

ANZAC PARK PUBLIC SCHOOL P & C ASSOCIATION (ASSOCIATION) OBJECTION TO BEACHES LINK & GORE HILL FREEWAY CONNECTION PROJECTS (BEACHES TUNNEL) (PROJECT)

The Association would prefer the DP reject this application in its entirety but in the absence of that action the Association objects to the Beaches Tunnel for the following reasons:

1. TRUTH & TRANSPARENCY

- Objection: The Department of Transport (DT or proponents) and the Department of Planning (DP) personnel have not been entirely truthful or transparent in their dealing related to the Association.
- Background: In at least two instances-
- a. The DT manager on a Sydney ABC radio broadcast in January this year stated in reply to an inquiry about increased pollution arising from the Tunnels and their use, that the pollution levels 'may' decrease given the vehicles would be travelling in the Tunnels rather than the open air. This statement was clearly contrary to the Western Harbour Tunnel (WHT) EIS (the one available at the time) which disclosed increased pollution from that Tunnel. The statement was therefore untrue.
 - b. The DP personnel when 'consulting' with the Association representatives indicated that they would not be addressing concerns/aspects in the detail outlined by the Association and would provide the DT with general requirements that would allow the DT different ways to meet those general requirements. They also indicated they would examine all of the material including all of the EIS terms, objections and DT responses. The DP document allowing the WHT to progress both dealt with the subject matter of the concerns but failed to respond to those concerns, which indicates their comment in the first sentence was not true and there is no evidence the second was true.
- Solution: Both the DT and DP in managing the processing of Beaches Tunnel need to be truthful and transparent in everything they do and in all documentation include a declaration (adding one to the Beaches Tunnel EIS before it goes any further) that they will abide by that obligation or be subject to redress and the project be necessarily stopped and reviewed before any further progress. They have both failed to do that with WHT, now is their opportunity to address that failure. Also where they fail to properly consult sensitive community stakeholders they must not include in their documents a reference to consulting with those parties as they have not truly consulted.

2. PROPER RESPONSES REQUIRED

- Objection: The Government seeks to provide general responses only to objections, not properly dealing with legitimate concerns of major community stakeholders, like the Association.

- Background: With WHT, the Association and parents outlined major concerns with aspects of the WHT EIS in particular the 'science' underpinning the approach. In the documentation making up the WHT project prepared by DT, DP and DP's experts and not time has any other them addressed these critical concerns which have become more critical with the DT, the Minister and the Premier all saying things are ok because they rely on the 'science' which was legitimately been called into question with the concerns.
- Solution: Whatever is required legally be done (legislation, procedure change etc) to require the DT, DP and experts properly reply to specific legitimate concerns about critical aspects of a project the DT seeks to reply on to justify the project and there be no further steps at each stage of the approval process until that is done.

3. WHY IS BEACHES TUNNEL REQUIRED

- Objection: Why do we need this Tunnel?
- Background: The EIS and other documents/presentations do not adequately and/or accurately set out the need for this project (including all positives and negatives), short term or long term, either in its own right or as the best of a number of options. Under the document setting out their obligations when preparing the EIS they are required to include the basis for why they are to undertake this Project.
- Solution: Prior to any progress there needs to be an addition to the Beaches Tunnel EIS where it sets out in simple easily understood and accurate terms why we need it (including all the positives and negatives) and why it is the best option out of all the other choices. This will enable the 'person on the street' to understand what is going on and decide whether it is /isn't a good thing.

4. BUSINESS CASE

- Objection: Notwithstanding the immense cost which will no doubt increase during construction the EIS for this Project and WHT do not set out in understandable and justifiable terms any net real value in spending that amount of money, incurring all the negative adverse impacts and adversely affecting a large part of the Greater Sydney community's physical and mental wellbeing.
- Background: The EIS is the document the DT should use to set out how spending the proposed amount on a project is justified notwithstanding the cost and adverse impacts, showing the real benefits gained by spending and adversely impacting. The EIS here does not do that, the document refers to small increments in time saving with modelling that makes no allowance for the Mogridge Principle, Jevons Paradox and/or Downs-Thomson Paradox all of which are particularly relevant given the 'science' or modelling of our existing motorway/tunnel projects where minute time gains are lost shortly after opening due to increased use not properly considered or accounted for in the 'science'. Under the document setting out their obligations when

preparing the EIS they are required to include a properly set out business case showing the net real value of undertaking the project.

