



03 August 2021

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Dear Mr Shakir

**Kamay Ferry Wharf Project (SSI 10049) – Exhibition of Environmental Impact Statement
Sutherland Shire Council Draft Submission**

Thank you for the opportunity to comment on the above Environmental Impact Statement. The project is designated as State Significant Infrastructure under section 5.12(2) of the Environmental Planning and Assessment Act 1979, as there is a risk of causing significant ecological and heritage impacts.

Council acknowledges the recreational benefits for visitors using the proposed La Perouse to Kurnell public ferry and the local economic and cultural advantages of increased accessibility to Kurnell, the Kamay Bay National Park and La Perouse. Economic growth through increased tourism is consistent with Council's Economic Strategy. However, the following concerns are noted for your consideration in the assessment of the proposal:

i) Endangered Ecological Community Seagrass:

The proposal will impact a significant amount of seagrasses including 682m² of *Posidonia australis*, which is listed as an Endangered Community under the Environment Protection and Biodiversity Conservation Act (EPBC Act) and an endangered population under the Fisheries Management Act. This seagrass also provides potential habitat to the endangered 'Whites Seahorse'.

Council does not support any impact to this sensitive seagrass. There is insufficient information presented regarding the currently unspecified mitigation and offset plans to minimize the impact to this Community/Population. Further detail of design changes or construction methodologies that have been considered that could minimize the construction and operation impacts should be provided. Given the high environmental sensitivity, offsets should be a last resort, after all options have been investigated.

The Marine Biodiversity Assessment Report states that a Marine Biodiversity Offset Strategy is currently being 'researched and drafted' and that the finalization and implementation will be a condition of approval for the project. Council are concerned that this offset strategy has not yet been prepared or reviewed to determine the feasibility and likelihood of success for any mitigation and offset plans. Particular concerns are raised regarding the proposal to transplant *Posidonia* and limited detail regarding this proposal.

Council requests that the proposed Marine Biodiversity Offset Strategy be prepared, reviewed and endorsed by NSW Department of Primary Industries Fisheries prior to any approval being granted and this document's implementation be included as a condition of consent. Council would also like to view this document prior to approval.

Concerns are also raised regarding the incomplete modeling relating to potential scour from vessels utilizing the wharf. It is understood that modelling has been undertaken only for the proposed ferry. However, information on the size of the scour is not available as the approach speed and angle is yet to

be defined. There is also limited information relating to any additional recreational vessels which may utilize the wharf and the potential additional scour impact this could create. **Additional detail relating to what will be permitted, how any regulations will be enforced and the potential environmental impact of this, should be provided prior to approval.**

ii) Traffic and Parking

The traffic and parking surveys (February and August 2020) understate current demands. The surveys pre-date significantly increased peak demands observed over the 20/21 summer following the installation of the new commemorative sculptures within Kamay National Park. The surveys do not quantify the number of park visitors parking within existing public roads to avoid fees associated with parking within Kamay National Park. **Additional surveys should be undertaken over the 21/22 summer period to further inform a land-based transport strategy for ferry and park usage. This should be established as a condition of any approval for the project.**

The future parking demand is underestimated, being based on only 1% of all trips from Kurnell being induced trips eg new visitors taking up the ferry service. If the ferry service proves more popular than estimated, more pressure will be placed on Council's on-street parking and other infrastructure. TfNSW and NPWS need to have an agreed scaled up response to popularity such as further parking, improved active transport links and public transport service to Kurnell and alternatives such as shuttle buses/shuttle train etc. **Ongoing monitoring of park visitation, ferry patronage and land based transport should be done to inform ongoing review of the land-based transport strategy for ferry and park usage. This should be established as a condition of any approval for the project.**

The required ferry parking at Kurnell is to be provided by NPWS with timing and delivery linked to the project program in the National Park's Master Plan for which separate approval will be required. The EIS (Figure 5.10) shows three optional locations, two of which are unsuitable given their poor proximity to the wharf. **The ferry service should have an exclusive, dedicated parking area within the National Park which needs to be clearly identified as part of this EIS. The parking needs to be located in a prominent and convenient location to allow safe and accessible access to and from the wharf with appropriate wayfinding and identification as "ferry parking".**

A parking and ferry ticketing validation system should be implemented that offers appropriate fee incentives for using the exclusive parking area. Without such a system, it is highly likely that many ferry patrons will attempt to park on street.

It is critical that all land based transport infrastructure including car parking, paths lighting and wayfinding is delivered by NPWS prior to the opening of the ferry service. This should be established as a condition of any approval for the ferry project.

iii) Pedestrian and cycling paths

Council's expectations are that the Kamay Botany Bay Kurnell Masterplan be updated and implemented to accommodate a pathway system that connects the ferry wharf to Captain Cook Drive, bus stop(s) and ferry related car parking facilities. The path(s) must be safe, direct, and convenient to use, providing good amenity (that includes shade trees) as well as capacity to minimise user conflict and meet forecast pedestrian and cycling demand. The pathway network and wharf should accommodate cyclists and pedestrians, with a separate or a wide shared path 3.5 to 4m to provide an attractive, safe travel experience. Appropriate lighting along the paths and in the hub areas should allow for winter use.

iv) Heritage: Aboriginal and Non- Aboriginal

The project has merit on heritage grounds as it has been designed to minimise impacts on items of heritage significance and provides a cultural experience, connecting two areas of shared history and significance for Australia. The high standard of approvals required at National and State level and the proposed Heritage Management Plans will provide the appropriate conservation outcomes for the protection of the heritage significance of the items and visual setting.

The Heritage Impact Statement provided which recommends the creation of Heritage Management Plans (HMP) for both wharves, to manage the construction phase around heritage and future operation of the ferries, is supported. The implementation of due diligence strategies, archaeological supervision and interpretation should be included in the HMP.

Regarding the impacts to local items at Kurnell, the removal of five juvenile trees and an African Olive tree at Kurnell are found to alter the visual historical setting. However, these juvenile trees are not part of the remnant vegetation and may be replaced. The African Olive tree has historical value and should be conserved or as a last resort, it may be re-located and interpreted.

v) Design

The educational potential of the area for learning about Aboriginal culture, history and the natural environment should be enhanced with the inclusion of art works which invite reflection on the significant stories of the place, such as the meeting of cultures and the meeting of land to sea. Ideally, the project design should foster a feeling of reconnection to the natural environment of the bay.

The project is schematic and accordingly it is difficult to comment on the detailed design. The concept design as illustrated in the artist's impression comprises entirely rectilinear forms and large concrete surfaces. A curved connection from the ferry berth to the foreshore would better relate to the natural features, as would the use of more natural materials such as weathered timber and stone. Other ideas are to consider sail shapes in devising weather protection of the waiting areas, and the provision of facilities for recreational fishing in the form of 'side pods' placed randomly along the long walkway so this is not just a ferry terminal but also a 'gathering' place.

If you require any clarification of the above comments, please contact Council's Strategic Planner Robyn Williams (rwilliams@ssc.nsw.gov.au)

Yours faithfully,

Andrew Carfield
Director
Shire Planning

