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Director – Transport Assessment, Planning and Assessment  
Dept. Of Planning, Industry and Environment  
Locked Bag 5022  
Parramatta, NSW 2124

1 March 2021

Dear Sir/Madam,

**RE: North Sydney Council's Beaches Link EIS Submission**

On 22 February 2021, North Sydney Council considered the Beaches Link and Gore Hill Freeway Connection EIS Submission report (attached) and resolved:

1. *THAT Council resolve to make a submission to the NSW Department of Planning, Industry and Environment on the Beaches Link and Gore Hill Freeway Connection Environmental Impact Statement consistent with the concerns expressed in this report.*
2. *THAT the General Manager be delegated authority to incorporate any amendments or additions and finalise the submission to be forwarded to the NSW Department of Planning, Industry and Environment.*
3. *THAT the submission form the basis of any further near-term discussions and negotiations with the proponent including following issues of concern.*
  - a) *The lack of alternative transport options including public transport*
  - b) *The lack of filtering in the proposed exhaust stacks;*
  - c) *The unnecessary loss of public open space and future open space, loss of sporting facilities, loss of trees and canopy, loss of water treatment infrastructure;*
  - d) *The adverse impacts on our schools and school children;*
  - e) *The Environmental impact on waterways, reserves, flora and fauna*
  - f) *Lack of meaningful community consultation*
  - g) *Concern for the health and wellbeing of our residents.*
  - h) *Concerns for impacts on aboriginal heritage and maritime environment.*
4. *THAT Council write to the Premier and Minister for Transport requesting that the period for the submissions be extended by one month*

The issues a) to h) above have been raised in earlier submissions on the Western Harbour Tunnel and Beaches Link proposals. For brevity the associated concerns are not repeated in this submission. Council would however appreciate the opportunity to discuss these matters with Transport for NSW with the aim of mitigating them.

The primary commentary in this submission focusses on the direct impact on North Sydney Council transport planning and management, the North Sydney CBD place making and future growth agenda, and the return condition of Council owned or managed public domain and open space.

Council is seeking that, should the projects be approved, consistency is maintained between all other relevant Western Harbour Tunnel conditions and Beaches Link conditions of approval. Specifically:

- a) Beaches Link delivery must result in a net increase in usable open space in the North Sydney LGA, consistent with Western Harbour Tunnel condition E157.

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 would go some way to offsetting the considerable impact on the LGA.

Further it is critical that open space impacts be identified up front and their future state agreed to as a priority given that WHT early works are commencing without an agreement in place.

- b) Beaches Link delivery should not preclude the delivery of North Sydney Integrated Transport Program objectives and works, consistent with Western Harbour Tunnel condition E162.

NSC has worked extensively with TfNSW in the Integrated Transport Plan for several years now, working towards minimizing the impact on the North Sydney CBD traffic volumes and resulting urban safety and amenity.

Lastly, a Military Road "Local Benefits Program" should be included as an integral part of the delivery of the Beaches Link project, capturing any traffic reductions on Military Road and articulating these clearly prior to construction.

Council is committed to working collaboratively with all relevant agencies and stakeholders in this project and would be happy to discuss these comments directly with the assessment team in order to provide local knowledge and further community input. If you would like to discuss the comments above, please contact the undersigned on 9936 8300.

Yours sincerely,



**JOSEPH HILL**  
**DIRECTOR CITY STRATEGY**

CC Jim Betts  
Dept. Of Planning,  
Industry and Environment  
Locked Bag 5022  
Parramatta, NSW 2124

## **8.6. Beaches Link and Gore Hill Freeway Connection EIS Submission**

**AUTHOR:** Joseph Hill, Director City Strategy

**ATTACHMENTS:** Nil

### **PURPOSE:**

To seek endorsement to submit a formal response to the Department of Planning, Industry and Environment regarding the Beaches Link and Gore Hill Freeway Connection (BL&GHF) Environmental Impact Statement (EIS).

### **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.

A Council endorsed submission is recommended, consistent with the main concerns identified within this report.

### **FINANCIAL IMPLICATIONS:**

The BL&GHF projects will have significant financial impacts for the North Sydney community and Council, however such impacts are very difficult to accurately express.

**RECOMMENDATION:**

- 1. THAT** Council resolve to make a submission to the NSW Department of Planning, Industry and Environment on the Beaches Link and Gore Hill Freeway Connection Environmental Impact Statement consistent with the concerns expressed in this report.
- 2. THAT** the General Manager be delegated authority to incorporate any amendments or additions and finalise the submission to be forwarded to the NSW Department of Planning, Industry and Environment.
- 3. THAT** the submission form the basis of any further near-term discussions and negotiations with the proponent.

