACT

The EIS refers to an estimated high impact time of 18 months' construction work for Middle Harbour, with works continuing for 4.5 years with 88 vessel movements per day at peak times. Specifically, the EIS refers to the dredging of the Middle Harbour floor, between Clive Park and Seaforth. Our youth members sail, paddle, swim, snorkel and play almost every evening during spring, summer and early autumn in waters that will be directly affected by the construction and movement of vessels. The construction work will significantly impact and may curtail our activities (if the waterways continue to be safe to use during construction) or even halt them if the waterways are not safe. The work will adversely impact the aquatic life that is an important part of our youth members' Scouting experience.

NO HEALTH ASSESSMENT

We note that there has been no health assessment undertaken of the impact of the dredging on the regular users of Middle Harbour (water access and swimming water activities).

Objection #2: Negative impact to Middle Harbour and its surrounds

- loss of bushland (Flat
Rock Gully)

LOSS OF BUSHLAND

Around 6.77 hectares (over 16 acres) of bushland will be destroyed to facilitate construction at Flat Rock Gully,[2] despite the rehabilitation efforts over the past 30 years for bushland to grow following closure of the rubbish dump. Further, the EIS states that “tunnelling works could potentially lower the groundwater table with poorly consolidated fill...” [3] with estimates that the drawdown at Flat Rock Reserve will be 21m, resulting in water stress / death for plants and trees and potential settlement issues.

[2] EIS: Chapter 19, p.19-9.

[3] EIS: Chapter 23, 23.2.3; p.23-14.

1ST SAILORS BAY ACTIVITIES

Our scouting groups access Flat Rock Gully (and other walking tracks around Middle Harbour) on a regular basis. We use the walking tracks to teach the kids navigation and to learn about our bushland, a unique opportunity given we live so close to the city centre and something that defines Sydney, particularly the North Shore. The EIS has not considered the impact of the project on the recreational users of Flat Rock Gully.

Objection #2: Negative impact to Middle Harbour and its surrounds

- loss of bushland (Flat
Rock Gully)

...continued

FAILURE TO CONSIDER AIMS OF STATE ENVIRONMENTAL PLANNING POLICY

The EIS has not considered the aims of the SEPP Bushland in Urban Areas 55.[4]

[4] The specific aims of [the Bushland in Urban Areas] policy are:

- (a) to protect the remnants of plant communities which were once characteristic of land now within an urban area,
- (b) to retain bushland in parcels of a size and configuration which will enable the existing plant and animal communities to survive in the long term,
- (c) to protect rare and endangered flora and fauna species,
- (d) to protect habitats for native flora and fauna,
- (e) to protect wildlife corridors and vegetation links with other nearby bushland,
- (f) to protect bushland as a natural stabiliser of the soil surface,
- (g) to protect bushland for its scenic values, and to retain the unique visual identity of the landscape,
- (h) to protect significant geological features,
- (i) to protect existing landforms, such as natural drainage lines, watercourses and foreshores,
- (j) to protect archaeological relics,
- (k) to protect the recreational potential of bushland,
- (l) to protect the educational potential of bushland,
- (m) to maintain bushland in locations which are readily accessible to the community, and
- (n) to promote the management of bushland in a manner which protects and enhances the quality of the bushland and facilitates public enjoyment of the bushland compatible with its conservation.

Objection #2: Negative impact to Middle Harbour and its surrounds

- destruction of Aboriginal rock art sites (Clive Park)

Background picture:

Aboriginal hard rock art on a wall of a shallow
cave in Clive Park

Source:

<https://abc17603.wordpress.com/history/suburbs/northbridge/>

IMPACT ON ABORIGINAL HERITAGE

The proposed works may also potentially affect (through above and below ground construction vibrations and ground water drawdowns), the Clive Park Heritage Area and Aboriginal heritage elements / areas.

1ST SAILORS BAY ACTIVITIES

Our scouting groups access Clive Park on a regular basis, including for educational purposes and to allow the youth members to experience the heritage area and Aboriginal heritage elements / areas (including caves / shelters and artwork (whale and snake engravings / carvings)).

It is of significant concern to our group that there appears to be limited consideration for the protection and conservation of the Clive Park Heritage Area and Aboriginal heritage elements / areas.

Reduce the negative impact on Middle Harbour - conditions requested

1

ECOLOGICALLY SUSTAINABLE ALTERNATIVES

Consider ecologically sustainable alternatives to the Beaches Link Project. Fully scope alternative public transport options to establish their feasibility in comparison to the Beaches Link Project, consistent with SEARS requirements.

2

FULL BIODIVERSITY AND RECREATIONAL USE ASSESSMENT

Carry out full assessment of biodiversity in and around the area proposed to be destroyed in Flat Rock Gully; along with assessment of extent of recreational use.

