

# **Kingsford to Centennial Park Walking and Cycling Improvements**

**Addendum review of environmental factors**

**Randwick City Council**

September | 2022

# Kingsford to Centennial Park Walking and Cycling Improvements

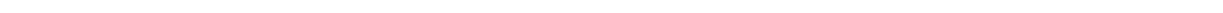
Addendum review of environmental factors

Randwick City Council | September 2022

Prepared by Transport for NSW

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## Document controls

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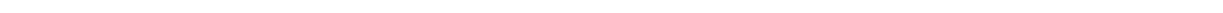
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# 1 Introduction

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## 1.1 Proposed modification overview

Due to funding arrangements, Transport for NSW (TfNSW) will be delivering the Kingsford to Centennial Park Walking and Cycleway Improvements project on behalf of Randwick City Council.

Now known as the Kingsford to Centennial Park Walking and Cycling Improvements project, this new 2.8 km long bi-directional cycleway is Stage 1 of a 4.7 km long cycleway that will ultimately link South Coogee with Centennial Park, via the Kingsford Light Rail Terminus.

Randwick City Council proposes to modify the Kingsford to Centennial Park Walking and Cycling Improvements project by removing an additional 16 trees (proposed modification) which will be impacted by construction of the determined project, Trees 56, 58, 59, 62, 68, 69, 70, 72, 76, 78, 80, 81, 82, 92, 94 and 95. The key features of the determined project are not proposed to change.

Previously, 52 trees have been assessed for removal as part of the determined project. With the proposed modification, a total of 68 trees would be removed to facilitate construction of the walking and cycling improvements.

The proposed modification is located periodically along the determined cycleway project shown in Figure 1-1 and the proposed modification is shown in Figure 1-2 to Figure 1-32. Chapter 3 describes the proposed modification in more detail.

A review of environmental factors (REF) was prepared for the Streetscape Upgrade and New Cycleway: Centennial Park to Kingsford Light Rail Terminus project on May 2019 (referred to in this addendum REF as the project REF).

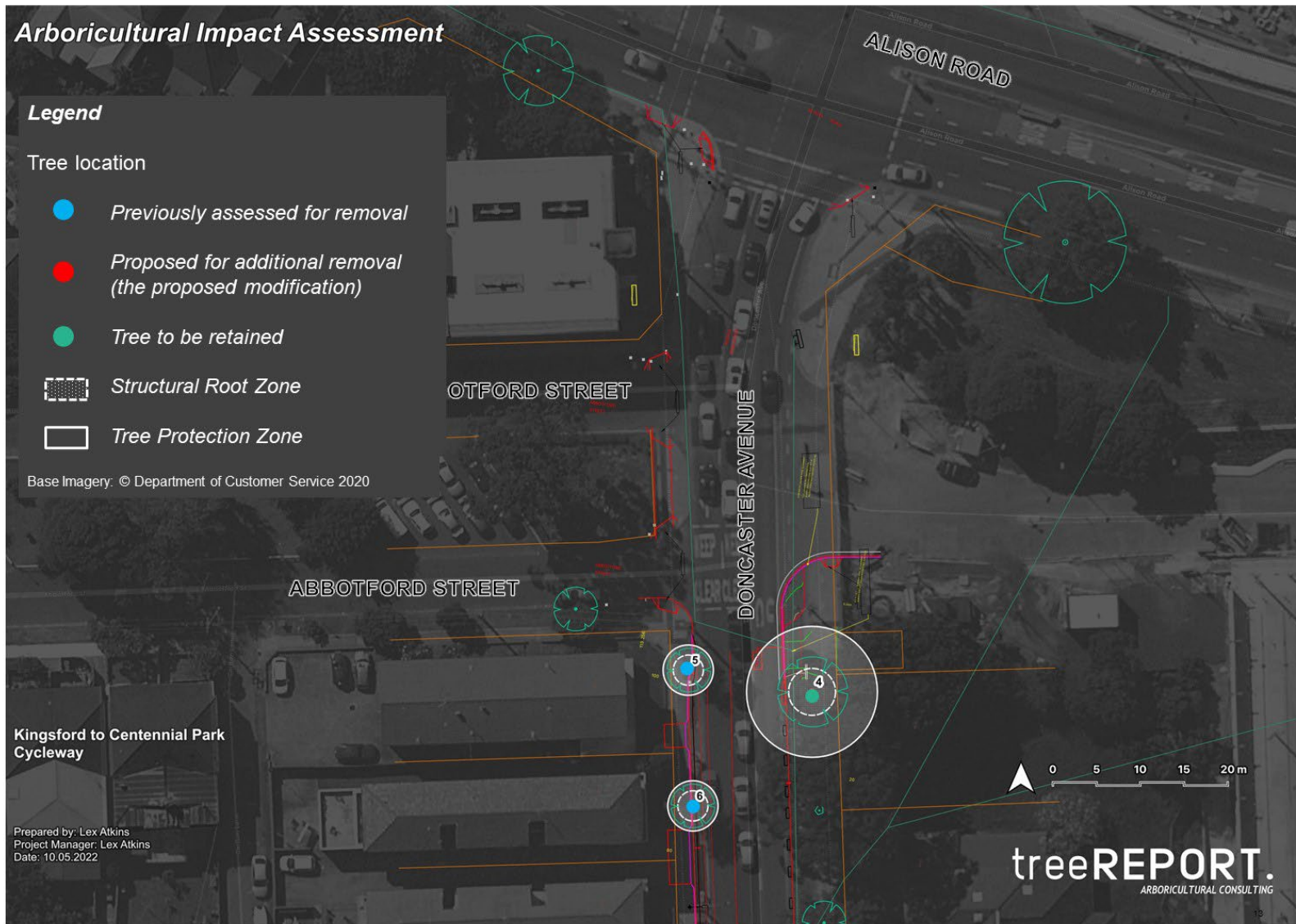
In addition, the following addendum REF and consistency review assessment for the Kingsford to Centennial Park Walking and Cycling Improvements project has been prepared:

- Kingsford to Centennial Park Walking and Cycling Improvements Review of Environmental Factors Addendum, August 2021
- Consistency Memo – Alignment of Project Working Hours, December 2021
- Kingsford to Centennial Park Walking and Cycling Improvements Addendum review of environmental Factors, June 2022

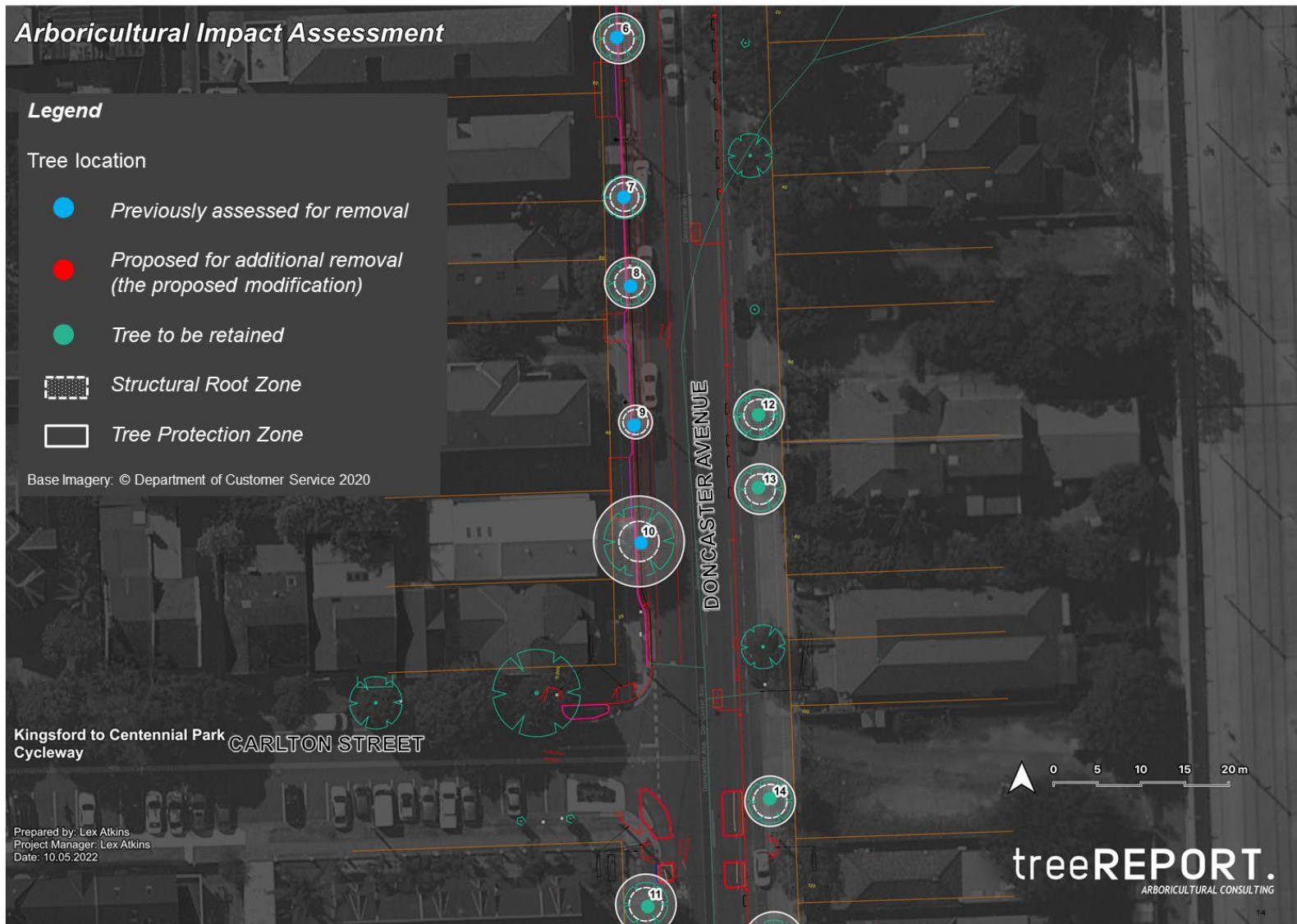




**Figure 1-1:** Location of the proposed modification



**Figure 1-2: Proposed modification (Part 1 of 31)**



**Figure 1-3: Proposed modification (Part 2 of 31)**



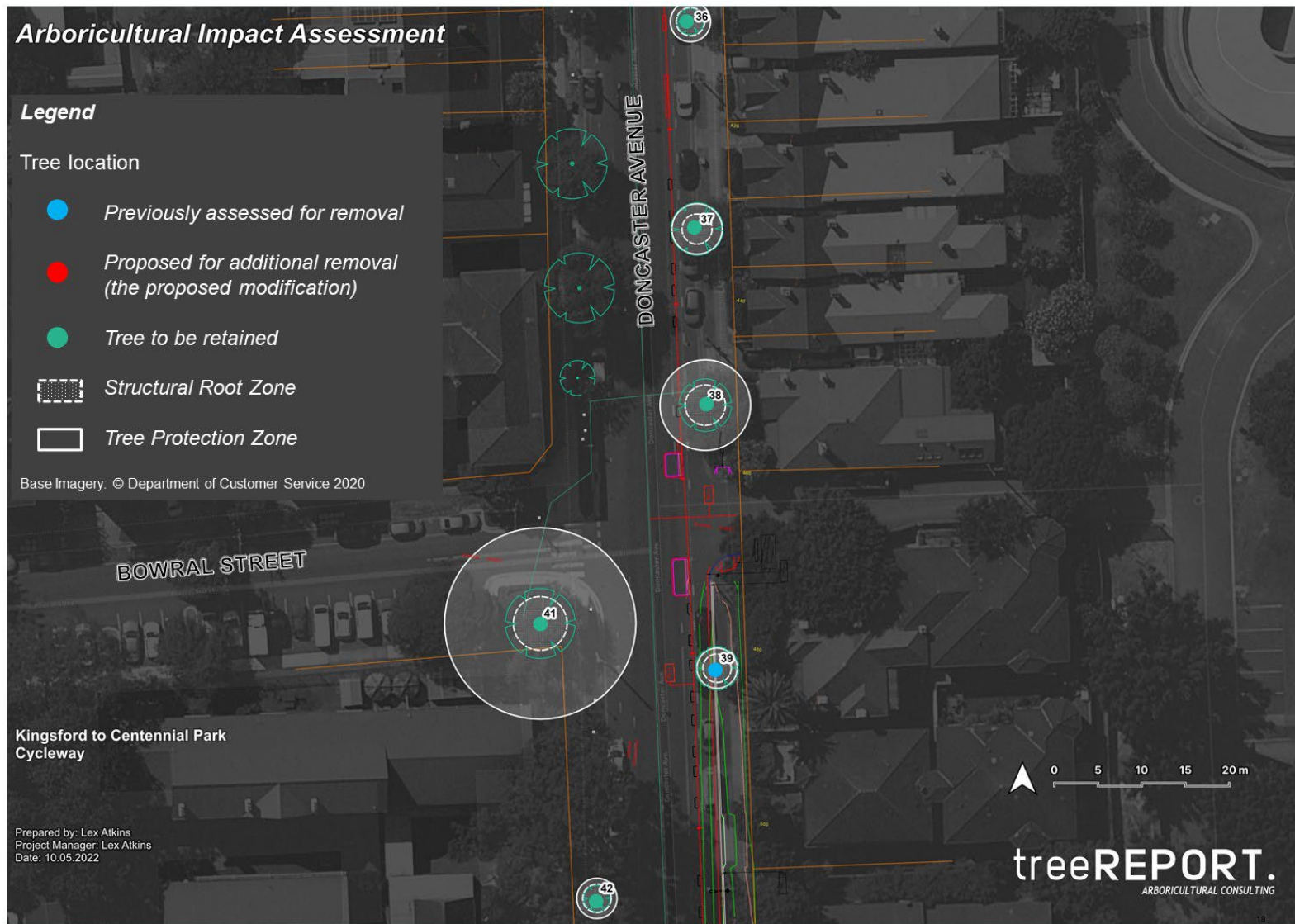
**Figure 1-4:** Proposed modification (Part 3 of 31)



