



Willoughby Environmental Protection Association

URGENT – UPPER HOUSE INQUIRY ON THE TUNNEL PROJECTS SUBMISSIONS CLOSE FRIDAY JUNE 18

**Amended 14 June with corrected Terms of Reference listing
plus amended information and inclusions at Terms of Reference (i)**

Dear WEPA Member,

As a result of the extent of community objection, a NSW Parliamentary Inquiry into the Western Harbour (WHT) and Beaches Link tunnels (BLT) project is underway.

Submissions close Friday, June 18.

We are encouraging everyone to make a submission to demonstrate the ongoing extent of community concerns. By all means, recycle comments and text from earlier submissions but do so by reference to the Terms of Reference for the Inquiry which can be [found here](#).

How to lodge your submission

1. [Click on this link](#)
2. Click on “To lodge a submission, click here”.
Complete your details and make your comments.
3. Click on “Submit”.

Responding to the Inquiry Terms of Reference.

We have included the following information and comments – matched to the **Inquiry Terms of Reference** (in red text) - to assist you in making your response.

(a) the adequacy of the business case for the project, including the cost benefits ratio

The business case has not been released, so it is not possible to judge.

(b) the adequacy of the consideration of alternative options:

The only alternatives considered in the WHT and BLT Environmental Impact Statements (EISs) were motorway tunnels in different alignments, and a cursory reference to public transport alternatives. Congestion pricing was not considered at all.

Despite the environmental impacts, the contamination risks and the construction impacts, the EISs give no serious consideration to alternatives.

Public Transport

The WHT EIS does not assess the impact of the B-line buses on congestion on the Harbour Bridge and Military Road. Nor does it take account of the possible impact of a rapid and frequent public transport link between the identified growth area around Frenchs Forest and Chatswood when combined with the metro to the city to be completed in 2024. The metro will have an estimated Chatswood to Barangaroo trip time of 9 minutes (11 minutes to Martin Place) and a departure every 4 minutes.

The BLT EIS mentions the planned rapid bus service from Dee Why to Chatswood operating in conjunction with the new metro but blithely dismisses its potential impact with:

While these projects would contribute to reducing congestion... they would not be sufficient to resolve the existing road network capacity constraints between the lower North Shore and the Northern Beaches. This is due to the complexity of journey patterns and trip purposes within Greater Sydney and the dispersed nature of origin and destination points for an individual journey.

No mention is made of Census journey to work data showing that 52.1% of Northern Beaches residents work in their own Local Government Area (LGA) and 65% of the remainder work in either the City of Sydney, North Sydney, Willoughby or Ryde LGAs. Given that the EIS refers to the Military Road/Spit Road and Warringah Road/Eastern Valley Way corridors generally operating over capacity during peak periods but not at other times, journey to work data becomes particularly relevant.

The BLT EIS shows that the Warringah Road corridor is both busier and more congested than the Spit/Military Road corridor while being less used by public transport, reinforcing the need to consider public transport alternatives utilising this corridor.

There is no question of capacity constraints with the BLT EIS stating that the metro will provide a capacity increase of 100,000 passengers an hour.

(c) The cost of the project, including the reasons for overruns.

No comment

*(d) the consideration of the **governance and structure** of the project including the use of a 'development partner' model*

No comment

(e) the extent to which the project is meeting the original goals of the project

No comment

*(f) the **consultation methods and effectiveness**, both with affected communities and stakeholders*

Both the WHT and BLT EISs were released at Christmas, when public focus is distracted, and were then open for comment across a month or more of school holiday breaks when schools were closed (and Parents & Citizens Association not convened) and parents across the area preoccupied with caring for children. The difficulty of this timing for the community was exacerbated by the restrictions imposed by the COVID-19 pandemic on meetings, community gatherings, libraries and access to computing equipment.

Misleading statements

The consultation documentation is full of misleading statements and opaque analysis.

