

WOLLSTONECRAFT PRECINCT ('Precinct')

SUBMISSION ON THE BEACHES LINK & GORE HILL FREEWAY EIS

The review of the EIS for these projects has identified significant concerns including:

1. inadequate justification and need,
2. air quality and human health concerns and
3. loss of green, open space,
4. traffic impacts in North Sydney CBD and on the Pacific Highway

The analysis has also concluded that aspects of the Secretary's Environmental Assessment Requirements (SEARs) have not been adequately met in the EIS. Due to the limited time available given to absorb the massive amount of information in the EIS documents, Precinct's objections do not cover all of these concerns or in detail.

Precinct has reviewed the North Sydney Council submission report adopted at Council's meeting on 22 February and fully endorse its contents which are included below. We add other substantive comments ahead of that report:

1. Inadequate Justification and Need.

Precinct recommends that it either be abandoned or completely revised preferably in favour of a solution that is based on public transport that will: cost less, be capable of moving more people, have much lower impact on North Sydney CBD, integrate with other public transport systems, reduce rather than increase vehicular traffic, and align with the NSW government's policy of an aspirational target to achieve net zero emissions of CO₂e greenhouse gas emissions by 2050. Reasons for this objection are:

- Almost all other progressive cities in the world are restricting or reducing growth of road traffic in favour of public transport. Transport for NSW itself has a preference for public transport over more roads yet RMS, its recently adopted orphan subsidiary is continuing with its plan for this unwarranted project without any financial justification.
- An enquiry to RMS received this response: *“A summary of the final business case will be prepared and released by Infrastructure NSW (the NSW Government's independent infrastructure advisory agency), once an investment decision has been made.”* Such a statement is beyond comprehension.

Precinct concludes from that statement, that the NSW government will proceed with the project including the WHT and WFU regardless of objections from the community. In such circumstances, the Department of Planning and Industry and Environment as the Consent Authority has an obligation to ensure that any approval for the project ensures that the concerns of the community are properly considered regardless of cost or time considerations.

- Infrastructure NSW, an 'independent Authority', in its 8 years of operation since inception in 2011 and first reporting in 2012 has never once chosen in any of its

annual reports, to promote the WHT & BL project as one worthy of investment that meets its charter to ensure that the taxpayer's money is spent wisely. Although INSW had been directed to include the project in the State Infrastructure Strategy (see below) the caveat has always been that it is subject to an approved business case. That premise has been discarded making it apparent that influence of vested interests has been prioritised ahead of good business sense and of the community.

- Against that background in 2014, the then Premier directed, in developing the *State Infrastructure Strategy*, Infrastructure NSW should take into account certain State strategic priorities - major projects to address congestion on key arterial routes across Sydney, including in Southern Sydney, the West and Northern Beaches, and the augmentation of WestConnex with greater north/south connectivity.

This is significant as it effectively prioritised motorway construction before a comparative evidence-base was generated or detailed regional analysis of current and future travel patterns was undertaken, to inform decisions about the preferred transport mode or route alignment from a broad set of options. This analysis is ordinarily expected to occur in best practice strategic transport planning.

The Premier's directive resulted in the inclusion of the Western Harbour Tunnel (WHT), on an alignment premised on a future motorway connection to the Northern Beaches (Beaches Link), in INSW's 2014 update of the *State Infrastructure Strategy*.

- In September 2017 another significant event occurred: The Premier announced in the middle of a by-election campaign for the electorate of North Shore that government had decided to push ahead with the WHT & BL project. Once again there was no consideration of alternative modes of transport. Here we see the interests of other parties being prioritised.
- In July, 2018 the NSW Government released the '*Western Harbour Tunnel and Beaches Link Project Update*'. In response to this, North Sydney Council made a submission to the WHT/BL consultation, requesting clarification of numerous issues and concerns identified in the report as well as the following:
 - that the government release a strategic/final business case for WHT/BL;
 - that more information regarding the design, construction and operational impacts on North Sydney be provided;
 - that WHT/BL exhaust stacks be filtered; and
 - that clarification of the impacts of *WHT/BL* on existing and future open space, sports facilities and water treatment infrastructure at Cammeray Golf Course be provided.
 - Precincts and members of the public also lodged similar submissions. Despite large volumes of information on public exhibition, none of the specific questions and comments have ever been answered properly if at all. One question never answered but now required under SEAR's is to report on alternative modes of transport for the WHT&WFU and Beaches Link.