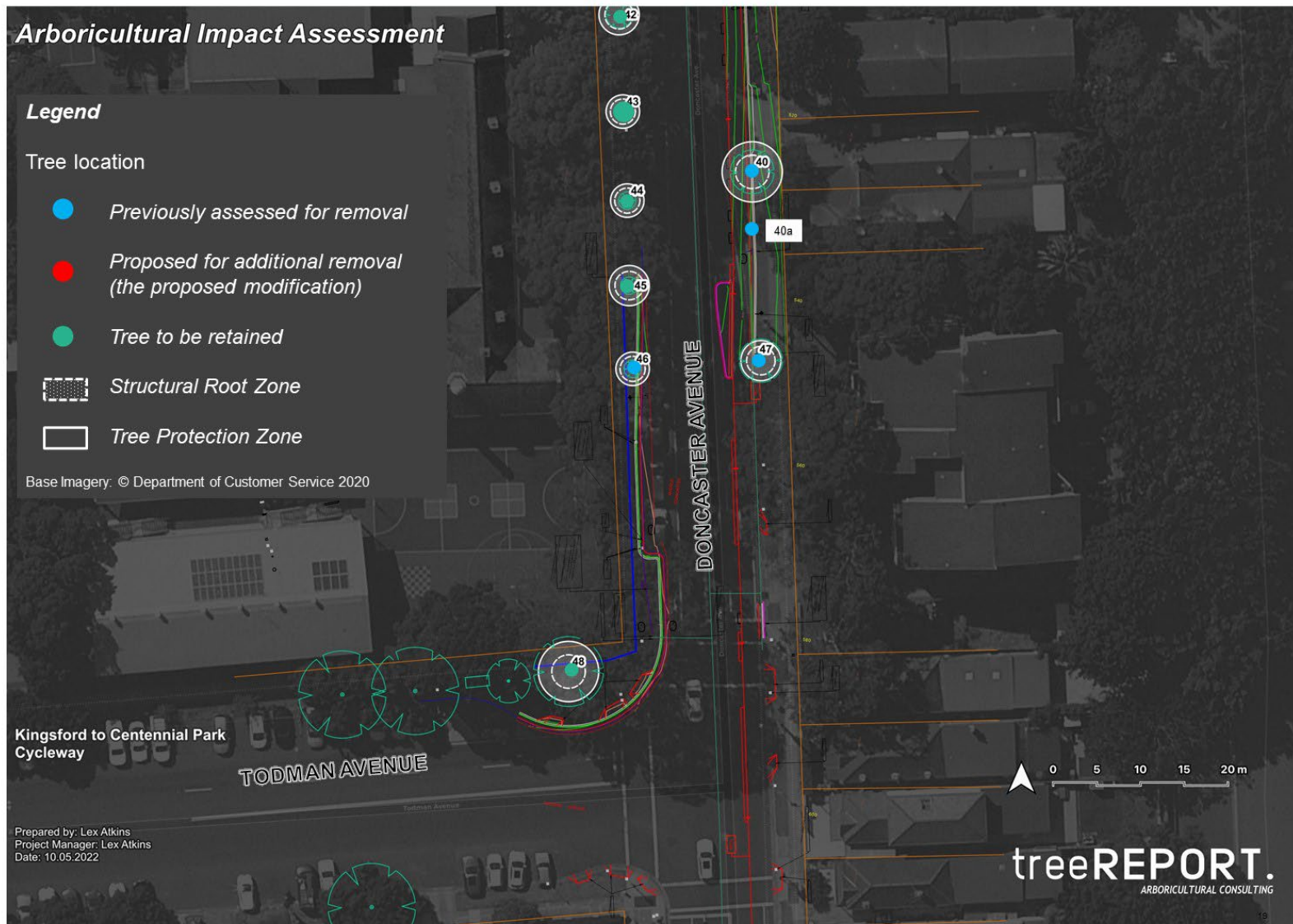
**Figure 1-5: Proposed modification (Part 4 of 31)**