Solution: The DT goes back and amends the EIS so it shows there is a properly thought out and considered business case showing real value notwithstanding anticipated future actions of the community. If they cannot then this Project and WHT do not proceed.

5. BUSINESS CASE FOR OTHER OPTIONS

Objection: The EIS does not offer any proper thought out business case including costings etc for any other potential alternatives eg public transport, filtration of pollution stacks etc.

Background: Contrary to the requirements to offer proper detailed alternatives DT provides either negative aspects of alternatives or no costing to support a position they want to take. The EIS refers to rail with negativity but no real bus or other options and fails to provide costing for filtration of the pollution stacks. With WHT the DP allowed the DT to get away with that approach but that should not be allowed with this Project. Under the document setting out their obligations when preparing the EIS they are required to include proper costed alternative options.

Solution: The DP actually do its job, insist on proper detailing and costing of all options from the DT (requiring amendment) so the DP can properly assess things and provide a proper decision, missing with WHT due to its failure to do its job.

6. CONSULTATION

Objection: The DT pretends to consult the community and stakeholders but does not, the representatives lecture, do not concede errors and brush over/ignore legitimate concerns.

Background: The DT (and the DP for that matter) have 'sessions' where they lecture, pontificate on details (when potentially they do not hold qualifications), do not listen and dismiss those with real legitimate concerns so they can say they have 'consulted' with the community. To 'consult' means one discusses, that is to talk about and through a matter, something to make a decision. Unfortunately with the DT they have not done that so they have not undertaken that aspect of their obligations under the document setting out their obligations when preparing the EIS.

Solution: Stop the process and require the DT to actually consult the community and their experts to really see if the Project is warranted and if so how best should it be implemented. With changes being considered by Government to properly enhance the obligation for real community consultation by proponents of infrastructure, the DP should insist on this happening to ensure it decides on the basis of real thorough concise material that has been properly considered and tested by real interaction with the community before it provides any approval terms.

7. CLIMATE

Objection: this Project along with WHT will adversely affect the climate during construction and during operation for many years to come long after the proponents of these projects have moved to aged care (lets hope they find a decent one nowhere near these projects) and our children are left to clean up the lack of forethought by those barging forward with these projects.

Background: Given the depth of this aspect I could be typing for pages upon pages, so I will list but a few aspects which should have been considered but have not by the DT:

1. Pollution from the Pollution stacks at the ends of these projects (including WHT).
2. Removal of large areas of trees, removing critical CO2 absorption.
3. Release of toxic chemicals into the atmosphere, adversely affecting the community, the local flora and fauna forever.
4. Release of toxic chemicals in the waterways, including Middle Harbour, the main Harbour and Manly Dam. With the Harbours disturbing the toxic but for now benign sea floor and adversely impacting the harbours' flora and fauna forever, impacting adversely on climate as a result.
5. Destruction of Flat Rock Gully including trees and wildlife as well as releasing toxic chemicals that have accrued from its prior life as a tip, removing critical CO2 absorption and adding adversely to the atmosphere.
6. During construction significant adverse air and noise pollution impacting directly in real time the climate with residual negative effects for years to come.

We are at a point in time, a 'tipping point' where the country and the planet have a need to act in every possible instance to minimise our impact on climate to ensure our children inherit a planet in recovery and liveable rather than a toxic flooding heat box. It is critical every step is measured by its ability to either have no impact or minimal impact. There are multiple studies to support this position. The proponent is clearly not doing that and needs to be restrained from progressing until the EIS is amended after proper thoughtful and detailed minimisation is built in to this Project. There is nothing that supports the actions in the EIS which adversely affect the climate are minimised as required by the document setting out the obligations when preparing the EIS.

The DT are required to ensure the impact of this Project on climate is minimised as part of their obligations in the document setting out their obligations when preparing the EIS, they have failed to do this as there are many instances where there is adverse impact which could be avoided.

Solution: The DP do its job and require the DT review and amend significant parts of the EIS to ensure there is proper minimisation of impact on climate.

