

# Appendix B

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Consideration of clause 228(2) factors and matters of national environmental significance

## Clause 228(2) Checklist

In addition to the requirements of the *Is an EIS required?* guideline (DUAP 1995/1996) and the *Roads and Related Facilities EIS Guideline* (DUAP 1996) as detailed in the REF, the following factors, listed in clause 228(2) of the *Environmental Planning and Assessment Regulation 2000*, have also been considered to assess the likely impacts of the proposal on the natural and built environment.

Factor	Impact
<p>a. Any environmental impact on a community?</p> <p>In the short-term, for the duration of the construction period, the local community may experience some negative impacts, arising from reduced and changed access to and from Sydney Harbour Bridge southern cycleway, reduced visual amenity, and possibly slightly higher dust generation. Other construction work in the proposal area may lead to construction fatigue for residents and those who work in or pass through the proposal area.</p> <p>In the long-term, the proposal would have a positive impact on the local community. This positive impact would arise from more efficient traffic movements and no toll booths and other infrastructure to impede views and visual amenity. This impact is likely to be permanent.</p>	<p>Construction - short-term, minor negative impact.</p> <p>Operation – long term, positive impact.</p>
<p>b. Any transformation of a locality?</p> <p>The proposal would not transform the locality, but it would modify the existing cycleway and construct a new pedestrian/cyclist bridge. The proposal is largely contained within a disturbed area and the modification to the locality is unlikely to be significant.</p> <p>During the construction period, the modification would have a negative impact.</p> <p>During operation the modified locality would be a positive outcome for the community of cyclists and pedestrians that use the upgraded cycleway.</p>	<p>Construction – short term, minor negative impact</p> <p>Operation – long term, positive impact</p>
<p>c. Any environmental impact on the ecosystems of the locality?</p> <p>The proposal is located in an area that has been long modified by urban and road infrastructure development. Site visits and searches undertaken for this REF indicate that there is no native vegetation within the study area and little vegetation to provide forage habitat for threatened species, such as grey-headed flying-fox. The proposed work would remove nine trees which may provide forage resources. These trees are only a small portion of resources available in the wider locality. Tree plantings are proposed as part of landscaping and urban design.</p>	<p>Construction – short term, negative impact</p> <p>Operation – negligible impact</p>

Factor	Impact
<p>d. Any reduction of the aesthetic, recreational, scientific or other environmental quality or value of a locality?</p> <p>In the short-term, for the duration of the construction period, the local community may experience some negative impacts due to reduced visual amenity, the removal of some trees which provide shade for the outdoor exercise facility, and a temporary loss of access to the exercise area. The proposal has sought to minimise impacts to the community through design development. The proposal is largely contained within an existing urban corridor.</p> <p>In the long term, the proposal would have a positive impact on the locality by providing a safer and more accessible cycleway and a reconfigured and improved outdoor exercise area. Tree plantings are proposed as part of landscaping and urban design.</p>	<p>Construction – short term, minor negative impact</p> <p>Operation – long term, minor</p>
<p>e. 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?</p> <p>The proposal would not impact on any known Aboriginal heritage sites.</p> <p>The proposal would impact on non-Aboriginal heritage items including the Sydney Harbour Bridge, Millers Point and Dawes Point Village Precinct, Millers Point Heritage Conservation Area, the National Trust Centre/S.H. Ervin Gallery, Fort Street Primary School Site, Messenger’s Cottage and Sydney Observatory and park.</p> <p>The impact on heritage items is not expected to be significant after the application of the safeguards and management measures discussed in Section 6.1.</p>	<p>Construction – negligible impact</p> <p>Operation – negligible impact</p>
<p>f. Any impact on the habitat of protected fauna (within the meaning of the <i>National Parks and Wildlife Act 1974</i>)?</p> <p>There is limited vegetation to provide forage habitat for threatened species, such as grey-headed flying-fox.</p> <p>The proposed work would remove several planted fig trees which may provide forage resources. These trees are only a small portion of resources available in the wider locality.</p>	<p>Construction – short term, negative impact</p> <p>Operation – negligible impact</p>
<p>g. Any endangering of any species of animal, plant or other form of life, whether living on land, in water or in the air?</p> <p>The proposal would require the removal of 19 trees including vegetation that may provide forage habitat for threatened species, such as grey-headed flying-fox. These trees are only a small portion of resources available in the wider locality.</p>	<p>Construction – short term, negative impact</p> <p>Operation – negligible impact</p>