3

FULL ABORIGINAL HERITAGE ASSESSMENT

Carry out full assessment of impact of project on Clive Park Heritage area, including considering the planning principles for heritage conservation as set out in the SREP Sydney Harbour Catchment 2005[5].

4

CONSULTATIVE GROUP

Implementation of a “Recreational users’ of Middle Harbour and surrounds” consultative group.

[5] 15 Heritage conservation

The planning

principles for heritage conservation are as follows—

- (a) Sydney Harbour and its islands and foreshores should be recognised and protected as places of exceptional heritage significance,
- (b) the heritage significance of particular heritage items in and around Sydney Harbour should be recognised and conserved,
- (c) an appreciation of the role of Sydney Harbour in the history of Aboriginal and European settlement should be encouraged,
- (d) the natural, scenic, environmental and cultural qualities of the Foreshores and Waterways Area should be protected,
- (e) significant fabric, settings, relics and views associated with the heritage significance of heritage items should be conserved,
- (f) archaeological sites and places of Aboriginal heritage significance should be conserved.



CANOE RACING

Objection #3: Significant contamination risk to the environment and to human health

EIS - CONTAMINANTS IDENTIFIED

The EIS shows that contaminants such as heavy metals and PFAS have been detected in sediment sampling in Middle Harbour and that many of these contaminants are dangerous to human health as they have been found above 'safe levels'.^[6] However, despite contaminants being tested at levels that are harmful to human health, further testing has not been undertaken or has not been released as part of the EIS.

The EIS also identifies a high probability of acid sulphate soils.^[7] However, the EIS does not identify the extent of that risk.

[6] EIS: Chapter 16, Geology, soils and groundwater; 16-26; Table 1, Annexure C, Appendix F.

[7] EIS: Chapter 16, Geology, soils and groundwater, 16-12 to 13.

EIS - PROPOSED MITIGATION

The EIS models an approximate 10,000m³ of contaminated sediment and proposes the use of silt curtains (amongst other strategies) to reduce the risk of contamination release into Middle Harbour. However, the silt curtains do not reach the seabed and thus there is a risk of contamination release into Middle Harbour. Further, the silt dispersion modelling was undertaken over a period of 1-2 weeks, but the dredging program is forecast to be 37 weeks. The contaminated soil will be barged out of Middle Harbour and transported to a disposal site (which has yet to be determined).

Objection #3: Significant contamination risk to the environment and to human health

...continued

FAILINGS OF EIS

In short, the EIS identifies the potential contamination risk (adverse impact) but does not sufficiently quantify this risk. The EIS does not provide sufficient mitigation measures to avoid adverse impacts, given that the adverse impacts are not sufficiently quantified. The proposal appears to involve a risk of contamination that could directly affect our youth members who swim in the waters of Middle Harbour and play in the sediments that may be disturbed, yet the information contained within is insufficient for us to understand whether the level of risk is acceptable or not or provide information to the parents of our youth members.

We are significantly concerned about the low level of investigations that have been undertaken as part of the EIS to assess the extent of the contaminated soil in Middle Harbour. Our concern is well founded, given what is currently occurring in other infrastructure projects in Australia (see next slide).

VICTORIAN WEST GATE TUNNEL PROJECT

VOLUME OF CONTAMINATED SOIL (PFAS) GREATER THAN THAT EXPECTED



The West Gate Tunnel Project in Victoria was approved by the Victorian Planning Minister based on an indicative characterisation of the classification of the soil which supported that the potential effects of solid waste and contaminated soil would be managed to acceptable levels.[8] However, recent newspaper articles advise that the West Gate Tunnel project has been significantly delayed and is subject to substantial overruns in costs (reports of up to \$750 million and with the Victorian Treasury predicting a \$3 billion cost blowout on the project)[9] because the volume of contaminated soil (PFAS) was greater than that expected. [10] [11]

[8] West Gate Tunnel – Ministers Assessment Final https://www.planning.vic.gov.au/__data/assets/pdf_file/0020/119252/West-Gate-Tunnel-Ministers-Assessment-Final-23112017.pdf

[9] "Pay dirt". 'West Gate Tunnel's toxic soil to cost taxpayers \$750m'. Herald Sun, Melbourne 22 September 2020.

[10] 'Transurban warned on PFAS before West Gate Tunnel contracts signed'. The Age, Melbourne, 31 January 2020.

<https://www.theage.com.au/national/victoria/transurban-warned-on-pfas-before-west-gate-tunnel-contracts-signed-20200131-p53wna.html> - Reports during the approval process for the West Gate Tunnel Project were that 85% of the rock and soil to be removed was clean fill and the remaining 15% contaminated to varying degrees (up to severely toxic).