**Figure 1-6:** Proposed modification (Part 5 of 31)



**Figure 1-7: Proposed modification (Part 6 of 31)**



**Figure 1-8:** Proposed modification (Part 7 of 31)

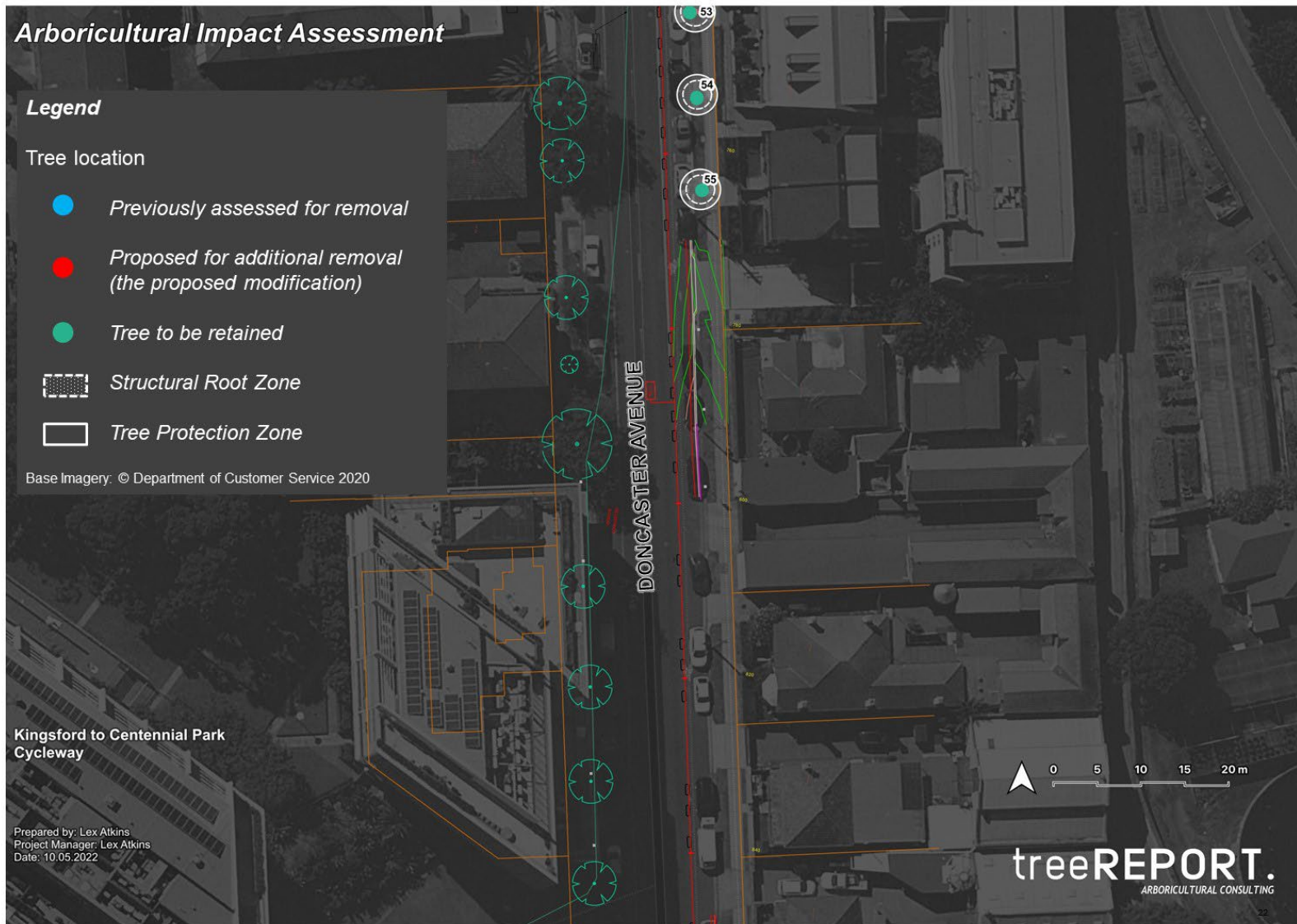




**Figure 1-9:** Proposed modification (Part 8 of 31)



**Figure 1-10: Proposed modification (Part 9 of 31)**



**Figure 1-11: Proposed modification (Part 10 of 31)**



**Figure 1-12: Proposed modification (Part 11 of 31)**



**Figure 1-13: Proposed modification (Part 12 of 31)**



**Figure 1-14: Proposed modification (Part 13 of 31)**



**Figure 1-15: Proposed modification (Part 14 of 31)**

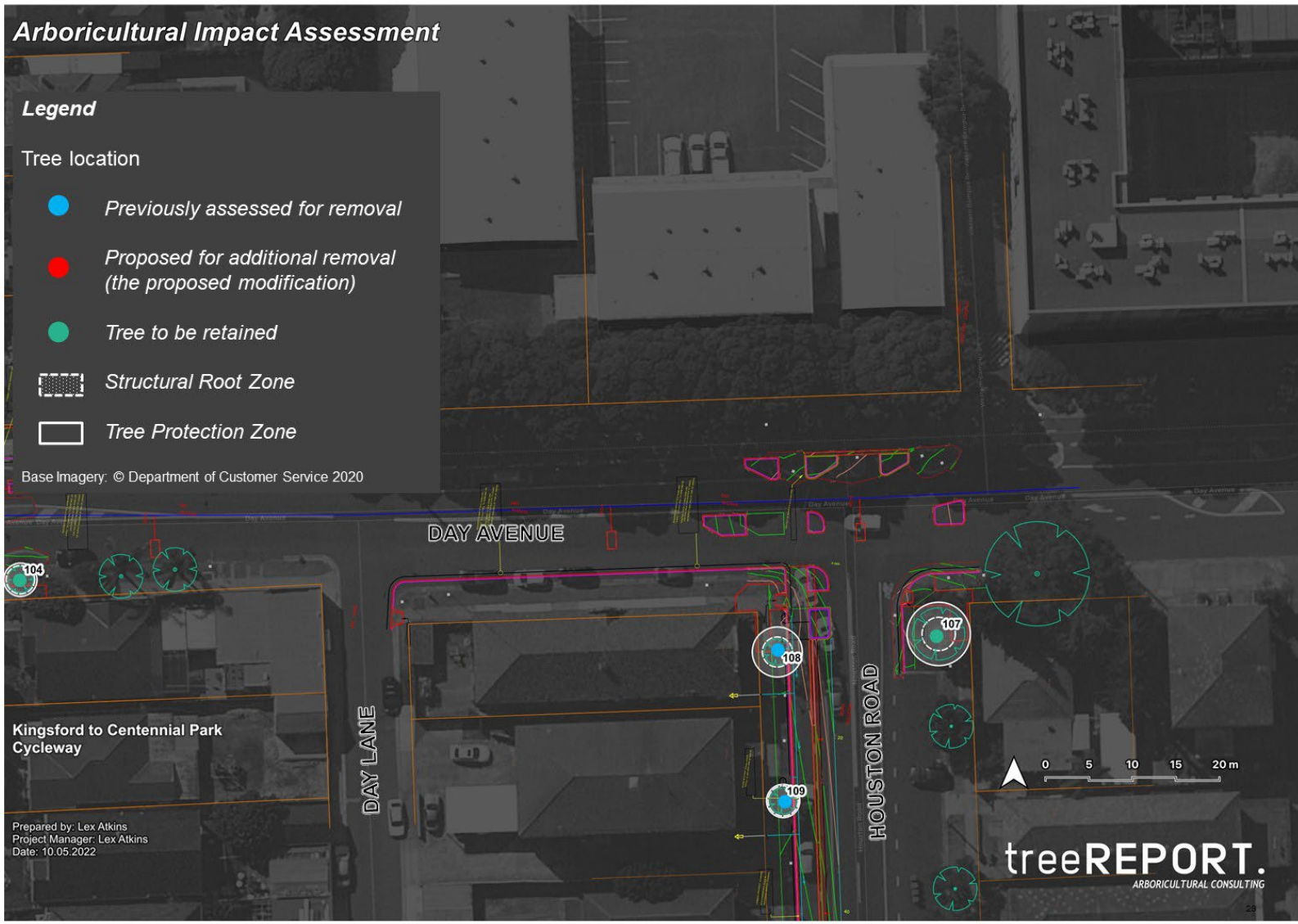


**Figure 1-16: Proposed modification (Part 15 of 31)**





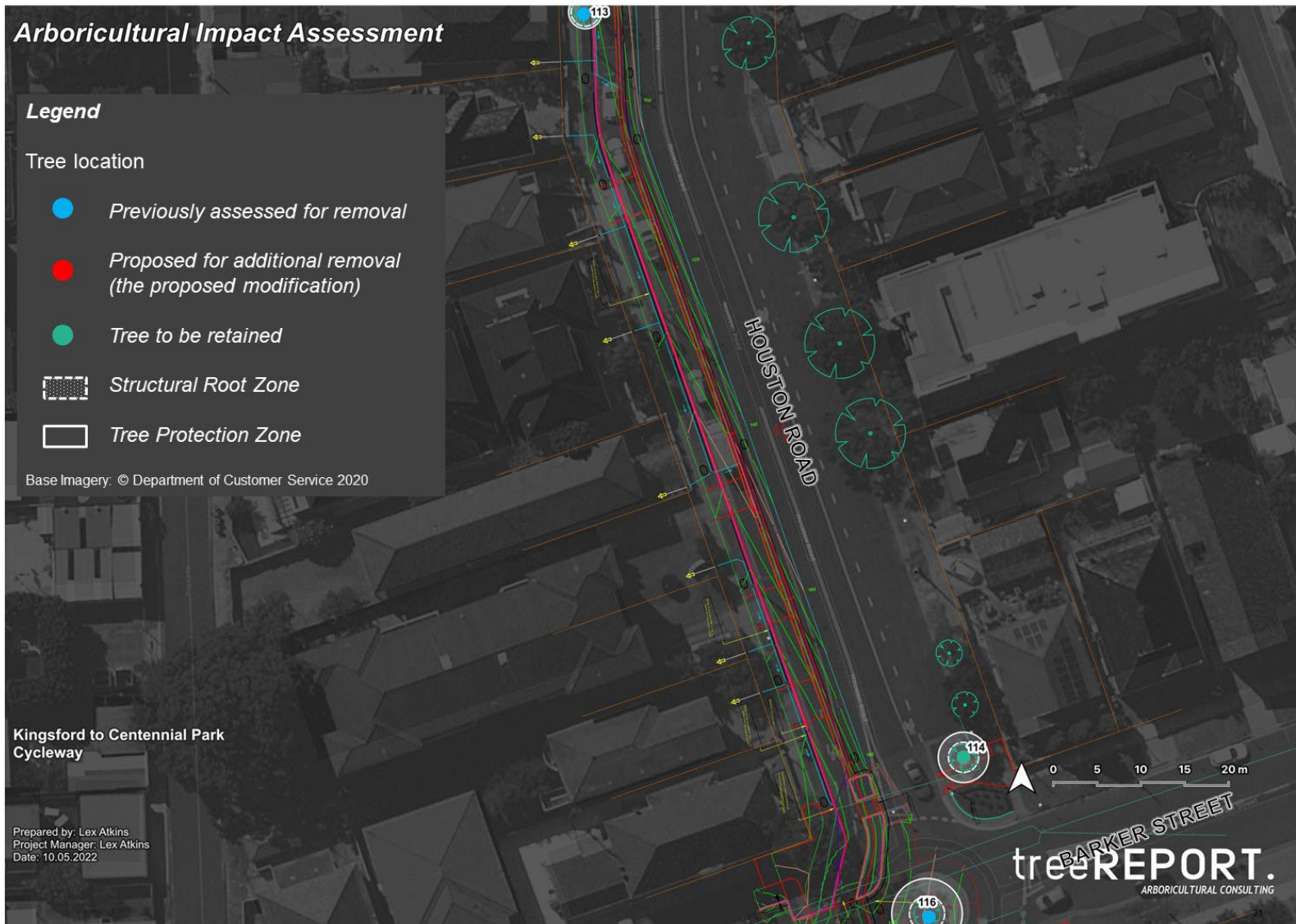
**Figure 1-17: Proposed modification (Part 16 of 31)**



**Figure 1-18: Proposed modification (Part 17 of 31)**



**Figure 1-19: Proposed modification (Part 18 of 31)**



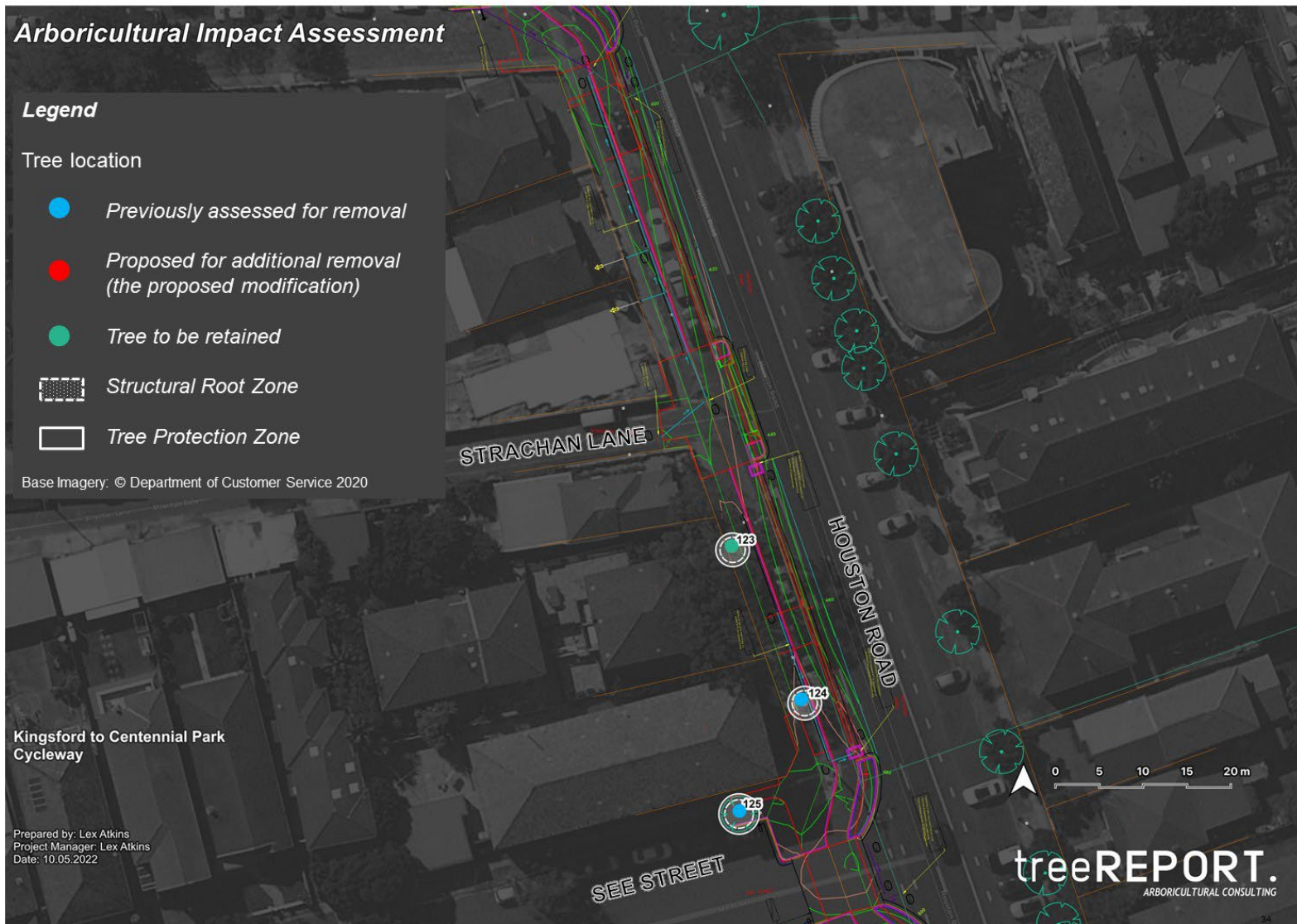
**Figure 1-20: Proposed modification (Part 19 of 31)**



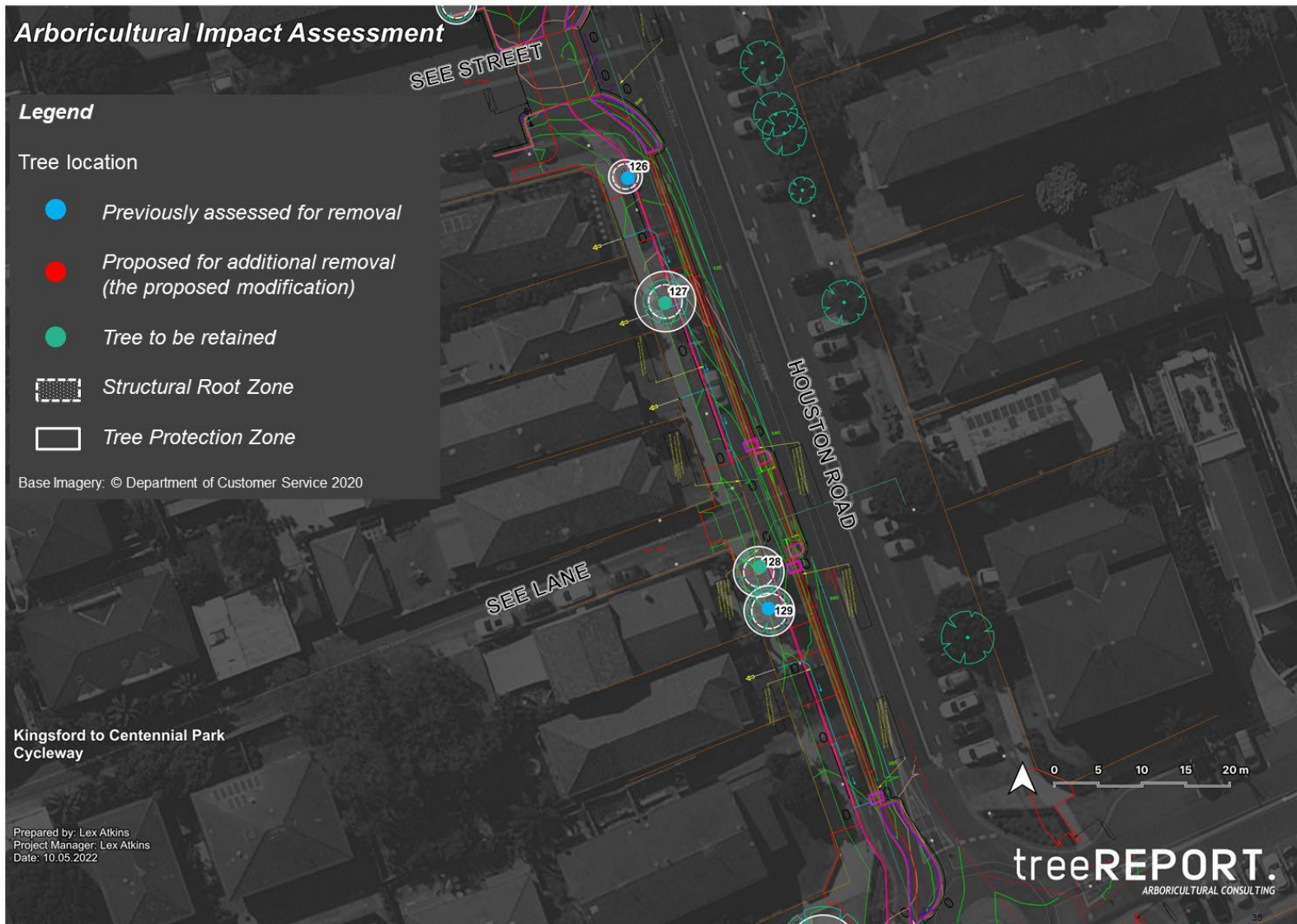
**Figure 1-21: Proposed modification (Part 20 of 31)**



