

## **416 Group submission to the proposed Wicks Road modification to the Warringah Freeway Upgrade 19.11.22**

The original 416 Group submission to the proponent has been copied in at the end.

### **Process**

The proposal was not part of the original Warringah Freeway Upgrade EIS. It has been communicated to potentially affected residents through the Modification Application Process. The standards of objective independence have been absent as the proponent has managed the process and of course wants to get on with the job. DPE has only been provided with the proponent's summary of previous submissions. Persons who made those previous submissions have not been individually notified of the opportunity to submit to DPE. Finally, the time allowed for submissions to DPE has been very short. Eg webinar by proponent on 16.11.22, deadline 22.11.22.

### **Consultation** (see scan of track of distributor)

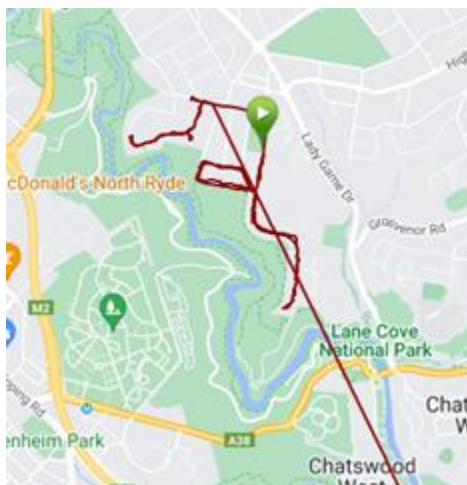
The information flier was distributed in

Killara to:

Albert Drive from about #45, Bimbil Place, Charles St upto about #30

Lindfield to:

Carramar Rd, Knox St, Bradfield Rd , Charles St



In Killara and Lindfield it was not distributed to:

Albert Drive upto #43

Horwood Ave, Terrace Rd, Fiddens Wharf Rd, Johnson St and Edmund St

There was no information provided via social media (eg West Lindfield/Killara Facebook Group) or the Hornsby Ku-ring-gai Post newspaper. An advert was placed by DPE in the North Shore Times however unfortunately this newspaper has not been distributed in the area for some years and the digital edition is believed to have very low subscription.

As a result of the above there is low awareness of the proposal. As a small voluntary community group, the 416 Group has endeavored to raise awareness however its resources are limited.

Also, with homes turning over on average every 11 years newer residents do not have the lived experience of past noise impacts.

The proponent has produced a second flier dated November 2022 which outlines 'what you told us' and 'how we are addressing the feedback'. When asked at the webinar on 16 November what *changes* had been made as result of feedback the answer was effectively none because the operator believes the impacts can be managed as per the original proposal.

## **Noise**

The main concern of residents is noise. The residential area is quiet and very quiet (35dba) at night. Noise on the site has been managed to date by:

- Building enclosure around the waste transfer station
- Ceasing grinding of green waste
- Limiting the operating hours and the annual tonnage of the Ryde City Council operation with conditions as per the licence
- Limiting the height of the stockpiling (bundling) to 8 metres and 4 metres on one lot on the site
- Night work never previously having been permitted – the area is very quiet and especially within the airport curfew hours 11pm-6am.

A container wall trialed for a period was judged only marginally effective. The previous residents of 55 Albert Drive who were recent retirees were sufficiently disturbed by the noise that they sold up after owning the house for only about three years. The noise problem was only finally resolved when grinding of green waste ceased. The ineffectiveness of the wall may have been a result of insufficient height and the source of the noise often not being next to but some distance away from the wall.

The height of stockpiling is important because machinery has to build up the material to that height and work upon it. It is believed that when complaints have been made to Ryde City Council the height of the stockpiling has been a factor. Residents with line of site being able to observe the operation. By way of example when the adjacent cemetery was extended in its northern corner there was extensive day time bulldozing which was loud and intrusive.

## **Duration**

The project has been described as 'temporary' but at the same time for upto 5 years (and residents fear what may be proposed for additional projects beyond that). It is not like construction of a road or light rail which may be very intrusive while it is underway but which is over once that particular section has been completed. 5 years is not 'temporary' and the mitigation needs to be of a standard which reflects that. It is a little comfort for the operator to say trust us and 24/7 community support will listen to complaints at any time.