Factor	Impact
<p>h. Any long-term effects on the environment?</p> <p>In the long term, there would be positive changes to the locality by improving the access and safety for the community of cyclists and pedestrians that use the upgraded cycleway. The land use of the area would be consistent, and the area of additional vegetation clearance required for construction negligible in the context of the surrounding area.</p>	<p>Operation – long term, positive impact</p>
<p>i. Any degradation of the quality of the environment?</p> <p>In the short term, for the duration of the construction period, there may be some negative impacts on the quality of the environment, arising from reduced and changed access to the existing cycleway, reduced visual amenity, and possibly slightly higher dust generation.</p> <p>In the long term, there would be positive changes to the locality by improving the access and safety for the community of cyclists and pedestrians that use the upgraded cycleway.</p>	<p>Construction – short term, minor negative impact</p> <p>Operation – long term, positive impact</p>
<p>j. Any risk to the safety of the environment?</p> <p>In the short-term, for the duration of the construction period, there may be some higher risk to the safety of the environment. These risks would be avoided, minimised or mitigated by the implementation of environmental safeguards.</p> <p>In the long term, there would be positive changes to the locality by improving the access and safety for the community of cyclists and pedestrians that use the upgraded cycleway.</p>	<p>Construction – short term, minor negative impact</p> <p>Operation – long term, positive impact</p>
<p>k. Any reduction in the range of beneficial uses of the environment?</p> <p>In the short term, for the duration of the construction period, there may be some negative impacts on the quality of the environment, arising from reduced and changed access to the existing cycleway, reduced visual amenity, possibly slightly higher dust generation and the removal of some trees which provide shade for the outdoor exercise facility.</p> <p>In the long term, there would be positive changes to the locality by improving the access and safety for the community of cyclists and pedestrians that use the upgraded cycleway.</p>	<p>Construction – short term, minor negative impact</p> <p>Operation – long term, positive impact</p>
<p>l. Any pollution of the environment?</p> <p>In the short-term, for the duration of the construction period, there may be some negative impacts from slightly higher dust generation and increased vehicles associated with construction activities.</p> <p>In the long term, the proposal would have a positive impact on the quality of the environment by encouraging walking and cycling by creating a safer and easier to access the cycleway and pedestrian facility.</p>	<p>Construction – short term, minor negative impact</p> <p>Operation – long term, positive impact</p>

Factor	Impact
<p>m. Any environmental problems associated with the disposal of waste?</p> <p>As detailed in Section 6.9 of this REF, the main types of waste generated from this project, have been classified to identify suitable recycling and safe disposal in accordance with RMS specifications and the requirements of the Waste Classification Guidelines.</p> <p>Waste materials would be reused or disposed of by an approved waste disposal contractor to a licensed landfill facility, following the Management of Wastes on Roads and Maritime Services Land procedure (RMS, 2014c).</p>	<p>Construction – short term, minor negative impact</p> <p>Operation – long term, negligible</p>
<p>n. Any increased demands on resources (natural or otherwise) that are, or are likely to become, in short supply?</p> <p>The proposal would not place any increased demand on resources, natural or otherwise, that are or are likely to become in short supply.</p>	<p>N/A</p>
<p>o. Any cumulative environmental effect with other existing or likely future activities?</p> <p>Potential cumulative impacts could occur as the result of simultaneous construction projects of the Sydney Harbour Bridge northern cycleway and other projects in the vicinity of the proposal. Some minor and temporary cumulative impacts are predicted as result of these projects including traffic delays and noise.</p> <p>These impacts can be effectively managed through coordination of the construction timetable and phasing of construction activities to avoid peak hours where possible.</p>	<p>Construction – short term, minor negative impact</p> <p>Operation – long term, neutral</p>
<p>p. Any impact on coastal processes and coastal hazards, including those under projected climate change conditions?</p> <p>There would be no impact to coastal processes or hazards.</p>	<p>N/A</p>

## Matters of National Environmental Significance

Under the environmental assessment provisions of the *Environment Protection and Biodiversity Conservation Act 1999*, the following matters of national environmental significance and impacts on Commonwealth land are required to be considered to help in determining whether the proposal should be referred to the Australian Government Department of the Environment.

A referral is **not** required for proposed actions that may affect nationally listed threatened species, populations, endangered ecological communities and migratory species. Impacts on these matters are still assessed as part of the REF in accordance with Australian Government significant impact criteria and taking into account relevant guidelines and policies.

Factor	Impact
<p>a. Any impact on a World Heritage property?</p> <p>The study area is not a World Heritage Property; the closest is the Sydney Opera House, about 700m to the east of the proposal area. Potential impacts from the proposal are limited to the study area only, therefore the proposal would not impact upon any World Heritage Property.</p>	Nil
<p>b. Any impact on a National Heritage place?</p> <p>The study area is next to the heritage listed Sydney Harbour Bridge including pylons, pedestrian stairs and access roads. The proposal is contained within an existing urban environment and would not impact the nationally listed heritage item as it is outside the heritage curtilage. Management and safeguards would limit the potential for impacts on this property.</p>	Nil, the works are outside the Sydney Harbour Bridge curtilage, which is listed as National Heritage.
<p>c. Any impact on a wetland of international importance?</p>	Nil
<p>d. Any impact on a listed threatened species or communities?</p> <p>The proposal would remove a small amount of vegetation which may provide forage habitat for grey-headed flying-foxes, listed as Vulnerable under the EPBC Act. The proposed work would remove 19 trees including fig trees which may provide forage resources. These trees are only a small portion of resources available in the wider locality.</p>	Yes, minor impact to foraging resources to the grey-headed flying-fox
<p>e. Any impacts on listed migratory species?</p>	Nil
<p>f. Any impact on a Commonwealth marine area?</p>	Nil
<p>g. Does the proposal involve a nuclear action (including uranium mining)?</p>	Nil
<p>Additionally, any impact (direct or indirect) on Commonwealth land?</p>	Nil