**Figure 1-22: Proposed modification (Part 21 of 31)**



**Figure 1-23: Proposed modification (Part 22 of 31)**



**Figure 1-24: Proposed modification (Part 23 of 31)**

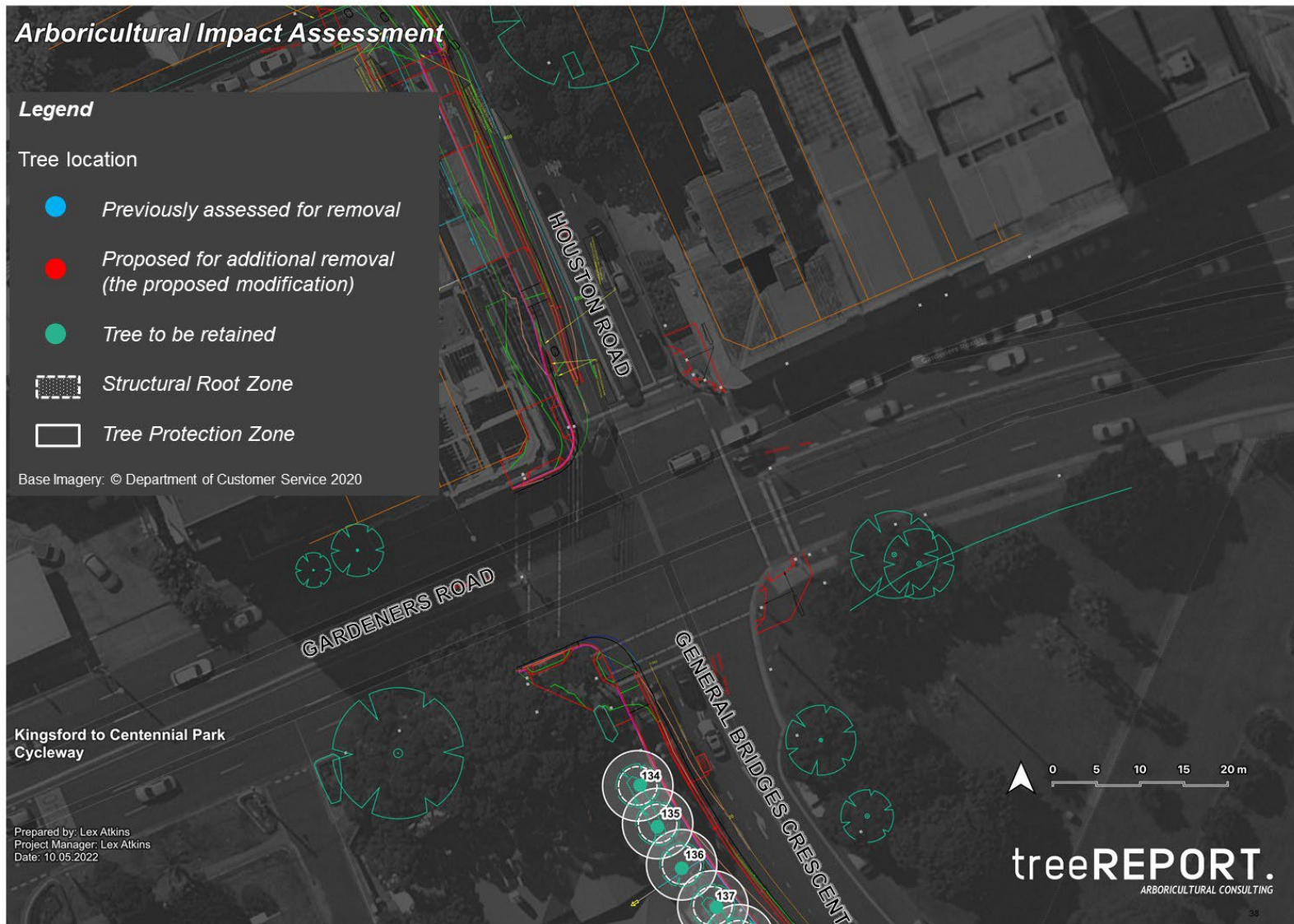




**Figure 1-25: Proposed modification (Part 24 of 31)**



**Figure 1-26: Proposed modification (Part 25 of 31)**



**Figure 1-27: Proposed modification (Part 26 of 31)**



**Figure 1-28: Proposed modification (Part 27 of 31)**



**Figure 1-29: Proposed modification (Part 28 of 31)**



**Figure 1-30: Proposed modification (Part 29 of 31)**



**Figure 1-31: Proposed modification (Part 30 of 31)**



**Figure 1-32: Proposed modification (Part 31 of 31)**



## 1.2 Purpose of the report

This addendum review of environmental factors (REF) has been prepared by Transport for NSW on behalf of Randwick City Council. For the purposes of these works, Randwick City Council is the proponent and the determining authority under Division 5.1 of the *Environmental Planning and Assessment Act 1979* (EP&A Act).

This addendum REF is to be read in conjunction with the project REF and previous addendum REF for the project. The purpose of this addendum REF is to describe the proposed modification, to document and assess the likely impacts of the proposed modification on the environment, and to detail mitigation and management measures to be implemented.

The description of the proposed work and assessment of associated environmental impacts has been undertaken in context of Clause 171 of the Environmental Planning and Assessment Regulation 2021, *Is an EIS Required? Best Practice Guidelines for Part 5 of the Environmental Planning and Assessment Act 1979* (Is an EIS Required? guidelines) (DUAP, 1995/1996), Roads and Road Related Facilities EIS Guideline (DUAP, 1996), the *Biodiversity Conservation Act 2016* (BC Act), the *Fisheries Management Act 1994* (FM Act), and the Australian Government's *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act).

In doing so, the addendum REF helps to fulfil the requirements of:

- Section 5.5 of the EP&A Act including that Randwick City Council examine and take into account to the fullest extent possible, all matters affecting or likely to affect the environment by reason of the activity

The findings of the addendum REF would be considered when assessing:

- Whether the proposed modification is likely to result in a significant impact on the environment and therefore the necessity for an environmental impact statement to be prepared and approval to be sought from the Minister for Planning under Division 5.2 of the EP&A Act
- The significance of any impact on threatened species as defined by the BC Act and/or FM Act, in section 1.7 of the EP&A Act and therefore the requirement for a Species Impact Statement or a Biodiversity Development Assessment Report
- The significance of any impact on nationally listed biodiversity matters under the EPBC Act, including whether there is a real possibility that the activity may threaten long-term survival of these matters, and whether offsets are required and able to be secured
- The potential for the proposed modification to significantly impact any other matters of national environmental significance or Commonwealth land and therefore the need to make a referral to the Australian Government Department of Agriculture, Water and the Environment for a decision by the Australian Government Minister for the Environment on whether assessment and approval is required under the EPBC Act.

## 2 Need and options considered

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### 2.1 Strategic need for the proposed modification

Chapter 2 of the project REF addresses the strategic need for the project, the project objectives and the options that were considered. The proposed modification described and assessed in this addendum REF is consistent with the strategic need for the project.

An arborist assessed the final project design against the 166 trees along the route and determined that the majority of the trees along the project's cycleway route would be subject to major encroachment due to the proposed construction methodology and would require removal (refer Appendix D). At the time of the previous addendum REF in June 2022, this was not considered an acceptable level of impact so alternate methodology for the stormwater excavation along the subject trees was explored. Ultimately it has been determined that alternate methodologies for stormwater excavation are not feasible for this project and must be carried out with a standard excavator. As such, the 16 trees comprising this proposed modification would be impacted and would require removal.

### 2.2 Proposal objectives and development criterion

Section 2.2 of the project REF identifies the proposal objectives that apply to the proposed modification:

- provide a high-quality new section of cycleway between Centennial Park and the Kingsford light Rail Terminus
- provide a safe and vibrant cycling and walking route
- deliver the best experience for all users of the road and pathway networks through the Randwick City Area.

An additional development criterion is proposed:

- minimise environmental impacts.

### 2.3 Alternatives and options considered

#### 2.3.1 Methodology for selection of preferred option

The identified options for the proposed modification were analysed against the proposal objectives and development criterion described in Section 2.2.

The option which performed the best against the proposal objectives and development criterion was selected as the preferred option.

#### 2.3.2 Identified options

The options identified for the proposed modification are:

- **Option 1: Construct the determined project with no modifications.** Only allow the 52 previously assessed trees to be impacted for construction of the project. The project would not be constructible.
- **Option 2: Construct the determined project with this proposed modification.** Impact the 52 previously assessed trees and 16 additional trees for construction of the project (the proposed modification).



### 2.3.3 Analysis of options

Table 2-1: Analysis of options

		Option 1	Option 2
Proposal objectives	Provide a high-quality new section of cycleway between Centennial Park and the Kingsford light Rail Terminus	☒ <b>Objective not met.</b> The cycleway would not be constructible per this option and would not be provided.	☑ <b>Objective met.</b> The cycleway would be constructible per this option and would be provided.
	Provide a safe and vibrant cycling and walking route	☒ <b>Objective not met.</b> The cycleway would not be constructible per this option and would not be provided.	☑ <b>Objective met.</b> The cycleway would be constructible per this option and would be provided.
	Deliver the best experience for all users of the road and pathway networks through the Randwick City Area	☑/☒ <b>Objective partially met.</b> The cycleway would not be constructible per this option and would not be provided, however street trees would not be removed, preserving the existing condition and amenity along the project alignment.	☑/☒ <b>Objective partially met.</b> The cycleway would be constructible per this option and would be provided, delivering an improved experience for all users of the road and pathway networks through the Randwick City Area, however, existing trees would be removed to facilitate the cycleway construction.
Development criterion	Minimise environmental impacts	☑ <b>Criterion met.</b> As the cycleway would no longer be constructible, construction of the cycleway would cease and no trees would be removed.	☑/☒ <b>Criterion partially met.</b> An additional 16 trees would be removed to those previously assessed; however, these additional trees have been limited only to those necessary for construction of the project.

## **2.4 Preferred option**

Option 2 has been identified as the preferred option as it best meets the proposal objectives and development criterion.

## **3 Description of the proposed modification**

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### **3.1 The proposed modification**

Randwick City Council proposes to modify the Kingsford to Centennial Park Walking and Cycling Improvements project to remove an additional 16 verge amenity trees along the proposed cycleway route. The proposed modification is shown in Figure 1-1 and detailed in Figure 1-2 to Figure 1-32.

Key features of the proposed modification would include:

- Additional removal of 16 trees, Trees 56, 58, 59, 62, 68, 69, 70, 72, 76, 78, 80, 81, 82, 92, 94 and 95.

Previously, 52 trees had been assessed for removal as part of the determined project. With the proposed modification, a total of 68 trees would be removed for construction of the walking and cycling improvements.

### **3.2 Construction activities**

#### **3.2.1 Work methodology**

The work methodology for the proposed modification would be consistent with that of the determined project.

#### **3.2.2 Construction hours and duration**

The proposed modification could be completed within the construction hours and duration assessed as part of the determined project.

#### **3.2.3 Plant and equipment**

The following plant and equipment is proposed for the proposed modification:

- Elevated Working Platform (EWP)
- 5 tonne excavator
- Petrol-powered chainsaw (until midnight)
- Electric-powered chainsaw (after midnight, if required)
- Leaf blower
- Mulch grinder

#### **3.2.4 Earthworks**

The proposed modification would not result in additional earthworks for the project.

#### **3.2.5 Source and quantity of materials**

The proposed modification would produce additional vegetation matter to be disposed of as green waste. This waste stream would be consistent with those identified for the determined project and would not trigger additional approvals.

### **3.2.6 Traffic management and access**

The proposed modification would not result in any changes for traffic management and access of the project.

### **3.3 Ancillary facilities**

No changes to ancillary facilities are proposed.

### **3.4 Public utility adjustment**

No public utility adjustments are proposed.

### **3.5 Property acquisition**

No property acquisition is proposed.

## 4 Statutory and planning framework

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### 4.1 Environmental Planning and Assessment Act 1979

#### 4.1.1 State Environmental Planning Policies

##### **State Environmental Planning Policy (Transport and Infrastructure) 2021**

SEPP (Transport and Infrastructure) aims to facilitate the effective delivery of infrastructure across the State.

Clause 2.108 of SEPP (Transport and Infrastructure) permits development on any land for the purpose of a road or road infrastructure facilities to be carried out by or on behalf of a public authority without consent.

As the proposed modification is for road infrastructure facilities and is to be carried out by Transport for NSW on behalf of Randwick City Council, it can be assessed under Division 5.1 of the EP&A Act. Development consent is not required.

The proposal is not located on land reserved under the *National Parks and Wildlife Act 1974* and does not require development consent or approval under:

- State Environmental Planning Policy (Resilience and Hazards) 2021
- State Environmental Planning Policy (Planning Systems) 2021
- State Environmental Planning Policy (Precincts – Central River City)
- State Environmental Planning Policy (Precincts – Eastern Harbour City)
- State Environmental Planning Policy (Precincts – Regional) 2021

Section 2.10 to 2.15 of SEPP (Transport and Infrastructure) contains provisions for public authorities to consult with local councils and other public authorities prior to the commencement of certain types of development.

Consultation, including consultation as required by SEPP (Transport and Infrastructure) (where applicable), is discussed in Chapter 5 of this addendum REF.