## **Conclusions**

1. Limit the height of stockpiling to the same 8 and 4 metre heights in the licence for the existing Ryde City Council operation. At present the proposal is for upto 10 metres.
2. No night deliveries and associated work to spread material unless an acoustic shed is constructed on site to contain the delivery of night construction materials and secondly that the proponent fund acoustic modification of those affected homes with bedrooms facing the site to reduce sleep disturbance.
3. Pre-approval require a separate report on impact of nocturnal fauna in the Lane Cove National Park.
4. Require the operator to form and manage a Community Consultation Committee to meet quarterly on site (as was done by a previous operator)

Dear Transport for NSW

Please accept this submission from the 416 Group regarding the proposal to use Wicks Road as a construction support site for the Warringah Freeway Upgrade with operations forecast to last five years and to operate 24 hours, seven days a week. This submission is after the due date for the reason set out in my previous email. Please note also that in our email of 5 May 2022 we asked that the 416 Group be registered as a stakeholder and this has not occurred, and no communication to the Group has been received regarding the proposal. Details regarding the 416 Group can be found on its website here: <https://www.416group.org>

### **Alternative locations**

No information has been provided in the August 2022 flier *Warringah Freeway Upgrade* regarding the alternative locations assessed for a Construction Materials Recycling facility. We would expect these to have included the sites uses for North Connex and the Sydney Metro. Also, the option of transporting spoil to a final destination to avoid double handling has not been listed.

### **Porters Creek/Wicks Road**

Use of the Porters Creek site for noisy activities has a 25-year history of conflict with local residents and the National Park. The impact of the noise on residents was the reason the 416 Group was originally established. The installation of stacked shipping containers to form a sound barrier was judged a placebo and made only a little practical difference. The problem was not resolved until the Porters Creek operator ceased green waste grinding activity. In 2021 the 416 Group again had cause to make representations to Ryde City Council regarding bulldozing activity that was impacting residents. The Porters Creek gully funnels noise directly across the Lane Cove valley to residents in Killara and Lindfield. Many homes have bedrooms with windows that are south/southwest facing. In the past, morning activity has been a particular problem. Whilst the nearest residential properties are 500 metres away, the lived experience of the people living in those properties has been that noise disturbs and in particular it impacts on sleep. This noise has included from the operation of heavy machinery, steel on steel, reversing, dumping, grinding and crushing.

The Wicks Road site has not previously been permitted to be used for 24-hour activity.

Acoustic monitoring was conducted in early 2022 behind 57 Albert Drive. I repeat my request of 5 May that the report of that investigation be made available. It will be the 416 Group's intention to exercise its rights through the Environment Protection Authority and under the relevant legislation.

### **Lane Cove National Park**

The Lane Cove Valley is a gazetted National Park. Its role in preserving diversity of flora and fauna is highly valued. At night the Park is very quiet and during the Sydney airport curfew from 11.00pm to 6.00am it is almost silent. Due to the steep topography of the valley, there is minimal light pollution from Macquarie Park. Much of the fauna is nocturnal. By way of example near the Riverside Drive bridge over Porters Creek a pair of rare and endangered powerful owls are nesting.

### **Planning process**

The information flier says that the proposed construction and operation of this site was not identified during the Waringah Freeway Upgrade Environmental Impact Statement process. That the proponent will now be requesting modification to the project's Conditions of Approval with the Department of Planning and Environment. It claims that detailed planning and investigations have been carried out to understand how the operation of the site will impact residents and to identify appropriate mitigation measures. This detailed planning has involved until August 2022 no consultation with residents.

Apart from retaining vegetation and dust suppression the only mitigation proposed appears to be "12 metre long stacked shipping containers along the southern boundary and north-eastern boundary as noise wall". As noted above such a barrier was previously ineffective at containing noise.

No Environmental Impact Statement has been prepared for this site and there is no explanation as to why CPB Downer as the proponent believes an Environmental Impact Statement is not required.

The community consultation has been limited to a flier dated 31 March 2020 (meant 2022) regarding noise monitoring and a second flier in August 2022 with a short response time for feedback. It is not known how extensively the leaflet was distributed. To our knowledge no information has been posted in local media or social media to raise awareness of the proposal. Residents at work were not able to attend two day-time drop-in sessions convened in Ryde.

We submit that the proposal should be subject to an EIS and that the Department of Planning and Environment should not consider the application without a proper process.

Julian Ledger

President, 416 Group

23 September 2022