8. CONSTRUCTION POLLUTION

Objection: There will be adverse air and noise pollution from heavy vehicles and the depositing of spoil in many areas around Cammeray, Balgowlah and other venues for many years during the construction phase of the Project, these will create ongoing adverse health and climate issues for the community, in particular sensitive stakeholders eg schools, day care and aged care facilities (many of whom have people with special needs to be cared for eg autism, dementia etc), with no proper systems or obligations included to ensure the pollution impact is minimised and no provision to cover people with special needs.

Background: the construction process as outlined in the EIS involves a vast number of heavy vehicles traversing large areas to move and deposit vast quantities of spoil and other items. The EIS makes little correct mention and provision for sensitive stakeholders (eg it fails to adequately document the sensitivity in the Anzac Park School, a 'state of the art facility with 5 storeys, large open windows, fans and open courtyard totally unprotected) and in some instances leaves them out (eg Balgowlah High) altogether. Further the EIS fails to include proper measures to ensure the transmission of air and noise pollution is minimised.

The EIS notes there will 5,000 daily extra heavy vehicle movements relating to the Project and that does not include the vehicle movements for the WHT, that means an extra vehicle every 1.5 minutes for the Beaches Tunnel alone, belching out both adverse air and noise pollution in the community. That also does not account for the additional air pollution whilst heavy vehicles stand and idle waiting their turn to disgorge their waste mainly to the site but also into the air. It also does not include all the traffic associated with workers get to and from sites (up to 15,000) with all the pollution connected to those activities, in the EIS the proponent seems to think they will all come by bus or car which is contrary to the evidence at other sites.

Solution: The DP do its job properly and either require the EIS be amended or in its approval insist on clear precise detailed obligations to minimise adverse impacts of construction air and noise pollution, not agnostic generalised potentially misinterpreted terms which allow the DT to abuse its position and cause adverse impacts on the community. The obligations to include such things as alert style monitoring accessible by the community.

9. OPERATION POLLUTION

Objection: The pollution arising from the operation of the Beaches Tunnel relates primarily to the lack of filtration of pollution stacks and the adverse impact of that situation were it not to be changed.

Background: The main problem here is that the DT, the DP and the DP's experts all accept as 'gospel' without review and explanation of that review (these reports are

colloquially referred to by politicians and others in favour of the Project as the 'science' which seeks to underpin and justify the non-filtration of pollution stacks, an unfortunate play on words having regard to words used by politicians to justify COVID pandemic decisions), the reports of the Chief Medical Officer, Chief Scientist and his related committees notwithstanding the DT and the DP have been informed of serious flaws and qualifications in those reports in particular:

1. these reports compare different tunnels, using short tunnels to justify the lack of filtration to these lengthy Tunnels, comparing 'apples' to 'oranges'.
2. most reviews of overseas tunnels have been 'desktop' comparisons/reviews not real world on site observations.
3. the reports imply some new tunnels are not filtered when they are, eg the new tunnel in Hong Kong.
4. the reports do not mention 'like for like' tunnels. The new Norwegian unfiltered tunnel is not mentioned (in any event it services a city 1/5th the size of Sydney with a fraction of the traffic and they felt it necessary to have stacks at much shorter intervals). It has stacks every less than 5 km of the tunnel whereas with these Tunnels it is every 7.5+km (6 lanes of traffic). If these Tunnels met that criteria there would be at least two or more stacks including one on the North Sydney foreshore and one in the middle of Mosman.
5. these reports are qualified in the authors assume the country will have Euro 6/VI emission standards , it does not and there is no mandate/appetite for any change by the Federal Government within the foreseeable future.
6. there is no accounting for/mention of the recent court case in the UK (the case of the premature death of Ella Adbo-Kissi-Debrah) which is a precedent for us, where the court decided motor vehicle pollution contributed to the early death of a child.
7. the reports ignore and do not address the facts that there is no other country on this planet with a system like the one proposed by the DT (for this Project and WHT).
8. As the reports are dated they do not incorporate the latest research, reports and findings, all of which point to a failure to filter will create a major contribution to future pollution contrary to the need to reduce pollution to a carbon neutral/zero position.
9. The DT indicates there are 4.3 million crossing of the Harbour per week, these figures far exceed many of the tunnels the authors of the reports have considered as relevant to their assessment eg Norwegian tunnels are in cities which have 1/5th of the Sydney population. Again comparing 'apples' with 'oranges'.