#### 4.1.2 Local Environmental Plans

##### **Randwick Local Environmental Plan 2012**

The proposed modification is located entirely within the previously assessed project footprint. The project is located within the Randwick local government area to which the Randwick Local Environmental Plan 2012 (Randwick LEP) applies.

As discussed in the determined project REF, the relevant provisions of the SEPP (Transport and Infrastructure) prevail over those of the Randwick LEP. As such, the determined project with proposed modification may be carried out as development without consent.

### 4.2 Other relevant NSW legislation

#### 4.2.1 Roads Act 1993

The *Roads Act 1993* (Roads Act) regulates the carrying out of various activities in, on and over public roads. Under section 138 of the Roads Act, applicants are required to obtain approval from the relevant roads authority for the erection of a structure, the carrying out of work on or over a public road, or the digging up or disturbing the surface of a road. The *Roads Act 1993* supports Randwick City Council's legal right to undertake roadworks on certain roads.



The proposed modification requires work on Doncaster Avenue and Houston Road which are classified as local roads under the Roads Act.

Section 88 of the Roads Act permits a road authority, despite any other Act or law to the contrary, to remove or lop any tree or other vegetation that is on or overhanging a public road if, in its opinion, it is necessary to do so for the purpose of carrying out road work or removing a traffic hazard. Tree removal is required for the proposed works to carry out construction activities, in particular for construction of the determined Kingsford to Centennial Park Walking and Cycleway Improvements project.

#### **4.2.2 Protection of the Environment and Operations Act 1997**

The *Protection of the Environment Operations Act 1997* (POEO Act) establishes, amongst other things, the procedures for issuing licences for environmental protection in relation to aspects such as waste, air, water and noise pollution control. The owner or occupier of premises engaged in scheduled activities is required to hold an environment protection licence and comply with the conditions of that licence.

The proposed modification does not trigger requirement for an environmental protection licence in accordance with Part 3.2 of the POEO Act, however, per section 148 of the POEO Act, there is a duty to notify relevant authorities of any pollution incidents resulting from the proposed modification that cause or threaten material harm to the environment.

#### **4.2.3 Biodiversity Conservation Act 2016**

The *Biodiversity Conservation Act 2016* (BC Act) commenced on 25 August 2017 and repeals the *Threatened Species Conservation Act 1995*, the *Nature Conservation Trust Act 2001* and parts of the *National Parks and Wildlife Act 1974*. The BC Act also repealed Section 5A of the EP&A Act which provided for Assessments of Significance. Assessments of Significance are now provided in Section 7.3 of the BC Act.

The BC Act introduces a Biodiversity Assessment Method (BAM) and Biodiversity Offsets Scheme (BOS). The BC Act lists a number of threatened species, populations or ecological communities to be considered in deciding whether a development or activity “likely to significantly affect threatened species”. A development or an activity is likely to significantly affect threatened species if:

- a) it is likely to significantly affect threatened species or ecological communities, or their habitats, according to the test in section 7.3 (of the BC Act), or
- b) the development exceeds the BOS threshold if the biodiversity offsets scheme applies to the impacts of the development on biodiversity values, or
- c) it is carried out in a declared area of outstanding biodiversity value.

The BOS does not apply to development that is an activity subject to environmental impact assessment under Part 5 of the EP&A Act unless the proponent chooses to opt into the BOS. Randwick City Council has not opted in to the BOS for either the determined project or the proposed modification.

The proposed modification is not likely to significantly impact threatened species, populations or ecological communities or their habitats, within the meaning of the BC Act, and therefore a Species Impact Statement (SIS) is not required. The biodiversity impacts of the proposed modification are assessed in Section 6.1.

#### **4.2.4 Biosecurity Act 2015**

The *Biosecurity Act 2015* (B Act) and its subordinate legislation commenced on 1 July 2017. The *Biosecurity Act 2015* replaces wholly or in part 14 separate pieces of biosecurity related

legislation including the Noxious Weeds Act 1993. Under the *Biosecurity Act 2015*, all plants, including weeds are regulated with a general biosecurity duty to prevent, eliminate or minimise any biosecurity risk they may pose. Any person who deals with any plant, who knows (or ought to know) of any biosecurity risk, has a duty to ensure the risk is prevented, eliminated or minimised, so far as is reasonably practicable.

The *Biosecurity Act 2015* and Regulations provide specific legal requirements for high risk activities and State level priority weeds. The State level priority weeds and associated legal requirements relevant to the region are outlined in the Greater Sydney Regional Strategic Weed Management Plan 2017 - 2022 (Greater Sydney Local Land Services, 2017) together with the high risk priority weeds from the regional prioritisation process. As such if present, priority weeds on the site should be assessed and controlled to fulfil the General Biosecurity Duty and minimise biosecurity risks.

### **4.3 Commonwealth legislation**

#### **4.3.1 Environment Protection and Biodiversity Conservation Act 1999**

Under the EPBC Act, a referral is required to the Australian Government for proposed 'actions that have the potential to significantly impact on matters of national environmental significance or the environment of Commonwealth land. These are considered in Appendix A and chapter 6 of the addendum REF.

A referral is not required for proposed road actions that may affect nationally listed threatened species, endangered ecological communities and migratory species. This is because requirements for considering impacts to these biodiversity matters are the subject of a strategic assessment approval granted under the EPBC Act by the Australian Government in September 2015.

Potential impacts to these biodiversity matters are also considered as part of chapter 6 of the addendum REF and Appendix A.

#### **Findings – matters of national environmental significance (other than biodiversity matters)**

The assessment of the proposed modification's impact on matters of national environmental significance and the environment of Commonwealth land found that there would be no change to the findings of the determined activity and would be unlikely to cause a significant impact on matters of national environmental significance or the environment of Commonwealth land. A referral to the Australian Government Department of Agriculture, Water and the Environment is not required.

### **4.4 Confirmation of statutory position**

The proposed modification is categorised as development for the purpose of road infrastructure facilities and is being carried out by or on behalf of a public authority. Under clause 2.108 of SEPP (Transport and Infrastructure), the proposed modification is permissible without consent. The proposed modification is not State significant infrastructure or State significant development. The proposed modification can be assessed under Division 5.1 of the EP&A Act. Consent is not required.

## 5 Consultation

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The proposed modification does not seek to alter the key features of the determined project and the additional trees comprising the proposed modification are located on the public road verges managed by Randwick City Council. As such, it is not required to reconduct consultation with the local community and stakeholders regarding the proposed additional tree removal. The local community would be notified of the additional tree removal prior to carrying out removal of the additional trees as part of the regular project updates being issued to the community.

## 6 Environmental assessment

This section of the addendum REF provides a detailed description of the potential environmental impacts associated with the construction and operation of the proposed modification of the Kingsford to Centennial Park Walking and Cycleway Improvements project. All aspects of the environment potentially impacted upon by the proposed modification are considered. This includes consideration of the guidelines *Roads and Related Facilities EIS Guideline* (DUAP, 1996) and *Is an EIS required?* (DUAP, 1999) the factors specified in section 171 of the Environmental Planning and Assessment Regulation 2021. The factors specified in section 171(2) of the Environmental Planning and Assessment Regulation 2021 are also considered in Appendix A.

Site-specific safeguards and management measures are provided to ameliorate the identified potential impacts.

### 6.1 Trees

#### 6.1.1 Existing environment

The existing environment of Doncaster Avenue and Houston Road is characterised by sparse, planted amenity trees which contribute to the low density, suburban and residential streetscape. The street trees line both sides of the road and comprise a range of tree species, sizes, age and condition, primarily the exotic *callistemon viminalis* (Weeping Bottlebrush).



**Figure 6-1:** Existing view south along Doncaster Avenue of Trees 62 and 68 proposed for removal as part of this addendum REF

#### 6.1.2 Potential impacts

Subsequent to finalisation of the project's design plans, arborist assessment of the design's tree impacts was again carried out (refer Appendix D). An arborist assessed the final project design against the 166 trees along the route and determined that the majority of the trees along the project's cycleway route would be subject to major encroachment due to the

proposed construction methodology and would require removal (refer Appendix D). At the time of the previous addendum REF in June 2022, this was not considered an acceptable level of impact so alternate methodology for the stormwater excavation along the subject trees was explored. Ultimately it has been determined that alternate methodologies for stormwater excavation are not feasible for this project and must be carried out with a standard excavator.

As a result, the proposed modification involves the removal of 16 additional trees (Trees 56, 58, 59, 62, 68, 69, 70, 72, 76, 78, 80, 81, 82, 92, 94 and 95) along the project alignment which would be impacted by construction of the determined Kingsford to Centennial Park Walking and Cycling Improvements project (refer Table 6-1).

Fifty-two trees along the project alignment have been previously assessed for removal. The proposed modification would result in a total of 68 street trees removed for the project. Given that this additional tree removal is dispersed across the project's 2.8-kilometre alignment, local impacts are expected to be minor.

Previously, 89 trees were to be planted as part of the determined project REF and first addendum REF (July 2021), however, additional planting will be provided as part of the proposed modification to compensate for the additional tree removal which comprises the proposed modification.

The proposed modification would result in additional impacts to existing trees along the project alignment, however, protection of trees to be retained and compensatory plantings are considered to mitigate the impact.

**Table 6-1:** Schedule of trees to be retained and removed along project alignment (*Note:* blue highlight denotes trees previously assessed for removal, red highlight denotes trees proposed for removal as part of this addendum REF)

Id.	Botanical name	Age class	Priority for retention	Retain / Remove
4	<i>Eucalyptus saligna</i>	Mature	High	Retain
5	<i>Schinus molle</i>	Mature	Medium	Remove
6	<i>Schinus molle</i>	Mature	Medium	Remove
7	<i>Schinus molle</i>	Mature	Medium	Remove
8	<i>Schinus molle</i>	Mature	Medium	Remove
9	<i>Schinus molle</i>	Semi-mature	Low	Remove
10	<i>Schinus molle</i>	Mature	Medium	Remove
11	<i>Schinus molle</i>	Mature	Medium	Retain
12	<i>Schinus molle</i>	Mature	Medium	Retain
13	<i>Schinus molle</i>	Mature	Medium	Retain
14	<i>Schinus molle</i>	Mature	Medium	Retain
15	<i>Schinus molle</i>	Mature	Medium	Retain
16	<i>Schinus molle</i>	Mature	Low	Remove
17	<i>Schinus molle</i>	Mature	Medium	Retain

<b>Id.</b>	<b>Botanical name</b>	<b>Age class</b>	<b>Priority for retention</b>	<b>Retain / Remove</b>
18	<i>Schinus molle</i>	Mature	Medium	Retain
19	<i>Callistemon viminalis</i>	Mature	Medium	Retain
20	<i>Schinus molle</i>	Mature	Medium	Retain
21	<i>Metrosideros excelsa</i>	Mature	Medium	Retain
22	<i>Schinus molle</i>	Mature	Medium	Retain
23	<i>Schinus molle</i>	Mature	Medium	Retain
24	<i>Schinus molle</i>	Mature	Medium	Remove
25	<i>Schinus molle</i>	Mature	Medium	Remove
26	<i>Schinus molle</i>	Mature	Medium	Retain
27	<i>Schinus molle</i>	Mature	Medium	Retain
28	<i>Schinus molle</i>	Mature	Medium	Retain
29	<i>Schinus molle</i>	Mature	Medium	Retain
30	<i>Schinus molle</i>	Mature	Medium	Retain
31	<i>Schinus molle</i>	Mature	Medium	Remove
32	<i>Melaleuca bracteata</i>	Mature	Medium	Remove
33	<i>Schinus molle</i>	Mature	Medium	Remove
34	<i>Schinus molle</i>	Mature	Medium	Remove
35	<i>Schinus molle</i>	Mature	Medium	Remove
36	<i>Schinus molle</i>	Mature	Medium	Retain
37	<i>Schinus molle</i>	Mature	Medium	Retain
38	<i>Schinus molle</i>	Mature	Medium	Retain
39	<i>Schinus molle</i>	Mature	Low	Remove
40	<i>Schinus molle</i>	Mature	Medium	Remove
40a*	<i>Schinus molle</i>	Mature	Medium	Remove
41	<i>Schinus molle</i>	Mature	High	Retain
42	<i>Schinus molle</i>	Mature	Medium	Retain
43	<i>Schinus molle</i>	Mature	Medium	Retain
44	<i>Schinus molle</i>	Mature	Medium	Retain
45	<i>Schinus molle</i>	Mature	Medium	Retain