- The EIS which comprises 9,000 pages dismisses alternative modes of transport such as rail and bus. In the case of the Beaches Link, RMS claims population is insufficient to warrant a mass transit railway. In that case it certainly does not justify a road tunnel with 3 lanes in both directions.
- Against this background, RMS's only justification is outlandish claims that motorists will save travel time. For example, claiming 56 minutes saved on a trip from Dee Why when Google indicates normal travel time of 1 hour 15 minutes is absurd.
- Justification of the project is also based on modelling that excludes the impact of the mode-shift that will result when Sydney Metro West is operational about the time when the WHT and BL is planned to be completed. It's exclusion from WHT and BL modelling is fundamental as its inclusion in the analysis would potentially further bring into question the need for a road tunnel proposal.

2. **Air quality and human health concerns.**

The proposal doesn't align with the NSW government policy of net zero CO2e emissions by 2050 and for this reason alone it is not justifiable. One would expect a government authority to stop and think:- why propose a project for more vehicular road traffic when it is a fact that public transport by rail produces only a fraction of the CO2e greenhouse gas as would a major public road built for petrol and diesel driven vehicles.

- Actual and forecast statistics produced by the IPCC, state that the base case level of world atmospheric CO2 now is 410 ppm and in 2100 will be 940 ppm, a staggering 134% increase.
- An alternative proposal for rail transport would be preferable to the road tunnel and would contribute to the economy with a superior overall outcome.

Precinct's other concerns were also reflected in our earlier submission to the Western Harbour Tunnel & Warringah Freeway Upgrade EIS which was mostly ignored by Transport for NSW in its response to the almost 1,400 objections. The WHT&WFU has subsequently been approved with conditions. This BL&GHF EIS serves as another opportunity to highlight the importance of obtaining certainty over the future outcomes in both projects.

NORTH SYDNEY COUNCIL SUBMISSION - EXECUTIVE SUMMARY:

On 9 December 2020 the NSW Government released the BL&GHF EIS. The public exhibition period for the EIS concludes on Monday 1 March 2021. The review has identified concerns including:- construction and operational road network impacts, air quality and human health concerns, environmental, social and amenity impacts as well as the potential for various State and Local projects to be compromised.

Much of Council's concern is reflected in an earlier submission to the Western Harbour Tunnel EIS which has subsequently been approved. Council staff have been dealing with the early works of this project and how the project itself will be delivered, the impacts of the delivery on the community and the use and subsequent return of Council assets, particularly open space project. The BL&GHF EIS serves as another opportunity to highlight the importance of obtaining certainty over the future outcomes for the range of Council assets and programs in both projects, particularly regarding:

- returning a net increase in open space to the North Sydney community, including through the undergrounding of the Motorway Facilities Buildings in Cammeray Park to the maximum extent possible.
- capturing any traffic reductions on Military Road and articulating these through a Military Road "local benefits program" prior to construction.
- Minimizing the impact on the North Sydney CBD traffic volumes and resulting urban safety and amenity.

BACKGROUND

In July 2018, the NSW Government released the Western Harbour Tunnel and Beaches Link (WHT/BL) Project Updates. A WHT/BL Project Updates report was received by Council on 29 October 2018. In line with resolutions linked to this report, Council made a significant submission to the WHT/BL consultation, requesting clarification of issues identified in the report as well as the following:

- that State Government release a strategic/final business case for WHT/BL; • that more information regarding the design, construction and operational

impacts of WHT/BL on North Sydney be provided;

- that WHT/BL exhaust stacks are filtered; and
- that clarification of the impacts of WHT/BL on existing and future open space,

sports facilities and water treatment infrastructure at Cammeray Golf Course be provided.

On 9 December 2020, the NSW Government released the BL&GHF EIS for consultation. Analysis in this report provides the basis for the proposed Council BL&GHF EIS submission attached.