Misleading statements have been made in the EISs and prior information documents regarding expected travel time savings from the projects. It is never made clear that projected time savings are not based on current travel times but rather on projections of a future if planned densification in areas such as French Forest and Mona Vale goes ahead.

Misleading statements have also been made in the EIS for the BLT (page 3.2) as to the impact of COVID-19 on future traffic volumes on relevant routes, by stating that traffic has returned to pre-COVID levels without considering the substantial but temporary decline in public transport patronage.

Artist impressions in consultation documents have been misleading by, amongst other things, understating the visual impact of ventilation stacks in the Balgowlah area, and understating the gradients along Flat Rock Drive which will have traffic lights installed near its lowest point to enable heavy vehicle access. Motorway facility sheds are shown in distant views and camouflaged green.

Historical analysis of previous land use has ignored potential sources of dangerous contaminants such as the Hallstrom refrigerator plant, despite it being mentioned in the historical study referred to in the EIS.

Intersection modelling has been made opaque by using performance bands, rather than time periods.

(g) the extent to which changes in population growth, work and travel patterns due to the Covid-19 pandemic have impacted on the original cost benefit ratio

The projects have proceeded on the basis that COVID-19 will have no impact on the traffic volumes on which the projects' benefits are predicated whereas evidence suggests that COVID-19 will lead to lower traffic volumes than those predicted.

As opposed to the statement in the BLT EIS, the evidence suggests that COVID-19 is likely to result in lower traffic levels than predicted due to reduced population growth and a greater degree of working from home.

For instance, Infrastructure Australia's December 2020 report *Infrastructure beyond Covid-19* states:

A 2020 Gartner CFO survey reports that 74% (CFOs) expect a shift whereby some employees remote work permanently, indicating significant uncertainty for CBDs following COVID-19.

In similar vein, *The Sydney Morning Herald* of 20 April 2021 quotes the NSW Chief Economist, Stephen Walters:

We are not coming in 100 per cent five days a week and so the reality is the demand for office space is not going to be what it used to be.

As regards population growth, the Australian Government Centre for Population website states:

The impact of COVID-19 is expected to be long lasting. Australia's population is expected to be smaller and older than projected prior to the onset of the pandemic.

Australia's population is estimated to be around 4 per cent smaller (1.1 million fewer people) by 30 June 2031 than it would have been in the absence of COVID-19. The population will also be older as a result of reduced net overseas migration and fewer births. Despite COVID-19, Australia's population is still growing and is expected to reach 28 million during 2028–29, three years later than estimated in the absence of COVID-19.

COVID-19 is projected to slow population growth across all geographic areas, with the duration and magnitude linked to the importance of net overseas migration to different parts of the country.

Capital cities are projected to bear the heaviest impacts, with total population across capital cities estimated to be around 5 per cent lower by 30 June 2031 than in the absence of COVID-19. By contrast, population outside the capital cities is estimated to be around 2 per cent smaller than it would otherwise have been.

- (h) whether the NSW Government **should publish** the base-case financial model and benefit cost ratio for the for the project and its component parts*
- (i) whether the project is subject to the appropriate levels of **transparency and accountability** that would be expected of a project delivered by a public sector body*

The failure to publish the business case, and the failure of the EISs to include relevant matters means that the projects fail to meet the levels of transparency and accountability which taxpayers are entitled to expect.

The failure to consider and compare alternatives becomes of particular concern given the failure to release the business cases justifying the projects.

Until recently no business case had been submitted to Infrastructure Australia with the result that the BLT in conjunction with the WHT were classified as an initiative rather than a project. The WHT has now been evaluated by Infrastructure Australia with the Project Business Case Evaluation Summary, published in April 2021, showing a benefit to cost ratio of between 1.2 and 1.3. While this evaluation takes into account the costs of some “dis-benefits” mentioned in the Infrastructure Australia summary, the question of whether the benefits have been properly costed or whether an alternative solution to the problem would produce a higher benefit to cost ratio, is left unanswered. The Infrastructure Australia summary also notes that “... *cost estimates presented in the business case submitted by the proponent to Infrastructure Australia are from 2017*”. They do not take into account additional costs such as those which may arise from required remediation measures once comprehensive environmental and contamination assessments are completed.