<b>Id.</b>	<b>Botanical name</b>	<b>Age class</b>	<b>Priority for retention</b>	<b>Retain / Remove</b>
46	<i>Schinus molle</i>	Mature	Low	Remove
47	<i>Schinus molle</i>	Mature	Medium	Remove
48	<i>Jacaranda mimosifolia</i>	Mature	Medium	Retain
49	<i>Schinus molle</i>	Mature	Medium	Retain
50	<i>Schinus molle</i>	Mature	Medium	Retain
51	<i>Schinus molle</i>	Mature	Medium	Retain
52	<i>Schinus molle</i>	Mature	Medium	Retain
53	<i>Schinus molle</i>	Mature	Medium	Retain
54	<i>Schinus molle</i>	Mature	Medium	Retain
55	<i>Schinus molle</i>	Mature	Medium	Retain
56	<i>Callistemon viminalis</i>	Mature	Medium	Remove
57	<i>Schinus molle</i>	Mature	Medium	Remove
58	<i>Callistemon viminalis</i>	Mature	Medium	Remove
59	<i>Callistemon viminalis</i>	Mature	Medium	Remove
60	<i>Schinus molle</i>	Mature	Medium	Remove
61	<i>Robinia pseudoacacia</i>	Mature	Medium	Remove
62	<i>Syzygium sp.</i>	Mature	Medium	Remove
63	<i>Eucalyptus eugenioides</i>	Mature	Medium	Retain
64	<i>Callistemon citrinus</i>	Mature	Medium	Retain
65	<i>Eucalyptus eugenioides</i>	Mature	Medium	Retain
66	<i>Schefflera actinophylla</i>	Mature	Low	Retain
67	<i>Jacaranda mimosifolia</i>	Mature	Medium	Retain
68	<i>Lagerstroemia indica</i>	Mature	Low	Remove
69	<i>Eriobotrya japonica</i>	Semi-mature	Low	Remove
70	<i>Callistemon viminalis</i>	Mature	Medium	Remove
71	<i>Callistemon viminalis</i>	Mature	Low	Remove
72	<i>Callistemon viminalis</i>	Mature	Medium	Remove
73	<i>Callistemon viminalis</i>	Mature	Medium	Remove
74	<i>Jacaranda mimosifolia</i>	Mature	Medium	Remove

<b>Id.</b>	<b>Botanical name</b>	<b>Age class</b>	<b>Priority for retention</b>	<b>Retain / Remove</b>
75	<i>Jacaranda mimosifolia</i>	Mature	Medium	Remove
76	<i>Callistemon viminalis</i>	Mature	Medium	Remove
77	<i>Schinus molle</i>	Mature	Medium	Retain
78	<i>Olea europaea</i>	Mature	High	Remove
79	<i>Melaleuca quinquenervia</i>	Mature	High	Remove
80	<i>Tristaniopsis laurina</i>	Mature	High	Remove
81	<i>Callistemon viminalis</i>	Mature	Medium	Remove
82	<i>Callistemon viminalis</i>	Mature	Medium	Remove
83	<i>Callistemon viminalis</i>	Mature	Medium	Remove
84	<i>Callistemon viminalis</i>	Mature	Medium	Retain
85	<i>Callistemon viminalis</i>	Mature	Medium	Retain
86	<i>Olea europaea</i>	Mature	Low	Retain
87	<i>Olea europaea</i>	Mature	Medium	Retain
88	<i>Schinus molle</i>	Mature	Medium	Remove
89	<i>Schinus molle</i>	Mature	Medium	Remove
90	<i>Schinus molle</i>	Mature	Medium	Remove
91	<i>Schinus molle</i>	Mature	Medium	Remove
92	<i>Callistemon viminalis</i>	Mature	Low	Remove
93	<i>Callistemon viminalis</i>	Mature	Low	Remove
94	<i>Callistemon viminalis</i>	Mature	Low	Remove
95	<i>Callistemon viminalis</i>	Mature	Low	Remove
96	<i>Lophostemon confertus</i>	Mature	Medium	Retain
97	<i>Liquidambar styraciflua</i>	Mature	Medium	Retain
98	<i>Lophostemon confertus</i>	Mature	High	Retain
99	<i>Schinus molle</i>	Mature	Medium	Retain
100	<i>Schinus molle</i>	Mature	Medium	Retain
101	<i>Schinus molle</i>	Mature	Medium	Retain
102	<i>Schinus molle</i>	Mature	Medium	Remove
103	<i>Callistemon viminalis</i>	Mature	Medium	Remove



<b>Id.</b>	<b>Botanical name</b>	<b>Age class</b>	<b>Priority for retention</b>	<b>Retain / Remove</b>
104	<i>Fraxinus griffithii</i>	Mature	Low	Retain
105	<i>Schinus molle</i>	Mature	Medium	Remove
106	<i>Eucalyptus haemastoma</i>	Mature	High	Retain
107	<i>Jacaranda mimosifolia</i>	Mature	Medium	Retain
108	<i>Eucalyptus haemastoma</i>	Mature	Medium	Remove
109	<i>Callistemon viminalis</i>	Mature	Medium	Remove
110	<i>Tristaniopsis laurina</i>	Mature	Medium	Retain
111	<i>Plumeria sp.</i>	Mature	Low	Retain
112	<i>Tristaniopsis laurina</i>	Mature	Medium	Retain
113	<i>Callistemon viminalis</i>	Mature	Low	Remove
114	<i>Washingtonia robusta</i>	Mature	Low	Retain
115	<i>Eucalyptus tereticornis</i>	Mature	Medium	Retain
116	<i>Washingtonia robusta</i>	Mature	High	Remove
117	<i>Callistemon salignus</i>	Mature	High	Retain
118	<i>Tristaniopsis laurina</i>	Mature	Medium	Retain
119	<i>Tristaniopsis laurina</i>	Mature	Medium	Retain
120	<i>Tristaniopsis laurina</i>	Mature	Medium	Retain
121	<i>Tristaniopsis laurina</i>	Mature	Medium	Retain
122	<i>Tristaniopsis laurina</i>	Mature	Medium	Retain
123	<i>Callistemon viminalis</i>	Semi-mature	Low	Retain
124	<i>Eucalyptus sp.</i>	Mature	Low	Remove
125	<i>Eucalyptus haemastoma</i>	Semi-mature	Medium	Remove
126	<i>Michelia figo</i>	Mature	Low	Remove
127	<i>Callistemon salignus</i>	Mature	Medium	Retain
128	<i>Melaleuca quinquenervia</i>	Mature	Medium	Retain
129	<i>Melaleuca bracteata</i>	Mature	Medium	Remove
130	<i>Lophostemon confertus</i>	Mature	High	Retain
131	<i>Cupaniopsis anacardioides</i>	Mature	High	Retain
132	<i>Cupaniopsis anacardioides</i>	Mature	Low	Retain

<b>Id.</b>	<b>Botanical name</b>	<b>Age class</b>	<b>Priority for retention</b>	<b>Retain / Remove</b>
133	<i>Callistemon salignus</i>	Mature	Medium	Retain
134	<i>Washingtonia robusta</i>	Mature	High	Retain
135	<i>Washingtonia robusta</i>	Mature	High	Retain
136	<i>Washingtonia robusta</i>	Mature	High	Retain
137	<i>Washingtonia robusta</i>	Mature	High	Retain
138	<i>Washingtonia robusta</i>	Mature	High	Retain
139	<i>Washingtonia robusta</i>	Mature	High	Retain
140	<i>Washingtonia robusta</i>	Mature	High	Retain
141	<i>Washingtonia robusta</i>	Mature	High	Retain
142	<i>Washingtonia robusta</i>	Mature	High	Retain
143	<i>Washingtonia robusta</i>	Mature	High	Retain
144	<i>Lophostemon confertus</i>	Mature	Medium	Retain
145	<i>Livistona australis</i>	Mature	Medium	Retain
146	<i>Platanus orientalis</i>	Mature	Medium	Retain
147	<i>Platanus orientalis</i>	Mature	Medium	Retain
148	<i>Liquidambar styraciflua</i>	Mature	Medium	Retain
149	<i>Liquidambar styraciflua</i>	Mature	Medium	Retain
150	<i>Hibiscus tiliaceus</i>	Mature	Medium	Retain
151	<i>Livistona australis</i>	Semi-mature	Medium	Retain
152	<i>Eucalyptus acmenoides</i>	Mature	High	Retain
153	<i>Liquidambar styraciflua</i>	Mature	Medium	Retain
154	<i>Liquidambar styraciflua</i>	Mature	High	Retain
155	<i>Eucalyptus robusta</i>	Mature	High	Retain
156	<i>Eucalyptus robusta</i>	Mature	High	Retain
157	<i>Eucalyptus robusta</i>	Mature	High	Retain
158	<i>Eucalyptus robusta</i>	Mature	High	Retain
159	<i>Gleditsia triacanthos</i>	Mature	Low	Remove
160	<i>Gleditsia triacanthos</i>	Mature	Low	Remove
161	<i>Syzygium paniculatum</i>	Mature	Medium	Remove

Id.	Botanical name	Age class	Priority for retention	Retain / Remove
162	<i>Gleditsia triacanthos</i>	Mature	Low	Remove
163	<i>Syzygium paniculatum</i>	Mature	Medium	Remove
164	<i>Gleditsia triacanthos</i>	Mature	Low	Remove
165	<i>Gleditsia triacanthos</i>	Mature	Low	Remove
166	<i>Gleditsia triacanthos</i>	Mature	Low	Remove

\*Tree 40a has been assessed as part of the arborist report developed for the determined project REF (then referred to as Tree 43) and was not included in the arborist report referenced in this addendum REF

### 6.1.3 Safeguards and management measures

Impact	Environmental safeguards	Responsibility	Timing
<b>Tree impacts</b>	Trees retained along the project which are subject to encroachment by construction works are to be monitored for health or structural deterioration and maintained accordingly.	Randwick City Council	After construction completion

## 6.2 Biodiversity

### 6.2.1 Methodology

An updated desktop review of the following biodiversity databases was undertaken on 17 June 2022:

- EPBC Act Protected Matters Search Tool
- BioNet Species Sightings
- Threatened Ecological Communities Greater Sydney

### 6.2.2 Existing environment

All the streetscape, amenity trees along the alignment have been planted and comprise a mixture of exotic and native species.

No threatened ecological communities or threatened flora species have been recorded within 100 metres of the project alignment (including proposed modification).

There have been four recorded sightings of the threatened fauna species, Grey-headed Flying-fox within 100 metres of the project alignment (including proposed modification). These sightings were of individual specimens. No further threatened fauna species have been recorded within 100 metres of the project alignment (including proposed modification).

### 6.2.3 Potential impacts

The Grey-headed Flying-fox is a mobile fauna species. Given the low number of recorded species sightings along the 2.8 kilometre project alignment, it is unlikely that the trees along the alignment are used for foraging, roosting or habitat. It is possible that mobile fauna

species may be encountered during construction activities, however, such encounters could be adequately mitigated by the implementation of safeguards. As such, the proposed modification is not expected to impact upon the Grey-headed Flying-fox species.

### Conclusion on significance of impacts

The modification is not likely to significantly impact threatened species, populations or ecological communities or their habitats, within the meaning of the BC Act or FM Act and therefore a Species Impact Statement is not required.

The modification is not likely to significantly impact threatened species, populations, ecological communities or migratory species, within the meaning of the EPBC Act.

### 6.2.4 Safeguards and management measures

Impact	Environmental safeguards	Responsibility	Timing
<b>Unexpected species encounters</b>	If unexpected threatened flora or fauna are discovered, works would stop immediately and the <i>Unexpected Threatened Species Find Procedure</i> in the <i>Biodiversity Guidelines</i> (RTA, 2011) implemented.	Contractor	During construction

## 6.3 Other impacts

### 6.3.1 Existing environment and potential impacts

The existing environment of each of the environmental factors is as described in the determined project REF as the proposed modification is located entirely within the determined project alignment.

**Table 6-2:** Potential impacts

Environmental factor	Potential impacts
<p><b>Landscape character and visual impact</b></p>	<p>The proposed modification would result in localised visual impacts due to the removal of mature trees in the road verges outside residential properties. The visual impacts would be low for the residential receivers and transient road users as there would be sufficient retained mature trees in the local areas surrounding trees to be removed. These impacts would also be temporary and mitigated by compensatory planting which would take time to reach the maturity of the existing trees to be removed.</p> <p>The landscape character of the existing environment would not be altered by the determined project nor the proposed modification.</p> <p>No additional safeguards proposed.</p>
<p><b>Soil and water</b></p>	<p>The proposed modification would not result in additional disturbance of soil or water.</p> <p>No additional safeguards proposed.</p>
<p><b>Noise and vibration</b></p>	<p>All trees comprising the proposed modification are adjacent to sensitive residential receivers. The proposed tree removal would be carried out during the day to minimise noise impacts to surrounding sensitive receivers. The safeguards and management measures of the previously determined project REF and addendums are considered adequate to mitigate the potential noise impacts of the proposed modification.</p> <p>The proposed modification would not produce any potential vibration impacts.</p> <p>No additional safeguards proposed.</p>
<p><b>Traffic and transport</b></p>	<p>The proposed modification would result in minor additional traffic and transport impacts by extending the duration of traffic closures, temporary parking removal and property access disruptions required to construct the project's cycleway and associated infrastructure.</p> <p>No additional safeguards proposed.</p>
<p><b>Non-Aboriginal heritage</b></p>	<p>The trees comprising the proposed modification are located in public verge areas and are not adjacent any listed non-Aboriginal heritage items. The trees are, however, As such, the proposed modification is not expected to impact non-Aboriginal items.</p>

<b>Environmental factor</b>	<b>Potential impacts</b>
	No additional safeguards proposed.
<b>Aboriginal heritage</b>	The proposed modification would not result in additional ground disturbance and would not alter the risk of encountered unexpected Aboriginal heritage. No additional safeguards proposed.
<b>Socio-economic</b>	The proposed modification would not result in any socio-economic impacts. No additional safeguards proposed.
<b>Waste and resource recovery</b>	The removed tree vegetation would comprise a green waste stream consistent with those identified for the determined project. No additional safeguards proposed.
<b>Air quality</b>	The proposed modification would not result in any additional air quality impacts. No additional safeguards proposed.