CONSULTATION REQUIREMENTS

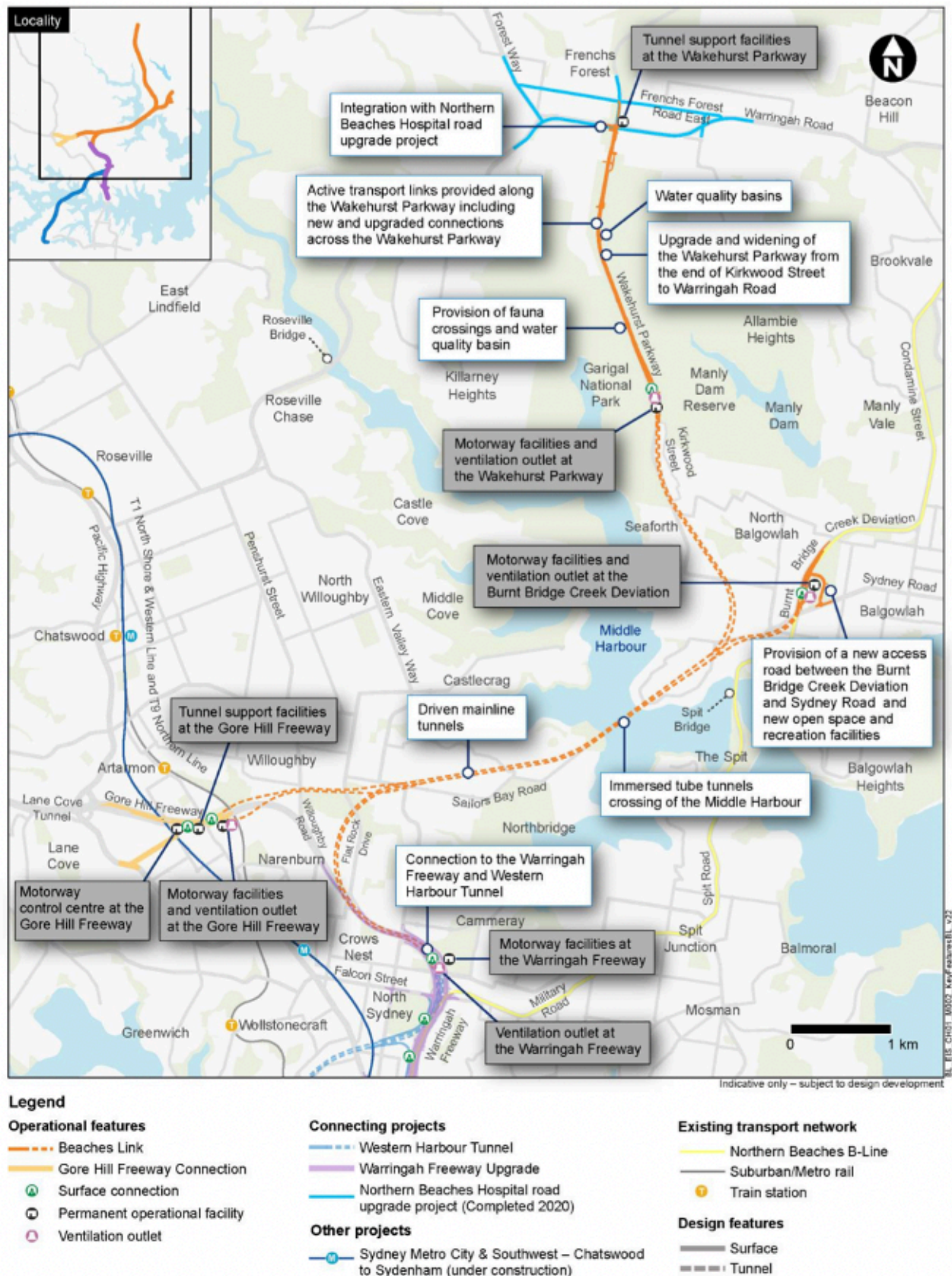
The community consultation for these projects is being conducted by TfNSW. Council has, however, endeavoured to keep the community updated wherever possible on matters relating to these projects through the provision of updates on Council's website and hosting of exhibition documentation in Council's Administration Building and the Stanton Library. Whilst Council has not requested written submissions, the concerns raised by community members have helped inform the assessment process and Council's submission.