It should be noted that Glen Searle, town planner, researcher and educator, who is also an Honorary Associate Professor at The University of Queensland and the University of Sydney, gave evidence to the West Connex Parliamentary Inquiry in relation to costs that should have been included in the West Connex business. This list included the costs of:

- upgrading connecting roads which has been estimated as being in excess of \$1billion for the St Peter's interchange alone
- negative health outcomes to residents from construction-related stress and ongoing noise and pollution stack emissions which will lead to lower property values of houses next to surface sections of the motorway
- lost heritage value
- increased congestion costs during construction
- losses of revenue to businesses adjacent to the project construction or businesses affected by traffic diversions required for construction.

If the same methodology has been used for the WHT and BLT then these costs may not have been considered.

(j) the impact on the environment, including marine ecosystems

Wildlife and Habitat

The tunnel works will result in the clearing of up to 6 acres of bushland habitat at the top of a catchment with flow on effects to the rest of Flat Rock Gully, Tunks Park, Middle Harbour, the Sailors Bay foreshores, and local and regional north-south and east-west wildlife corridors.

The futures of Flat Rock Gully and the currently pristine foreshores of Clive Park are unclear and part of this bushland/shoreline habitat may be lost to our area forever.

Hundreds of local species will lose their habitat, be driven away by loss of habitat, noise, lights and contamination or bulldozed under during construction.

Numerous threatened species of animals (including the Powerful Owl and microbats) and plants have been identified in the EISs as being affected by the projects and proposed ameliorations are inadequate. The use of biodiversity offsetting to buy credits elsewhere when local animals are lost merely drives species extinctions in our LGA.

Marine

The environmental health of Middle Harbour and foreshores has improved dramatically over the last few decades in terms of the clarity of the water, return of sea organisms and of marine fish and animals. The health of these waters is threatened by the destruction of foreshore areas, dredging of the harbour floor, potential for existing contamination to be redispersed, storing of contaminated materials and the increase in marine traffic on Middle Harbour and across to Spit Point. More than 70 threatened species around Middle Harbour are at risk during construction and from the disruption of contaminated sediment.

Climate Change

Broader environmental impacts such as the climate change impacts of greater car use, compared to public transport have not been considered.

Air Quality

The impact on air quality, as compared to the public transport alternatives, has not been considered.

Vibration

Proposed ameliorations are insufficient to protect geological and Indigenous cultural features from dangers identified in the EISs due to vibration.

(k) the adequacy of processes for accessing and responding to noise, vibration and other impacts on residents, during construction and operationally

Processes for responding to threats to residents from contamination have shown themselves to be inadequate. Processes for responding to threats to residents from vibration have, from West Connex experience, also shown themselves to be inadequate.

The lack of compliance with and enforcement of Conditions of Approval (COAs) applying to the WHT demonstrate that the processes aren't working.

Failure to protect against risks from contamination

The WHT proceeded to approval with only a preliminary assessment of contamination being completed. This is problematic as many aspects of the project such as waste removal and remediation cannot be planned for without a detailed assessment. The BLT EIS has also not included any detailed assessment, but this is unfortunately not expected to be a barrier to approval given the approval of the WHT without one.

Instead, the Department of Planning Industry and Environment (DPIE) imposed Conditions of Approval (COA) on the WHT which required a Detailed Site Investigation (DSI) to be undertaken, before construction starts, where a site has been identified in the EIS as being at moderate to high risk of being contaminated.

The DSI, which should contain the more detailed contamination assessment, is supposed to be placed on the TfNSW website, before construction starts. There is no requirement that the DSI report remain on the website for a specified time before work commences to enable it to be considered by residents, other stakeholders or regulators such as the EPA, which is itself problematic.

