

## BEACHES LINK EIS OBJECTION 1<sup>st</sup> March 2021

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I make this submission on behalf of the residents of 82 Kirkwood Street Seaforth, but also acknowledge that the residents adjacent to the Proposed Wakehurst Parkway Construction Support worksite BL12 share the following concerns. I have previously spoken on behalf of and have represented these residents, to the RMS and local State and Council representatives.

I believe the following issues have not been adequately addressed in the EIS for the Beaches Link Tunnel

### **1 ON STREET PARKING**

There are inadequate provisions to prevent construction workers parking in local streets. We have been told that the worksite at north Seaforth could have up to 500 workers working on site at any one time. The relevant issues are:

- Loss of on-street parking relied upon by local residents, especially those that do not currently have off-street parking.
- Noise from construction workers arriving to parking in residential streets outside the nominated construction hours (e.g. before 7.00am or after 6.00pm). The issue relates to sleep disturbance from parking, closing car doors, accessing tools and equipment, loud conversations, outside these periods as per EPA noise criteria.
- Loss of amenity through construction workers illegal parking, parking on verges or blocking driveways without appropriate surveillance.
- Litter from construction workers parking in residential streets.

### **Requested Consent Condition**

We request that suitable conditions be imposed in the Development Approval to:

- 1.1 Suitable parking be provided for construction workers, in adequate numbers to permit all construction workers to park without parking in residential streets.
- 1.2 Prevent construction workers from parking in residential streets.
- 1.3 Provide adequate surveillance and penalties should construction workers ignore these restrictions. Surveillance could be undertaken and administered by Council with Council consent. This may require that parking restrictions be imposed on local streets during the duration of the construction period.
- 1.4 Prevent construction workers arriving in residential street outside times where noise restrictions are imposed for construction activity.

### **2 RETENTION OF EXISTING ENVIRONMENTALLY SENSITIVE AND SIGNIFICANT VEGETATION IN WAKEHURST PARKWAY SOUTH CONSTRUCTION SUPPORT SITE BL12**

There are inadequate provisions to prevent the loss of environmentally sensitive and significant vegetation in the parcel of land between the northern end of Kirkwood Street and Wakehurst Parkway which is proposed to be used as a Construction support site BL12. There are a number of significant land mark trees and environmentally sensitive vegetation in this proposed worksite area. A significant tree at the rear of No 76 Kirkwood Street particularly warrants retention as it one of the largest and tallest trees in the area and we understand it is used by boat operators as a boat

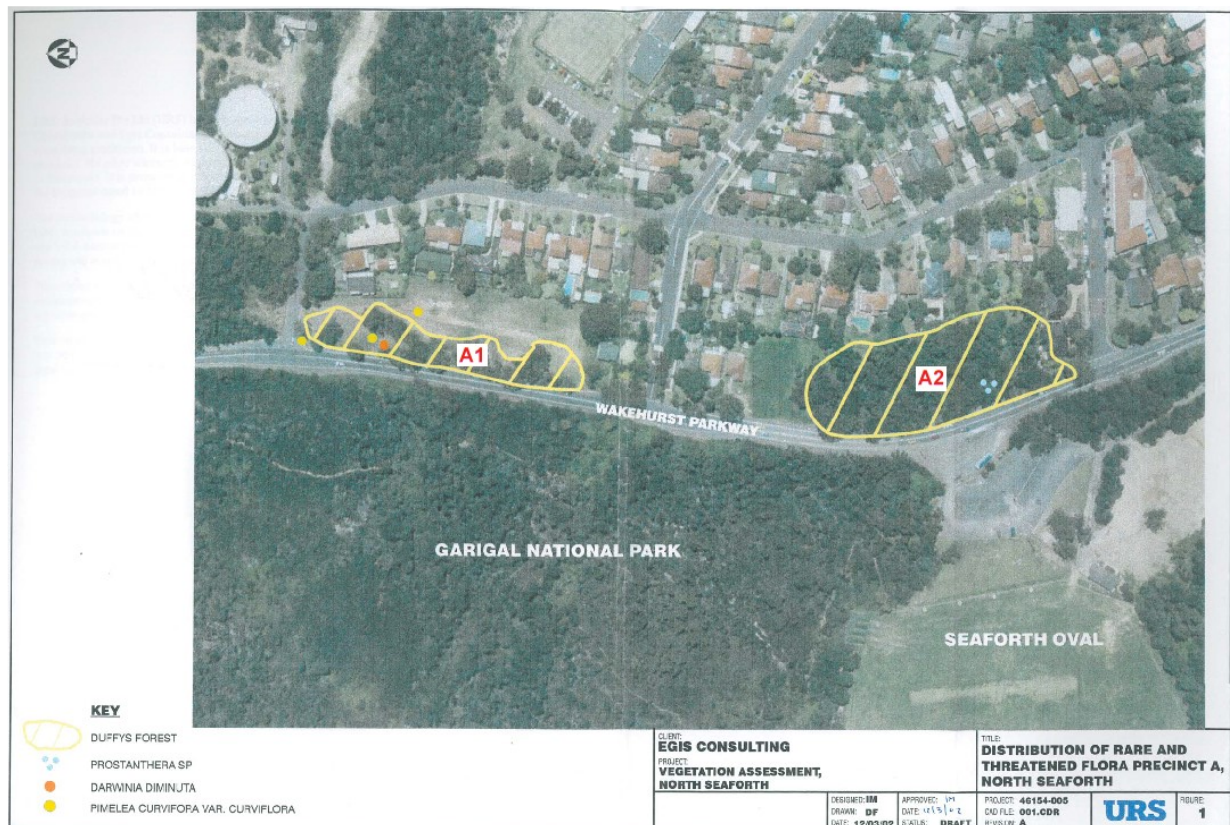
sighting. The site has also previously been identified in 2003 as possessing threatened and endangered flora as outlined below.