DETAIL

1. Project Description

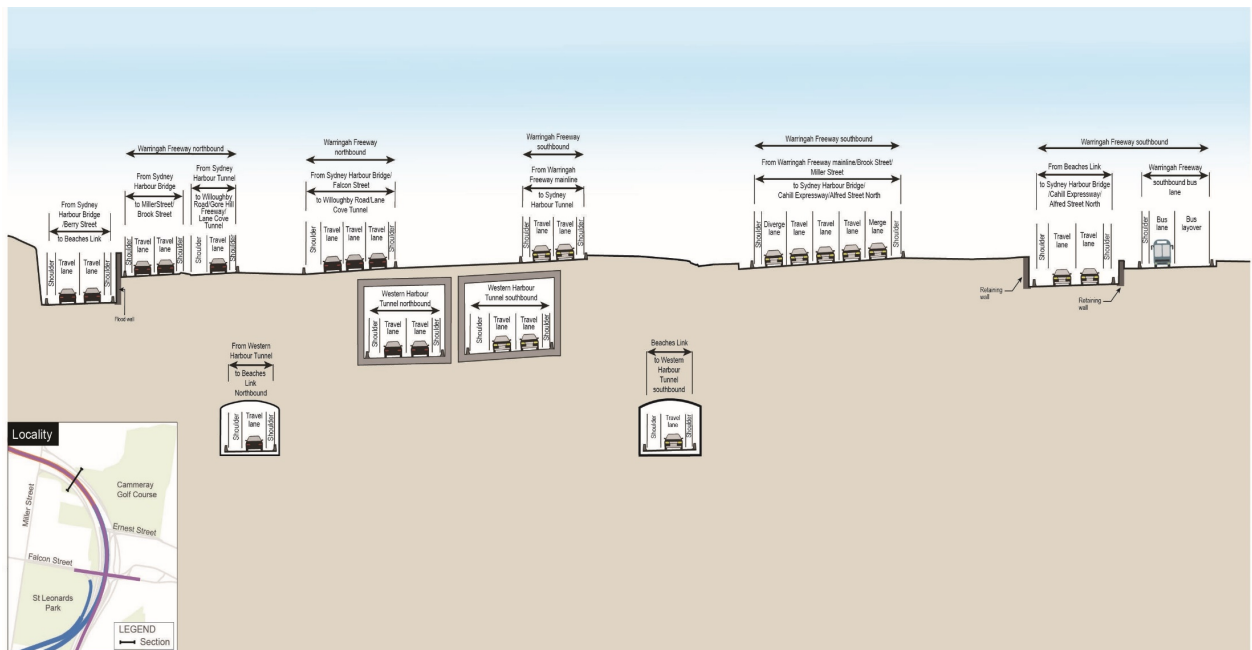
The proposed BL&GHF projects comprise twin tolled motorway tunnels with three traffic lanes in each direction, stretching between the Burnt Creek Deviation/Wakehurst Parkway at Balgowlah and the Warringah Freeway/Gore Hill Freeway at Cammeray and Artarmon. Unlike the Western Harbour Tunnel and Warringah Freeway Upgrade (WHT&WFU) projects, the majority of the BL&GHF surface impacts are either outside of the North Sydney LGA or have already been considered as part of Council's WHT&WFU EIS consultation submission.

This does not mean that the BL&GHF proposals have any less of an impact on North Sydney amenity or the function of its local traffic network, with significant additional Lower North Shore traffic using the Pacific Highway (southbound), Berry Street and proposed Warringah Freeway access lanes to access the northbound BL portal on the Warringah Freeway.



BL&GHF technical working paper: Traffic and Transport (Jacobs 2020)

The WHT and BL projects are described in the EIS as “integrated” projects, this integration is limited to a single traffic lane connecting BL to WHT (see cross-section below) leaving the remaining two lanes to enter the Sydney CBD. This suggests that providing a link between the Northern Beaches and Sydney’s strategic motorway network (WestConnex) is now only a small part of BL’s intended function.