[11] 'Substantial overruns': Road toll giant pushes back West Gate Tunnel completion date. The Age, Melbourne, 11 February 2021.

https://www.theage.com.au/national/victoria/west-gate-tunnel-s-2023-completion-date-unachievable-20210211-p571gm.html?ref=rss&utm_medium=rss&utm_source=rss_feed

Objection #3: Significant contamination risk to the environment and to human health

...continued

FAILURE TO CONSIDER AIMS OF STATE ENVIRONMENTAL PLANNING POLICY

The assessment of contaminant risk in the EIS was undertaken by reference to the *Coastal Management Act 2016*, NSW Water Quality and River Flow Objectives, *Environment Protection and Biodiversity Conservation Act 1999* and the Sydney Harbour Water Quality Improvement Plan. There is nothing in the EIS to suggest that the SREP Sydney Harbour Catchment 2005 requirements were considered. In particular, the planning principles for land within the Sydney Harbour Catchment.[12]

[12] 13 Sydney Harbour Catchment

The planning principles for land within the Sydney Harbour Catchment are as follows—

- (a) development is to protect and, where practicable, improve the hydrological, ecological and geomorphological processes on which the health of the catchment depends,
- (b) the natural assets of the catchment are to be maintained and, where feasible, restored for their scenic and cultural values and their biodiversity and geodiversity,**
- (c) decisions with respect to the development of land are to take account of the cumulative environmental impact of development within the catchment,
- (d) action is to be taken to achieve the targets set out in Water Quality and River Flow Interim Environmental Objectives: Guidelines for Water Management: Sydney Harbour and Parramatta River Catchment (published in October 1999 by the Environment Protection Authority), such action to be consistent with the guidelines set out in Australian Water Quality Guidelines for Fresh and Marine Waters (published in November 2000 by the Australian and New Zealand Environment and Conservation Council),
- (e) development in the Sydney Harbour Catchment is to protect the functioning of natural drainage systems on floodplains and comply with the guidelines set out in the document titled Floodplain Development Manual 2005 (published in April 2005 by the Department),
- (f) development that is visible from the waterways or foreshores is to maintain, protect and enhance the unique visual qualities of Sydney Harbour,**
- (g) the number of publicly accessible vantage points for viewing Sydney Harbour should be increased,
- (h) development is to improve the water quality of urban run-off, reduce the quantity and frequency of urban run-off, prevent the risk of increased flooding and conserve water,**
- (i) action is to be taken to achieve the objectives and targets set out in the Sydney Harbour Catchment Blueprint, as published in February 2003 by the then Department of Land and Water Conservation,
- (j) development is to protect and, if practicable, rehabilitate watercourses, wetlands, riparian corridors, remnant native vegetation and ecological connectivity within the catchment,**
- (k) development is to protect and, if practicable, rehabilitate land from current and future urban salinity processes, and prevent or restore land degradation and reduced water quality resulting from urban salinity,
- (l) development is to avoid or minimise disturbance of acid sulfate soils in accordance with the Acid Sulfate Soil Manual, as published in 1988 by the Acid Sulfate Soils Management Advisory Committee.**

Reduce the contamination risk - conditions requested

1

FURTHER CONTAMINANT TESTING

Further contaminant testing mentioned in the EIS should be undertaken, with a complete set of results released to the community for further feedback. A contaminant risk mitigation strategy specific to Middle Harbour should also be disclosed, including assessment of impact on the environment and human health / recreational users in the event of worse case scenarios (ie contaminant spill). This would allow the contamination risk to be properly quantified and give the community the opportunity to comment on the adequacy of any proposed risk mitigation strategies developed.

2

TREATMENT OF PFAS CONTAMINANTS

Any PFAS contaminants to be treated consistent with PFAS National Environmental Management Plan Version 2.0.

3

SAMPLING TO ASSESS WATER QUALITY

Regular sampling to assess water quality and any increased contaminant exposure.

4

CONSULTATIVE GROUP

Implementation of a “Recreational users’ of Middle Harbour and surrounds” consultative group.

A person wearing a blue life vest and a straw hat is paddling a kayak on a body of water. The kayak has a blue paddle with "1st SAILORS BAY" written on it. In the background, a whale is visible in the water, and a forested hill is in the distance.