The loss of this environmentally sensitive and significant vegetation is not necessary in its entirety, simply for the purposes of establishing a Construction Support site for parking and offices and laydown areas. The retention of the more significant vegetated areas should be possible, whilst enabling these activities albeit in a reduced footprint.

## Background

Two environmental impact reports prepared for the then Department of Natural Resources and Infrastructure relating to the two parcels of land owned by the RMS along Wakehurst Parkway between Kirkwood Street and Judith Street (known as Precinct A1) and between Burnt Street and Judith Street (known as Precinct A2):

- 1 A report on the Disposal of Surplus Government Land at Seaforth for Precinct A1, dated July 2003, prepared by GHD engineers<sup>22</sup>, (**Appendix A**) and;
- 2 A Vegetation Assessment Report for Precinct A (A1 & A2) prepared by conservation consultants URS Australia Pty Ltd (formerly EGIS Consulting), dated March 2002.<sup>23</sup>(**Appendix B**).



These investigations and reports found that threatened and endangered flora exists in the existing vegetated area on the eastern side of Wakehurst Parkway, between Judith and Kirkwood Streets in Precinct A1 and in the existing vegetated area on the eastern side of Wakehurst Parkway, between Judith and Burnt Streets in Precinct A2.

The existing vegetated areas (both Precincts A1 & A2) were identified as remnant areas of the Endangered Duffys' Forest Ecological Community. This community was identified as particularly significant as geographically, it represented the most southerly extent of Duffys' forest north of Sydney Harbour.

The report also identified the existence of a highly endangered plant species - *Primelea Curvaflora* – in Precinct 1 south of Kirkwood Street. This plant has been scheduled as an endangered species under the Threatened Species Act 1995. Two other plant species identified under the Threatened Species Act as being of national or state significance, *Darwinia diminuta*, and *Lomandra brevis*, were also identified on the site and fourth species, the endangered orchid *Microtis angusii* was suspected to also be present. Under the Threatened Species Act 1995, removal or disturbance of any of these specimens can only be undertaken with the Federal Environment Ministers approval.

The report stated in relation to Precinct A1 that:

*“The presence at the site of an endangered community (Duffy’s Forest) and several plant species of national and state significance pose considerable ecological constraints to future development of the site. There is also considered importance at a regional and local level in providing habitat for over 100 plant species characteristic of the Duffy’s Forest, a community which is restricted to northern Sydney. In comparison to other remnants of Duffy’s Forest this is a significantly high level of species richness. Furthermore the number of species recorded to date is likely to be an underestimate due to the snapshot nature of the surveys which were undertaken during the cooler months and during the early stages of regeneration. The concentration of threatened species within such a small area is also considered significant.”* <sup>23</sup>

A comparison of the diversity of significant plant species in such a small area was provided in the report to illustrate the significance of this patch of remnant Forest in comparison to other significant sites in the northern beaches area.

**Table 1: Comparison of remnant size, species richness and presence of significant species in Duffys Forest (information from Smith & Smith 2000)**

Site name	Size (ha)	Number of native species	Species of national & state significance
Precinct A1	0.4	103	<i>Pimelea curviflora</i> var. <i>curviflora</i> ; <i>Darwinia diminuta</i> ; <i>Lomandra brevis</i> ; ? <i>Microtis angusii</i>
Oates Place, Belrose	0.6	81	<i>Pimelea curviflora</i> var. <i>curviflora</i> ; <i>Grevillea caleyi</i>
Frank Beckman Reserve, Terry Hills	1.0	113	<i>Pimelea curviflora</i> var. <i>curviflora</i> ; <i>Lomandra brevis</i> ;
Ku-ring-gai Wildflower Garden	1.7	79	None
Park Circuit, Manly Dam Res.	2.3	62	None
Manning Street, Manly Dam Res.	2.6	77	<i>Pimelea curviflora</i> var. <i>curviflora</i> ; <i>Angophora crassifolia</i>
Eurabba road, Duffys Forest	4.5	139	<i>Pimelea curviflora</i> var. <i>curviflora</i> ; <i>Epacris purpurascens</i> var. <i>purpurascens</i> ; <i>Lomandra brevis</i>
Warringah Road, Frenchs Forest	5.4	112	None
Aquatic Drive, Frenchs Forest	7.6	137	<i>Pimelea curviflora</i> var. <i>curviflora</i> ; <i>Lomandra brevis</i>
Forest Way, Garigal NP	17.3	86	<i>Grevillea caleyi</i> ; <i>Lomandra brevis</i>