Chapter 5: Project Description page 45 WHT&WFU EIS (2020)

The BL&GHF EIS plans still show 4 lanes of eastbound traffic on Berry Street in spite of TfNSW commitments to support delivery of the North Sydney Integrated Transport Plan (NSITP) and the following requirement being placed in the WHT&WFU approval instrument by the Department of Planning, Infrastructure and Environment (DPIE):

E162 The Critical State Significant Infrastructure (CSSI) must not preclude the delivery of the objectives proposed by the North Sydney Integrated Transport Program in consultation with the Government Architect NSW and North Sydney Council.

Reducing the arterial traffic function of Berry Street is a key objective of the NSITP project. The above condition should be replicated in any approval.

2. BL&GHF Project Assessment

2.1. Open Space – Cammeray Park

The construction and post-construction impacts on North Sydney open space is substantial. The permanent loss of much valued land in Cammeray Park (28,896m² in total, including for the WHT/WFU project) is of significant concern. The proposed

WHT/WFU/BL/GHF Motorway Facilities Buildings do not need to be on the surface as proposed and can be placed underground to minimise the visual impact and maximise retention of usable open space for the North Sydney & regional community. The WHT terms of approval cites cost and extended construction impacts as the reason for not undergrounding the Facilities building for that project. However, it does not refer to the cost to the community for loss of open space. The construction costs are temporary, whereas the loss of open space and visual impacts are permanent. The facilities buildings consist primarily of ventilation and substation equipment and precedents show that these facilities can be placed underground. If the project proceeds, the development of an overarching strategy for negotiation of financial and open space loss amelioration and compensation is warranted.

It is notable that the following requirement was placed in the WHT&WFU approval instrument by the Department of Planning, Infrastructure and Environment (DPIE) in relation to the WHT/BL projects impact on Cammeray Park:

E157 The CCSI must result in a net increase in usable open space. Replacement space must be in the general vicinity of the loss, unless agreed to by the Planning Secretary.

Retuning open space to the North Sydney community is vital. The above condition should be replicated in any approval and amended to require that the net increase in usable open space be replaced in the North Sydney LGA. As part of achieving such an outcome it is strongly recommended that the Motorway Facilities Buildings in Cammeray Park are undergrounded to the maximum extent possible.

2.2. Construction and Operational Road Network Impacts

Although the majority of direct construction traffic management impacts of the BL&GHF projects are either outside of the LGA or have already been critiqued in Council's response to the WHT/WFU EIS, it should be noted that occupation of construction site BL1 (the Cammeray Golf Course construction site) will be extended by 2 years (7 years total) to 2027 as a direct result of the BL&GHF projects. This will cause significant flow-on impacts on other arterial and local roads in the North Sydney LGA.

Following completion, analysis has revealed that BL&GHF proposals will negatively impact the North Sydney road network, particularly on the Pacific Highway, Miller Street and Berry Street. The proposal indicates there will be a reduction of traffic on Military Road.

The proposal as shown in the EIS (i.e. 4 Berry Street traffic lanes) will both directly and indirectly impact upon numerous adopted and draft State and Local Government strategic projects and initiatives. Some of these include: the State Government's North Sydney Integrated Transport Plan (NSITP) including delivery of Miller Place

(NSITP), the endorsed North Sydney CBD Transport Masterplan, the endorsed North Sydney Public Domain Strategy, the endorsed Ward Street Masterplan, the Military Road Planning Study and the Civic Precinct Planning Study. This will likely curtail the ability of Council to deliver upon the employment and housing targets established by the Greater Sydney Commission and reflected in Council's endorsed Local Strategic Planning Statement.

Whilst not specifically outlined in the Secretary's Environmental Assessment Requirements (SEARs), the responsible consideration of the BL&GHF projects should consider the Greater Sydney Commission's 'A Metropolis of Three Cities', 'The North District Plan' as well as other State Government strategies such as the Military Road 'Road Network Plan'. The BL&GHF projects will impact the achievement of numerous endorsed strategic directions, priorities and actions as well as specific projects within these plans.

Specifically, the BL&GHF projects must be reviewed to reflect the TfNSW commitments to support delivery of the NSITP and the following requirement being placed in the WHT&WFU approval instrument by the Department of Planning, Infrastructure and Environment (DPIE):

E162 The CSSI must not preclude the delivery of the objectives proposed by the North Sydney Integrated Transport Program in consultation with the Government architect NSW and North Sydney Council.