### **6.3.2 Safeguards and management measures**

No additional safeguards and management measures proposed.

## **6.4 Cumulative impacts**

### **6.4.1 Potential impacts**

The proposed modification would extend the overall construction duration of the project by a couple of weeks and would not result in further cumulative impacts than the tree, biodiversity, noise and traffic and transport impacts described above.

### **6.4.2 Safeguards and management measures**

No additional safeguards and management measures proposed.

## **7 Environmental management**

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### **7.1 Environmental management plans**

A number of safeguards and management measures have been identified to minimise adverse environmental impacts, including social impacts, which could potentially arise as a result of the proposed modification. Should the proposed modification proceed, these management measures would be addressed if required during detailed design and incorporated into the Contractors Environmental Management Plan (CEMP) and applied during the construction and operation of the proposed modification.

### **7.2 Summary of safeguards and management measures**

No additional safeguards or management measures have been identified in this addendum REF. The safeguards and management measures will be incorporated into the CEMP and implemented during construction and operation of the proposed modification, should it proceed. These safeguards and management measures will minimise any potential adverse impacts arising from the proposed works on the surrounding environment.

### **7.3 Licensing and approvals**

No additional or changed licenses and approval requirements have been identified in this addendum REF.



## 8 Conclusion

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### 8.1 Justification

Based on independent research undertaken by a leading economic researcher in *Inner City Regional Bicycle Network – Demand Assessment and Economic Appraisal* (AECOM, 2010) will provide access for 1.2 million people in 164 suburbs and across 15 (11 following the amalgamations) local government areas. AECOM estimates that the bicycle network is likely to deliver a net economic benefit of \$506 million (in today's dollars over a 30 year period), and that every dollar spent on delivering the interconnected cycleway, the network will generate an economic return of \$3.88.

The Kingsford to Centennial Park cycleway link is an integral part of the network, linking the south-eastern suburbs to the CBD, as well as the existing and other proposed cycle routes throughout the region.

The creation of a comprehensive, co-ordinated and practical cycling network across the local government area, and connecting to cycleways in adjoining local government areas, will benefit both cyclists and the wider community. Benefits include improvements to environmental and health conditions, reductions in traffic congestion and enhanced motorist, cyclist and pedestrian safety.

The cycleway project is consistent with the aims of *Sydney's Cycling Future* as it will improve the safety of and facilities for cyclists across Sydney.

On balance the determined project with the proposed modification is considered justified.

The environmental impacts of the proposal are not likely to be significant and therefore it is not necessary for approval to be sought for the proposal under Part 4 of the *Environmental Planning & Assessment, Act 1979*. The proposal will not have a substantial impact on any matters of national environmental significance.

### 8.2 Objects of the EP&A Act

Decisions made under the Environmental Planning & Assessment Act, 1979 must have regard to the objects of the Act, as set out in Section 4.1. The relevant objects are:

- a) *to promote the social and economic welfare of the community and a better environment by the proper management, development and conservation of the State's natural and other resources,*
- b) *to facilitate ecologically sustainable development by integrating relevant economic, environmental and social considerations in decision-making about environmental planning and assessment,*
- c) *to promote the orderly and economic use and development of land,*
- d) *to promote the delivery and maintenance of affordable housing,*
- e) *to protect the environment, including the conservation of threatened and other species of native animals and plants, ecological communities and their habitats,*
- f) *to promote the sustainable management of built and cultural heritage (including Aboriginal cultural heritage),*
- g) *to promote good design and amenity of the built environment,*
- h) *to promote the proper construction and maintenance of buildings, including the protection of the health and safety of their occupants,*
- i) *to promote the sharing of the responsibility for environmental planning and assessment between the different levels of government in the State,*

- j) *to provide increased opportunity for community participation in environmental planning and assessment.*

The proposed modification of the Kingsford to Centennial Park walking and cycling improvements are consistent with the objects of the Act, in as much as they are of relevance to the proposed modification.

In particular, the outcome following completion of the works represents the proper management of the public domain and would facilitate construction of the determined project cycleway thus promoting the social and welfare of the community by providing safe, convenient and healthy transport options and streetscape enhancements to improve the traffic, cycling and walking environment and connections across the local streets and between popular destinations.

Further, the implementation of the recommended safeguards and mitigation measures outlined in this REF will ensure the proposed modification is undertaken in such a way that it protects the environment, including the conservation of threatened and other species of native animals and plants, ecological communities and their habitats.

### **8.3 Ecologically sustainable development**

The National Strategy for Ecologically Sustainable Development (NSES) has been formulated to ensure ESD is accounted for in all proposals. There are three core objectives:

- Enhance the well-being and welfare of individuals and the community by following a path of economic development that safeguards the welfare of future generations;
- Provide for equity within and between generations;
- Protect biological diversity and maintain essential ecological processes and life-support systems.

The EP&A Act acknowledges that ecologically sustainable development (ESD) should be considered in the assessment and approval of proposed development.

The proposed modification has been assessed against the following four principles of ecologically sustainable development (ESD) listed in the *Protection of the Environment Administration Act 1991*:

- *The precautionary principle;*
- *The principle of intergenerational equity;*
- *The principle of biological diversity and ecological integrity; and*
- *The principle of improved valuation of environmental resources.*

A discussion on the degree to which the proposed modification complies with these principles is provided below.

#### **8.3.1 The precautionary principle**

The precautionary principle states that:

*if there are threats of serious or irreversible environmental damage, lack of full scientific certainty should not be used as a reason for postponing measures to prevent environmental degradation.*

*In the application of the precautionary principle, public and private decisions should be guided by:*

- (i) *careful evaluation to avoid, wherever practicable, serious or irreversible damage to the environment, and*

*(ii) an assessment of the risk weighted consequences of various options*

A range of investigations have been undertaken during the preparation of this addendum REF to ensure that the potential environmental impacts are able to be understood with a high degree of certainty. The proposal has evolved to avoid environmental impact where possible and mitigation measures have been recommended to minimise adverse impacts. No mitigation measures have been deferred due to a lack of scientific certainty. The proposal is therefore considered to be consistent with the precautionary principle.

### **8.3.2 Intergenerational equity**

The principle of intergenerational equity states that:

*the present generation should ensure that the health, diversity and productivity of the environment are maintained or enhanced for the benefit of future generations.*

The proposed modification will not result in any impacts that are likely to adversely impact on the health, diversity or productivity of the environment for the future generation. Instead, the proposed modification will facilitate construction of the determined cycleway which will realise a number of positive impacts for the benefit present and future generations including:

- The potential for reduced traffic congestion and necessary vehicle trips;
- Improved health and lifestyle benefits afforded by the provision of a safe and dedicated cycleway route;
- The potential for environmental savings through reductions in vehicle emissions and noise pollution;
- Improved safety and 'journey ambience' for cyclists through the provision of a separate dedicated cycleway, removing them from the current mixed traffic environment;
- The potential for savings in government transport infrastructure building and operating costs;
- Improved pedestrian amenity through the provision of pedestrian crossings and reduced likelihood of cyclists riding on the footpath through the provision of a separate cycleway.

### **8.3.3 Conservation of biological diversity and ecological integrity**

The principle of biological diversity and ecological integrity states that:

*conservation of biological diversity and ecological integrity should be a fundamental consideration.*

The proposed modification is unlikely to have an impact on biological diversity and ecological integrity. The proposed modification is to be built in a highly urbanised area where the potential for adverse impacts on biological diversity are considered minimal. The vegetation to be removed for the proposed modification is highly modified and urbanised and will be replaced with compensatory plantings.

### **8.3.4 Improved valuation, pricing and incentive mechanisms**

The principle of improved valuation of environmental resources states that:

*environmental factors should be included in the valuation of assets and services, such as:*

- (i) *polluter pays – that is, those who generate pollution and waste should bear the cost of containment, avoidance or abatement,*
- (ii) *the users of goods and services should pay prices based on the full life cycle of costs of providing goods and services, including the use of natural resources and assets and the ultimate disposal of any waste,*
- (iii) *environmental goals, having been established, should be pursued in the most cost effective way, by establishing incentive structures, including market mechanisms, that enable those best placed to maximise benefits or minimise costs to develop their own solutions and responses to environmental problems.*

The cost of environmental resources includes those costs that are incurred in order to protect the environment. In this way, any environmental safeguards that are imposed in order to minimise adverse impacts result in economic costs to the construction and operation of the project. This indicates that the valuation of environmental resources has been assigned.

As described in this addendum REF, the construction methodology for the proposed modification will be designed to minimise adverse impacts on the environment by confining works to defined areas and implementing appropriate mitigation measures where environmental impacts are expected.

## **8.4 Conclusion**

This addendum REF has examined and taken into account to the fullest extent possible all matters affecting or likely to affect the environment by reason of the proposed activity.

This has included consideration where relevant, of conservation agreements and plans of management under the NPW Act, biodiversity stewardship sites under the BC Act, wilderness areas, areas of outstanding value, impacts on threatened species, populations and ecological communities and their habitats and other protected fauna and native plants. It has also considered potential impacts to matters of national environmental significance listed under the Federal EPBC Act.

A number of potential environmental impacts from the proposed modification have been avoided or reduced during the design development and options assessment. The proposed modification as described in the addendum REF best meets the project objectives, but would still result in some impacts on the additional amenity trees proposed for removal. Safeguards and management measures as detailed in this addendum REF would ameliorate or minimise these expected impacts. The proposed modification would also facilitate construction of the determined Kingsford to Centennial Park Walking and Cycling Improvements project. On balance the proposed modification is considered justified and the following conclusions are made.

### **Significance of impact under NSW legislation**

The proposed modification would not result in a change to the findings of the project REF and previous addendum REF and would be unlikely to cause a significant impact on the environment. Therefore, it is not necessary for an environmental impact statement to be prepared and approval to be sought from the Minister for Planning under Division 5.2 of the EP&A Act. A Biodiversity Development Assessment Report or Species Impact Statement is not required. The proposed modification is subject to assessment under Division 5.1 of the EP&A Act. Consent is not required.

### **Significance of impact under Australian legislation**

The proposed modification would not likely cause a significant impact on matters of national environmental significance or the environment of Commonwealth land within the meaning of

the EPBC Act. A referral to the Australian Government Department of Agriculture, Water and the Environment is not required.

## 9 Certification

### DECISION

#### Person who prepares the EIA

I certify to the best of my knowledge that:

- I am suitably qualified and competent to complete this REF:
- I have completed this REF and
- The assessment meets the requirements of sections 5A, 111 and 112 of the EP&A Act, clause 228 of the EP&A Regulation and other relevant legislation and guidelines discussed in \_\_\_\_\_ and
- The information contained in the REF is not materially misleading, and
- My assessment has been adequately completed, and
- My conclusion as to the likely environmental impact of the project is reasonable and
- I am satisfied that subject to the inclusion of the mitigation measures included above, the project will not have a significant impact on the environment during both the construction and operation phases.

**Signature**

**Date:** 19 September 2022

**Name**

Jarita Zeng

### Sign Off

#### Determining Officer – Council Officer Who Verifies the EIA

I certify to the best of my knowledge that:

- I am suitably qualified and competent to verify the completion of this REF.
- The person who completed this REF is suitably qualified and competent and

#### EITHER

- Based on the completed REF and my knowledge of the project, the assessment has been adequately completed, the project has minor and predictable impacts, the conclusion as to the likely environmental impact of the project is reasonable and **the project can proceed** subject to the relevant control measures and conditions in any approvals, licences or permits.