The report concludes that”:

*“The precinct A1 land, west of the existing dirt track, supports a small area of remnant and regenerating Duffy’s Forest, and endangered ecological community listed under the Threatened Species Conservation Act. With approximately 84% of the original distribution of Duffy’s Forest now cleared, all remaining remnants are considered significant (NPWS 2001). Despite the small size and*

*history of clearing and disturbance, the site has excellent regeneration potential and currently supports a high diversity of native species including three species of national or state conservation significance and fourth species, the endangered orchid Microtis augustii may also be present. Further species are likely to appear over time during the regeneration process".* <sup>23</sup>

The report was peer reviewed by Rebecca Hayes of Hayes Environmental in February 2003<sup>24</sup>. This letter is included as **Appendix C**. The recommendations from Hayes Environmental stated:

*"The native vegetation present to the west of the existing dirt access track has previously been identified as "Duffy's Forest", and endangered ecological community listed under the NSW Threatened Species Conservation Act 1995 (TSC Act). Several plant species listed as threatened under the TSC Act are also known to occur in this area.*

*Review documents generally concur with regard to the extent, condition and ecological significance of the Duffy's Forest remnant occurring west of the existing access track. However, reviewed documents do not concur with regard to the future management of this remnant or with regard to the potential development of land to the east of the existing track.*

*I agree with the previous conclusion that a Species Impact Statement would be required for a development proposal which involves clearing of any of the Duffy's Forest remnant present to the west of the existing access track. I do not recommend that this option be pursued as I do not see that a development which would be likely to result in a "significant impact" upon the Duffy's Forest at this location could be justified in social, economic or other terms."* <sup>24</sup>

**The reports concluded that the Duffy's Forest Ecological Communities were too environmentally significant to warrant their removal for a potential residential subdivision. This remnant of the Duffy's Forest Ecological is geographically significant in that it is the southernmost extent of Duffy's Forest in Northern Sydney. It is also significant for the richness and diversity of plant specimens, some of them rare and endangered in themselves, as noted above.**

Whilst a proposal was provided to subdivide the remaining currently disturbed land into a smaller number of allotments in 2003, the report also identified that the previously disturbed land potentially possessed seeds that may allow regeneration of both the Duffys' forest ecological communities and other endangered plant species. Even the previously cleared land was also therefore ecologically sensitive. It is noted that the sale of the subject land did not proceed (presumably for environmental reasons), whilst other allotments that were proposed for sale and redevelopment such as the land at the southern end of Wakehurst Parkway and Serpentine Crescent, did.

### **Requested Consent Condition**

We request that suitable conditions be imposed to enable the retention of significant and environmentally sensitive vegetation to be retained on this site and that the whole site not be cleared indiscriminately without a genuine attempt being made to retain significant and environmentally sensitive vegetation.

### **3 ACOUSTIC SCREEN/FENCING TO THE PROPERTIES ABUTTING THE PROPOSED CONSTRUCTION SUPPORT WORKSITE BL12**

Insufficient details have been provided in relation to the design of the proposed acoustic screen which is proposed to be placed along the eastern boundary of the proposed construction support worksite BL12 to provide noise and privacy screening to the adjacent residences.

The issues to be addressed are as follows:

- The design and appearance of this screen including its height and exact location relative to the existing property boundaries
- Maintenance of sunlight to the adjacent residential properties (e.g. incorporating transparent or translucent upper portions to the proposed acoustic screen to allow solar access to be maintained whilst providing acoustic screening (and privacy)).
- The location of the proposed screen in proximity the existing sewer main which runs inside the eastern edge of the proposed construction support worksite BL12. The location and type of footing for the proposed wall will need to miss the existing sewer pipe, nor undermine it.
- Prevention of damage to trees within adjacent residential properties due to construction activity on the proposed construction support worksite BL12. The method of construction near the eastern boundary of the worksite must not cut through tree roots making them unstable, which would consequently cause them to fall towards the residential properties and represent a danger to persons and property within those residential lots.

### **Requested Consent Condition**

We request that suitable conditions be imposed to require the RMS or their nominated contractor to suitably address the items raised above.