Reducing the arterial traffic function of Berry Street is a key objective of the NSITP project as is the delivery of Miller Place.

The BL proposal indicates that there will be a 10-15% reduction of traffic on Military Road. Whilst this is a modest reduction, there may be strategies to amplify this and create a more engaging and pedestrian focussed environment for the centres of Cremorne, and Neutral Bay along this corridor. This reduction in traffic volume will be temporary unless permanent strategies are put in place to "lock in" such change. As such it recommended that a condition requiring a local traffic benefits program be prepared and finalised before construction commences such that these savings can realistically be delivered.

2.3. Air Quality, Human Health and Social Wellbeing

The location of the proposed ventilation stacks is a key concern for the community as has been repeatedly articulated at various forums since the announcement of the projects.

One aspect of the methodology that warrants further interrogation is the assumption that background air quality growth will continue on its current trajectory

(under a no-project scenario). Modelled emissions increases (resulting from the project) are then represented as a portion or measure above the projected air quality. This methodology appears flawed in that the same modelling also takes some account of projected emissions reductions likely to occur over time, assumedly to present the proposed project in a more environmentally favourable light. Further, it has been identified that soon to be revised NO₂ (Nitrogen Oxide) standards are proposed in the National Environment Protection Measure (Ambient Air Quality) should be applied to the project as part of a more general reassessment of the potential impacts of the proposal.

The (non) filtration of ventilation stacks on motorways across Sydney has been a highly contentious issue throughout communities surrounding these areas. The detail provided in support of this project is extensive and highly technical in nature. It ultimately reaches the conclusion that the appropriate design of ventilation outlets would achieve the same outcomes as installing air filtrations systems and do not represent an unreasonable risk to the community. The community's willingness of acceptance of any risk to human health (associated through the concentration of an emissions point as a result of this project), is understandably low.

Even if one were to accept the evidence on face value, precautionary application of a filtration system, in line with various international practices, should be considered a prudent and more responsible approach to this issue. This would better satisfy the SEARs Air Quality objective 'to minimise air quality impacts to minimise risks to human health and environment to the greatest extent practicable'.

2.4. Environmental Impact

The proposal for the Middle Harbour crossing includes the use of submerged tunnel construction method that requires significant dredging and sediment disturbance of the harbour floor. In consideration of the Sydney Metro City and South-West project, (currently under construction), this method of construction was deemed to present an unacceptable level of risk and tunnel boring (under the harbour floor) was deemed the most environmentally sensitive construction method. This is clearly articulated in the Metro EIS (Chapter 4.6):

"...the likely environmental impacts associated with dredging and cofferdam construction in the harbour would be considerable."

Several significant environmental concerns have been identified with respect to impacts on water quality, marine biodiversity, foraging habitat as well as known roosting sites of threatened species. Other related bushland impacts and access concerns are outlined in the detailed submission.

More broadly, the project facilitates ease of journeys being undertaken by private vehicle. To the extent this leads to induced demand, it will have a flow on environmental impact from any increase in traffic movements.

3. Mitigation Measures

Through detailed analysis staff have identified a range of mitigation measures as being necessary to more clearly define and attempt to ameliorate the adverse impacts of the BL&GHF projects. Key measures include:

- Review modelling using revised assumptions including current population growth/distribution forecasts, Metro West and Sydney Metro Western Sydney Airport as well as consideration of current traffic network capacity constraints.
- Include the delivery of NSITP (TfNSW) and North Sydney CBD Transport Masterplan (NSC) objectives (including delivery of Miller Place) in BL&GHF scope.
- Identify and include a Military Road “Local Benefits Program” as a key deliverable of the BL&GHF projects.
- Funding of additional Council staff positions to manage the wide range and complex nature of current and future inter-agency liaison, design and permit review, legal processes, community engagement and the like.

The identified mitigation measures have not been costed. These suggested measures are all identified as being necessary and reasonable so as to reduce the level of adverse impacts on the North Sydney community.

4. Next Steps

Following public exhibition of the EIS, DPIE will forward all submissions to the Applicant to prepare a Response to Submissions Report. It is understood this report will be published by DPIE and may request that Council respond to the report.

A firm timeframe has not been indicated as to when the Minister for Planning and Public Spaces will determine the application.