## **LINK TO COMMUNITY STRATEGIC PLAN**

The relationship with the Community Strategic Plan is as follows:

1. Our Living Environment
  - 1.1 Protected and enhanced natural environment and biodiversity
  - 1.2 North Sydney is sustainable and resilient
  - 1.3 Quality urban greenspaces
  - 1.4 Public open space and recreation facilities and services meet community needs
2. Our Built Infrastructure
  - 2.1 Infrastructure and assets meet community needs
  - 2.2 Vibrant centres, public domain, villages and streetscapes
  - 2.3 Sustainable transport is encouraged
  - 2.4 Improved traffic and parking management
3. Our Future Planning
  - 3.1 Prosperous and vibrant economy
  - 3.2 North Sydney CBD is one of NSW's pre-eminent commercial centres
  - 3.3 North Sydney is smart and innovative
  - 3.4 North Sydney is distinctive with a sense of place and quality design
4. Our Social Vitality
  - 4.1 North Sydney is connected, inclusive, healthy and safe
5. Our Civic Leadership
  - 5.1 Council leads the strategic direction of North Sydney

## **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**

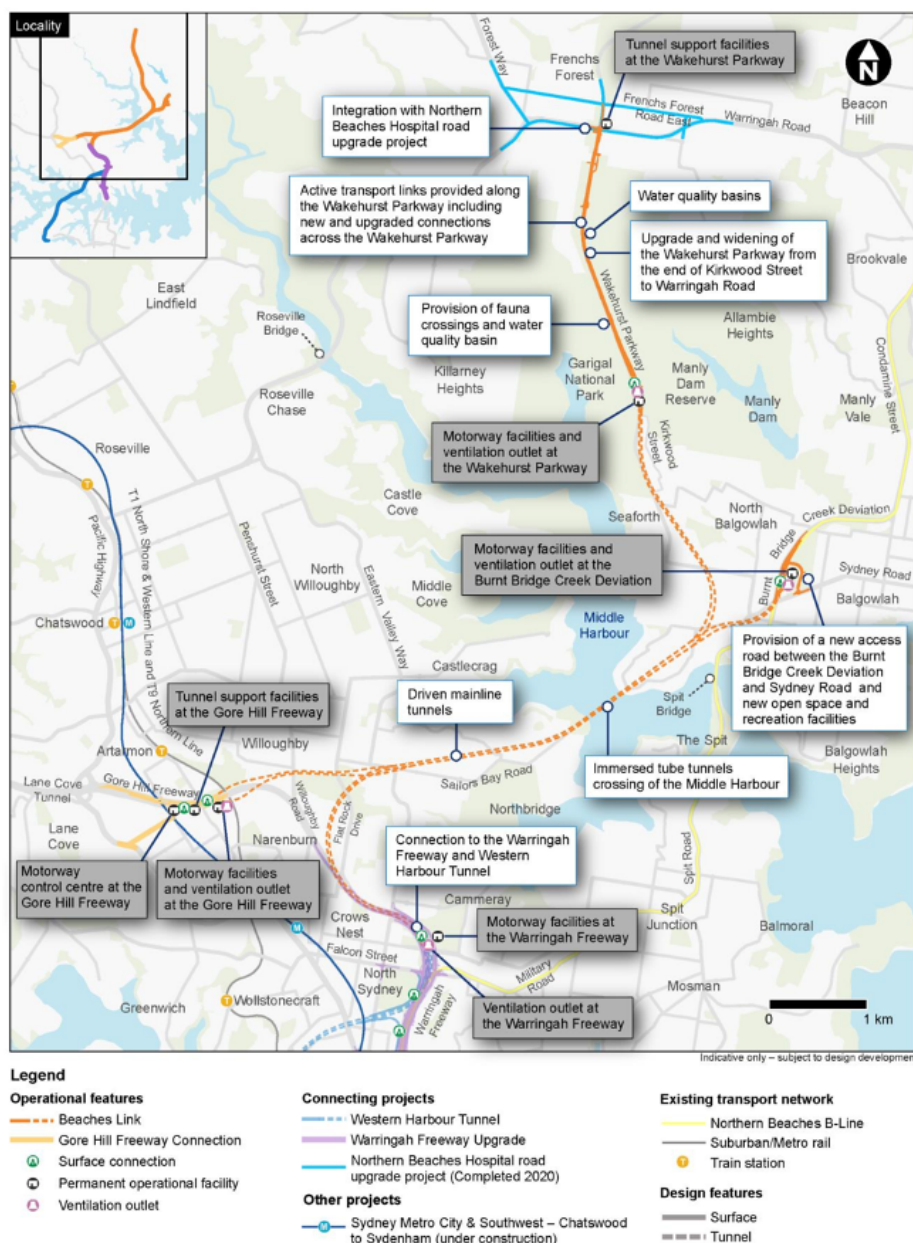
The community consultation for these projects is being conducted by TfNSW. Council has, however, endeavoured to keep the community updated wherever possible on matters relating to these projects through the provision of updates on Council's website and hosting of exhibition documentation in Council's 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**