Construction began at the Ridge Street site, within St Leonard's Park, without the DSI report being prepared and published. Standard contamination management measures required by the COA, such as dust screens and run-off controls also appear not to have been implemented, despite the proximity of the site to a pre-school.

Of the three DSI reports prepared to date - Ridge Street, North Sydney, Rosalind Street, Cammeray and Arthur Street, North Sydney – the first two involve a site carved out of a park and one in close proximity to a school, respectively. They do not adequately protect school children, and other sensitive users, as they:

- do not consider impacts, and transmission pathways, off-site as required by the COA
- assess contaminants according to generic industrial/commercial health-based investigation levels rather than the more rigorous recreational/residential levels. There would be exceedances of benzo(a)pyrene at all sites and lead at Arthur Street if samples at the sites are assessed against recreational/residential levels.
- in Rosalind Street asbestos and polycyclic aromatic hydrocarbons reported in the WHT EIS have been ignored, on the basis that it couldn't be confirmed that the samples referred to in the EIS showing the presence of those contaminants were taken within the site.

The Ridge Street issues were reported to the DPIE, on 9 April but no enforcement action has been taken. The recently published Rosalind St and Arthur St DSIs have also been reported to the DPIE for investigation.

The failure to effectively manage contamination risks directly impacts resident's access to recreation due to identified threats including to Bicentennial Park and Flat Rock Gully from disturbance of a former tip site; and to Middle Harbour (including the learn-to swim site at Clive Park) and Northbridge Baths from disturbance of contaminated sediment.

The projects will also have many other impacts on residents, both during construction and operationally, which could be avoided were alternatives to be considered including the loss of sailing courses in Middle Harbour due to construction of immersed tube

tunnels; the loss of visual and aural amenity due to construction of immersed tube tunnels; and traffic impacts including those outlined below.

Traffic

Heavier traffic in local streets will make crossing more difficult, especially for kids and the elderly in Cammeray, Neutral Bay and North Sydney.

“The intersection of Ben Boyd Road and Military Road would operate with longer delays as a result of the project due to changes to access and travel patterns at the Ernest Street and Falcon Street interchanges”. (p. 236 Western Harbour Tunnel and Warringah Freeway Upgrade Technical working paper: Traffic and transport)

The motorway developers appear to have calculated that extra volume on the motorway system justifies heavier traffic on our local streets and villages. The traffic report shows delays at intersections in the 2027 morning peak by comparing their performance without the tunnel and with the tunnel. The percentage below indicates the **extra traffic delay** that results from the tunnels:

INTERSECTION	EXTRA DELAY
Amherst Street/West Street	+80%
Amherst Street/Miller Street	+81%
Miller Street/Ernest Street	+76%
Military Road/Ben Boyd Rd	+327%
Falcon Street/Merlin Street	+46%
Berry Street/Walker Street	+66%

Data source: WHT&WFU EIS p. 9-23 to 24

Extra delay in local streets means inconvenience for drivers and danger for people walking to school or the shops. Our community is already living with a major motorway cutting through it. This project will enlarge the motorway and concentrate traffic at restricted entry points, encouraging ‘rat runs’.

(l) *the impact of the project on nearby public sites, including Yurulbin Point and Dawn Fraser Baths, and*

The impact of the projects on nearby public sites includes the permanent loss of 2.8 hectares of community green space, equivalent to four soccer fields, in Cammeray Park; and the impact on areas such as Bicentennial Reserve, Flat Rock Gully, Northbridge Baths and Clive Park mentioned above.

The BLT also poses contamination risks to Tunks Park which is at risk from contamination emanating from the old tip site in Flat Rock Gully, as notified to the EPA

by Willoughby Council in February 2021 pursuant to section 60 of the *Contaminated Land Management Act. 1979*.

(m) any other related matter

No comment

Further information can be found in the [WEPA submission](#) to the Beaches Link Tunnel Environmental Impact Statement on the [WEPA website](#).

The closing date for submissions is June 18. Please submit your input to the NSW Parliamentary Inquiry now.

WEPA

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