1st Sailors Bay Sea Scouts

Whale in Middle Harbour

CLOSING COMMENTS

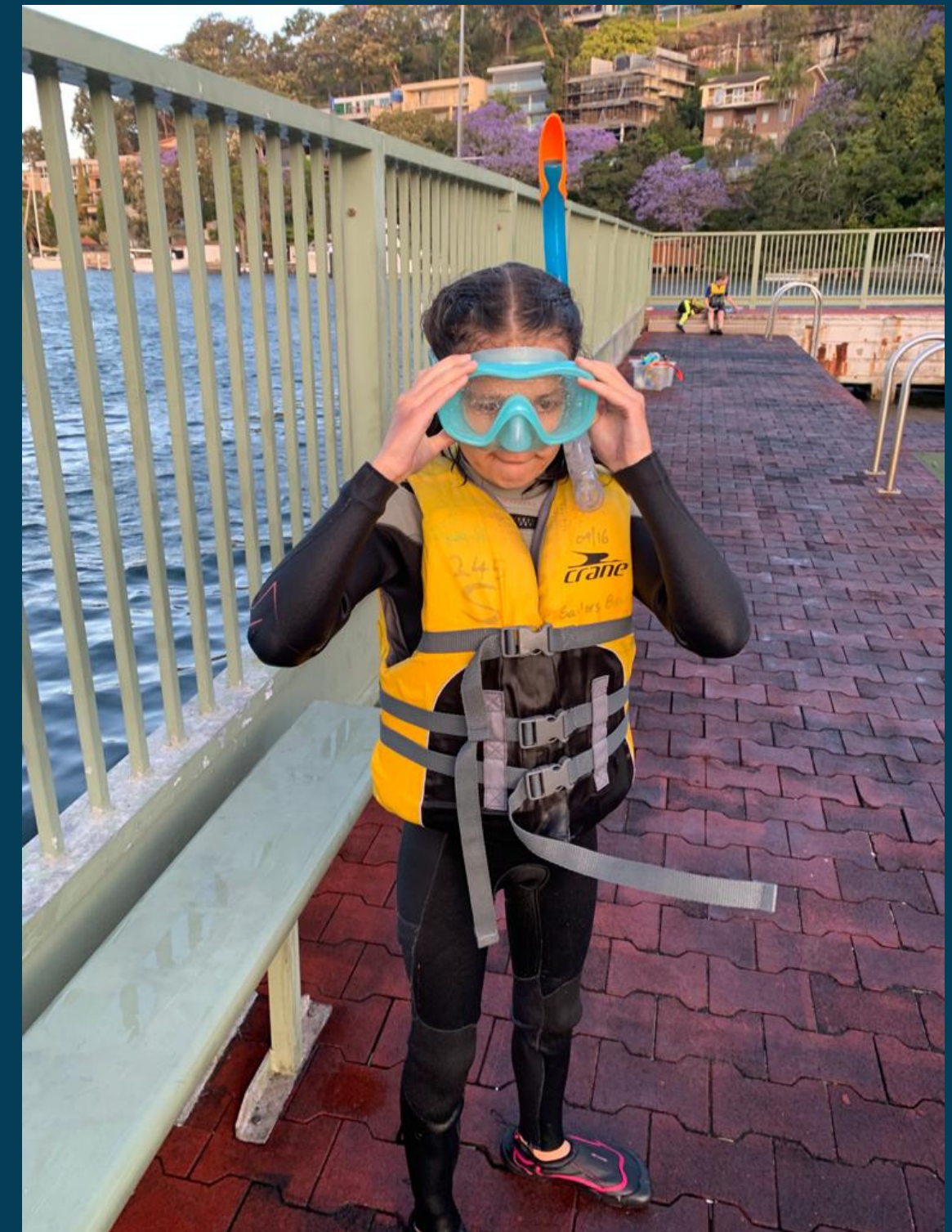
1ST SAILORS BAY SEA SCOUTS

Given the objections identified above, 1st Sailors Bay objects to the entirety of the Beaches Link Project. Further, we submit that given the significant gaps in identifying risks associated with the project and insufficient risk mitigation strategies, the EIS findings and conclusion are insufficient for the Minister to approve the project in its current form.

As outlined above, we believe that there are alternative options (ie public transport alternative) that were not considered in the EIS which might address the proposal's purpose and need without adversely impacting the environment of Middle Harbour and its surrounds or recreational users of Middle Harbour.

Finally, we object to the Beaches Link Project on the basis that the EIS does not adequately consider the impact of the changes to work arrangements that have occurred as a result of Covid-19, despite TfNSW's unverified claim that "there will be no long-term impact of the move to Work-from-Home on future traffic from Northern Beaches residents".[13]

[13] See: Greater Sydney Commission - The Pulse of Greater Sydney 2020 and City-shaping impacts of Covid-19 (October 2020).



1st Sailors Bay Sea Scouts

TANYA TAYLOR
Assistant Group Leader

DECLARATION OF ANY REPORTABLE POLITICAL
DONATION MADE IN THE PREVIOUS 2 YEARS

Neither I nor the group has made any reportable political
donations in the past two years.