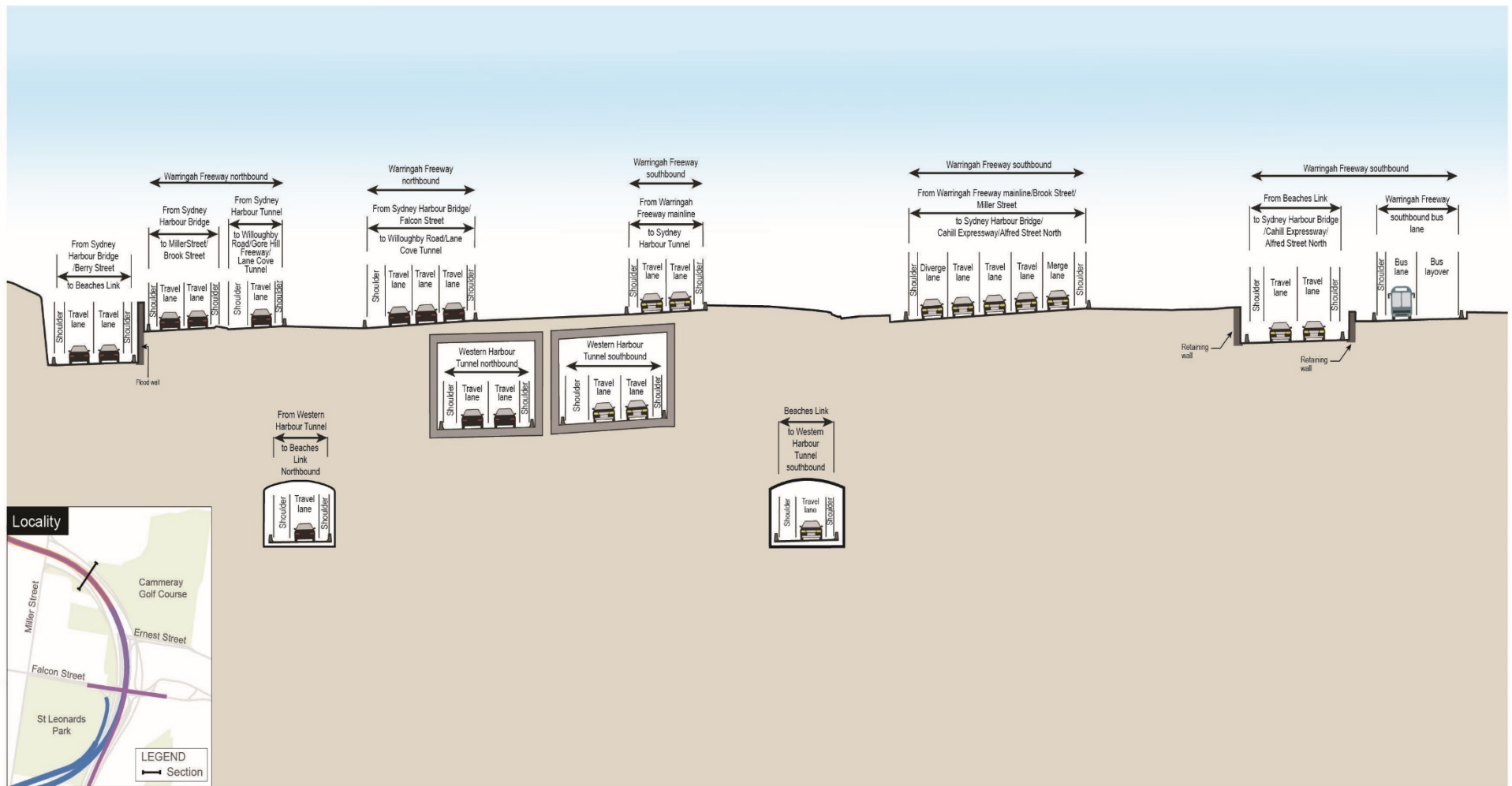
The proposed BL&GHF projects comprise twin tolled motorway tunnels with three traffic lanes in each direction, stretching between the Burnt Creek Deviation/Wakehurst Parkway at Balgowlah and the Warringah Freeway/Gore Hill Freeway at Cammeray and Artarmon. Unlike the Western Harbour Tunnel and Warringah 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 pg 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 (28,896m<sup>2</sup> 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 NO<sub>2</sub> (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**

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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.

## **5. Conclusion**

6. This report identified the range and nature of impacts that the BL&GHF projects will have on North Sydney and surrounding areas. It has highlighted various tangible, significant and ongoing impacts on the North Sydney Local Government Area.