#### OR

- The project requires additional environmental assessment because:

**NOTE:** A site visit may be required depending on level of confidence and risk to the environment.

**Signature**

**Date:** 28 Dec 2022

**Name**

Frank Ko

## 10 References

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Terms and acronyms used in this addendum REF

Term / Acronym	Description
<b>BC Act</b>	<i>Biodiversity Conservation Act 2016 (NSW).</i>
<b>CEMP</b>	Construction / Contractor's environmental management plan
<b>EP&amp;A Act</b>	Environmental Planning and Assessment Act 1979 (NSW). Provides the legislative framework for land use planning and development assessment in NSW
<b>EPBC Act</b>	Environment Protection and Biodiversity Conservation Act 1999 (Commonwealth). Provides for the protection of the environment, especially matters of national environmental significance, and provides a national assessment and approvals process.
<b>ESD</b>	Ecologically sustainable development. Development which uses, conserves and enhances the resources of the community so that ecological processes on which life depends, are maintained and the total quality of life, now and in the future, can be increased
<b>LEP</b>	Local Environmental Plan. A type of planning instrument made under Part 3 of the EP&A Act.
<b>NES</b>	Matters of national environmental significance under the Commonwealth <i>Environment Protection and Biodiversity Conservation Act 1999</i> .
<b>SEPP</b>	State Environmental Planning Policy. A type of planning instrument made under Part 3 of the EP&A Act.



# **Appendix A**

**Consideration of section 171(2) factors and matters of National Environmental Significance and Commonwealth land**

## Section 171(2) Checklist

In addition to the requirements of the Is an EIS required? (1995/1996) guideline and the Roads and Related Facilities EIS Guideline (DUAP, 1996) as detailed in the addendum REF, the following factors, listed in section 171(2) of the Environmental Planning and Assessment Regulation 2021, have also been considered to assess the likely impacts of the proposed modification on the natural and built environment.

Factor	Impact
<p><b>Any environmental impact on a community?</b></p> <p>The removal of additional street trees would temporarily reduce the visual amenity of the streetscapes until compensatory planting matures as described in Section 6.1.</p>	Short-term minor negative
<p><b>Any transformation of a locality?</b></p>	Nil
<p><b>Any environmental impact on the ecosystems of the locality?</b></p>	Nil
<p><b>Any reduction of the aesthetic, recreational, scientific or other environmental quality or value of a locality?</b></p> <p>The removal of additional street trees would temporarily reduce the visual amenity of the streetscapes until compensatory planting matures as described in Section 6.1.</p>	Short-term minor negative
<p><b>Any effect on a locality, place or building having aesthetic, anthropological, archaeological, architectural, cultural, historical, scientific or social significance or other special value for present or future generations?</b></p>	Nil
<p><b>Any impact on the habitat of protected fauna (within the meaning of the <i>National Parks and Wildlife Act 1974</i>)?</b></p>	Nil
<p><b>Any endangering of any species of animal, plant or other form of life, whether living on land, in water or in the air?</b></p>	Nil
<p><b>Any long-term effects on the environment?</b></p>	Nil
<p><b>Any degradation of the quality of the environment?</b></p>	Nil
<p><b>Any risk to the safety of the environment?</b></p>	
<p><b>Any reduction in the range of beneficial uses of the environment?</b></p>	Nil
<p><b>Any pollution of the environment?</b></p>	Nil
<p><b>Any environmental problems associated with the disposal of waste?</b></p>	Nil
<p><b>Any increased demands on resources (natural or otherwise) that are, or are likely to become, in short supply?</b></p>	Nil
<p><b>Any cumulative environmental effect with other existing or likely future activities?</b></p>	Short-term minor negative

Factor	Impact
Yes, the determined project and proposed modification would have cumulative tree impacts resulting in temporary reduction of visual amenity until compensatory planting matures as described in Section 6.1.	
<b>Any impact on coastal processes and coastal hazards, including those under projected climate change conditions?</b>	Nil
<p><b>Applicable local strategic planning statements, regional strategic plans or district strategic plans made under the Act, Division 3.1.</b></p> <p>Compensatory tree plantings will be selected in accordance with the <i>Randwick Street Tree Master Plan</i> (Randwick City Council).</p>	
<b>Other relevant environmental factors</b>	In considering the potential impacts of this proposal all relevant environmental factors have been considered, refer to Chapter 6 of this assessment.

## Matters of National Environmental Significance and Commonwealth land

Under the environmental assessment provisions of the EPBC Act, the following matters of national environmental significance and impacts on Commonwealth land are required to be considered to assist in determining whether the proposed modification should be referred to the Australian Government Department of Water, Agriculture and the Environment.

Under the EPBC Act strategic assessment approval a referral is not required for proposed road actions that may affect nationally listed threatened species, populations, endangered ecological communities and migratory species. Impacts on these matters are assessed in detail as part of this addendum REF in accordance with Australian Government significant impact criteria and taking into account relevant guidelines and policies.

<b>Factor</b>	<b>Impact</b>
<b>Any impact on a World Heritage property?</b>	Nil
<b>Any impact on a National Heritage place?</b>	Nil
<b>Any impact on a wetland of international importance?</b>	Nil
<b>Any impact on a listed threatened species or communities?</b>	Nil
<b>Any impacts on listed migratory species?</b>	Nil
<b>Any impact on a Commonwealth marine area?</b>	Nil
<b>Does the proposed modification involve a nuclear action (including uranium mining)?</b>	Nil
<b>Additionally, any impact (direct or indirect) on Commonwealth land?</b>	Nil

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# **Appendix B**

## **Statutory consultation checklists**



# Transport and Infrastructure SEPP

## Certain development types

Development type	Description	Yes / No	If 'yes' consult with	ISEPP clause
Car Park	Does the project include a car park intended for the use by commuters using regular bus services?	No		ISEPP cl. 95A
Bus Depots	Does the project propose a bus depot?	No		ISEPP cl. 95A
Permanent road maintenance depot and associated infrastructure	Does the project propose a permanent road maintenance depot or associated infrastructure such as garages, sheds, tool houses, storage yards, training facilities and workers' amenities?	No		ISEPP cl. 95A

## Development within the Coastal Zone

Issue	Description	Yes / No / NA	If 'yes' consult with	ISEPP clause
Development with impacts on certain land within the coastal zone	Is the proposal within a coastal vulnerability area and is inconsistent with a certified coastal management program applying to that land?	No		ISEPP cl. 15A

Note: See interactive map here: <https://www.planning.nsw.gov.au/policy-and-legislation/coastal-management>. Note the coastal vulnerability area has not yet been mapped.

Note: a certified coastal zone management plan is taken to be a certified coastal management program

## Council related infrastructure or services

Issue	Potential impact	Yes / No	If 'yes' consult with the relevant local council(s).	ISEPP clause
<b>Stormwater</b>	Are the works likely to have a substantial impact on the stormwater management services which are provided by council?	No		ISEPP cl.13(1)(a)
<b>Traffic</b>	Are the works likely to generate traffic to an extent that will strain the capacity of the existing road system in a local government area?	No		ISEPP cl.13(1)(b)
<b>Sewerage system</b>	Will the works involve connection to a council owned sewerage system? If so, will this connection have a substantial impact on the capacity of any part of the system?	No		ISEPP cl.13(1)(c)
<b>Water usage</b>	Will the works involve connection to a council owned water supply system? If so, will this require the use of a substantial volume of water?	No		ISEPP cl.13(1)(d)
<b>Temporary structures</b>	Will the works involve the installation of a temporary structure on, or the enclosing of, a public place which is under local council management or control? If so, will this cause more than a minor or inconsequential disruption to pedestrian or vehicular flow?	No		ISEPP cl.13(1)(e)
<b>Road &amp; footpath excavation</b>	Will the works involve more than minor or inconsequential excavation of a road or adjacent footpath for which council is the roads authority and responsible for maintenance?	No		ISEPP cl.13(1)(f)

### Local heritage items

Issue	Potential impact	Yes / No	If 'yes' consult with the relevant local council(s)	ISEPP clause
<b>Local heritage</b>	Is there is a local heritage item (that is not also a State heritage item) or a heritage conservation area in the study area for the works? If yes, does a heritage assessment indicate that the potential impacts to the heritage significance of the item/area are more than minor or inconsequential?	No		ISEPP cl.14

### Flood liable land

Issue	Potential impact	Yes / No	If 'yes' consult with	ISEPP clause
<b>Flood liable land</b>	Are the works located on flood liable land? If so, will the works change flood patterns to more than a minor extent?	No		ISEPP cl.15
<b>Flood liable land</b>	Are the works located on flood liable land? (to any extent). If so, do the works comprise more than minor alterations or additions to, or the demolition of, a building, emergency works or routine maintenance	No		ISEPP cl.15AA

Note: Flood liable land means land that is susceptible to flooding by the probable maximum flood event, identified in accordance with the principles set out in the manual entitled Floodplain Development Manual: the management of flood liable land published by the New South Wales Government.



## Public authorities other than councils

Issue	Potential impact	Yes / No	If 'yes' consult with	ISEPP clause
<b>National parks and reserves</b>	Are the works adjacent to a national park or nature reserve, or other area reserved under the <i>National Parks and Wildlife Act 1974</i> , or on land acquired under that Act?	No		ISEPP cl.16(2)(a)
<b>National parks and reserves</b>	Are the works on land in Zone E1 National Parks and Nature Reserves or in a land use zone equivalent to that zone?	No		ISEPP cl. 16(2)(b)
<b>Aquatic reserves and marine parks</b>	Are the works adjacent to an aquatic reserve or a marine park declared under the <i>Marine Estate Management Act 2014</i> ?	No		ISEPP cl.16(2)(c)
<b>Sydney Harbour foreshore</b>	Are the works in the Sydney Harbour Foreshore Area as defined by the <i>Sydney Harbour Foreshore Authority Act 1998</i> ?	No		ISEPP cl.16(2)(d)
<b>Bush fire prone land</b>	Are the works for the purpose of residential development, an educational establishment, a health services facility, a correctional centre or group home in bush fire prone land?	No		ISEPP cl.16(2)(f)
<b>Artificial light</b>	Would the works increase the amount of artificial light in the night sky and that is on land within the dark sky region as identified on the dark sky region map? (Note: the dark sky region is within 200 kilometres of the Siding Spring Observatory)	No		ISEPP cl. 16(2)(g)
<b>Defence communications buffer land</b>	Are the works on buffer land around the defence communications facility near Morundah? (Note: refer to Defence Communications Facility Buffer Map referred to in clause 5.15 of Lockhardt LEP 2012, Narrandera LEP 2013 and Urana LEP 2011).	No		ISEPP cl. 16(2)(h)
<b>Mine subsidence land</b>	Are the works on land in a mine subsidence district within the	No		ISEPP cl. 16(2)(i)

Issue	Potential impact	Yes / No	If 'yes' consult with	ISEPP clause
	meaning of the <i>Mine Subsidence Compensation Act 1961</i> ?			

#### Growth Centres SEPP

Issue	Potential impact	Yes / No	If 'yes' consult with	SEPP clause
<b>Clearing native vegetation</b>	Do the works involve clearing native vegetation (as defined in the Local Land Services Act 2013) on land that is not subject land (as defined in cl 17 of schedule 7 of the <i>Threatened Species Conservation Act 1995</i> )?	No		SEPP 18A

## **Appendix C**

**Neutral or beneficial effect on water quality assessment**

## Neutral or Beneficial Effect Assessment

State Environmental Planning Policy (Biodiversity and Conservation) 2021 relates to the use of land within the Sydney drinking water catchment. In accordance with Clause 8.11 of the SEPP, Transport for NSW is required to consider whether or not an activity to which Division 5.1 of the EP&A Act applies will have a neutral or beneficial effect on water quality before carrying out the activity.

Factor	Impact
<p><b>1. Are there any identifiable potential impacts on water quality?</b></p> <p><b>What pollutants are likely?</b></p> <p><b>During construction and/or post construction?</b></p>	<p>Topsoil may be disturbed by the tree removal comprising the proposed modification. Topsoil may exit into and pollute the local stormwater system during construction (tree removal). This pollutant would be adequately managed by the soil management safeguards of the determined REF.</p>
<p><b>2. For each pollutant, list the safeguards needed to prevent or mitigate potential impacts on water quality (these may be DPE Water endorsed current recommended practices and/or equally effective other practices)</b></p>	<p>Erosion and sedimentation safeguards.</p>
<p><b>3. Will the safeguards be adequate for the time required? How will they need to be maintained?</b></p>	<p>Erosion and sedimentation safeguards will need to be inspected and maintained daily.</p>
<p><b>4. Will all impacts on water quality be effectively contained on the site by the identified safeguards (above) and not reach any watercourse, waterbody or drainage depression?</b></p> <p><b>Or will impacts on water quality be transferred outside the site for treatment? How? Why?</b></p>	<p>Water quality impacts will be effectively contained on the site by the identified safeguards (above) and not reach any watercourse, waterbody or drainage depression.</p>

Factor	Impact
<b>5. Is it likely that a neutral or beneficial effect on water quality will occur? Why?</b>	The proposed modification is likely to have a neutral effect on water quality.

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# **Appendix D**

**Arboricultural impact assessment**