10. recent advances in different filtration options have not been addressed by the authors eg biofiltration.
11. There is no analysis of these concerns in the reports confirming the non-filtration approach is correct notwithstanding the volume of contrary material.

As this is such a critical aspect of the Project (& WHT) it is incumbent on the DT and DP to refer these issues back to the authors of these reports for detailed replies which can be reviewed by community stakeholders.

Post resolution of the above issue, there also needs to be perpetual monitoring of the Tunnels and terms that require the Owner of the Project to immediately remedy any adverse impacts on the community.

Solution: The DP do its job and insist on the review of the 'science' by the authors of the reports and they be directed to comment on the above points and other post reports developments and determine if their 'science' is as it was before when they reported. Also in the final solution for this issue there be ongoing perpetual real time nearby monitoring would need to be installed together with terms/obligations requiring affirmative immediate action by the Project owner should the monitors disclose adverse impacts.

10. BIODIVERSITY

Objection: The EIS outlines in the construction and operation of the Project that it will create havoc for local biodiversity either permanently destroying or significantly adversely affecting same without any real benefit being derived by the community other than the tradie living in Dee Why getting to Liverpool 5 minutes faster (post Mogridge Principle, Jevons Paradox and Downs-Thomson Paradox coming into play).

Background: this Project will significantly adversely and permanently affect the biodiversity of many areas including:

1. Sydney Harbour
2. Middle Harbour
3. Manly Dam
4. Flat Rock Gully

Solution: The DP do its job properly and not progress this EIS until the DT properly provides a project which does not so adversely affect the critical biodiversity so many areas without providing any real value or benefit in return.

11. CONTAMINATION

Objection: the implementation of the Project aside from the previously mentioned construction and pollution issues will cause adverse permanent contamination to many areas where it traverses areas with contamination which will be triggered when disturbed without any value provided in return and no proper arrangements to remove that contamination.

Background: The EIS recognises a number of sites where there are contamination and the impact of the implementation of the Project on the community is unknown to the proponent including:

1. Flat Rock Gully
2. Cammeray Golf Course
3. Warringah Freeway
4. Middle Harbour
5. Wakehurst Parkway

Solution: The DP require the DT complete proper and complete assessment of the contamination areas and provide detailed reporting to the community to enable it to assess the impact and value of the action before any further progress of the Project.

12. TRAFFIC

Objection: The EIS discloses the Project aims to provide non local traffic relief (albeit with no allowance for the Mogridge Principle, Jevons Paradox and/or Downs-Thomson Paradox) but in doing so creates local traffic congestion with no value to the community provided.

Background: There is much detail about 'minutes' travel reduction time purported to be achieved by non local travel but the modelling outlining future 'benefits' fails to take account of research and evidence from the use of other Sydney motorway projects that would show future benefits will not in reality occur.

The operation of the Project causes as set out in the EIS adverse local traffic effects for no value to the local traveller.

Solution: There be no further progress of the Project until the EIS is amended to include modelling that properly and appropriately incorporates research which confirms the above Principle and Paradoxes and then provides a plan which embeds and increases the time reduction travel benefit. Further the new plan incorporate terms where the adverse affect on local traffic is minimised.

13. FIRST NATION ARCHAEOLOGICAL SITES

Objection: The Project provides negligible lip service response to the impact on First Nation Archaeological Sites.

Background: Having regard to recent travesties by large mining companies in desecrating and destroying ancient First nation treasures, it should be front of mind for DT to properly review and establish no First Nation Site is affected at all and if so determine how to go around that Site. This has not been done properly or with the appropriate level of regard in the EIS.

Solution: The DP do its job and not allow any further progress until the DT can establish proper consultation with local First nation persons/entities and that the plan ensures there is no affect at all on any First Nation Site.

14. HUMAN IMPACT

Objection: This Project may assist some in the community for a limited period of time but also adversely affects many in the community now and for many years to come.

Background: The EIS does not outline nor do DT by their dismal interaction with the community including sensitive community stakeholders there has been a proper review and consideration of the adverse impact of this Project on the physical and mental health of the community. As the Government is moving to enhance consultation obligations this issue is clearly an important one requiring much thought and consideration to ensure the community is not left to manage the fallout from this Project long after the persons that are part of the proponents are retired and in aged care.

Solution: The proponents before any further action forward with the EIS engage appropriately qualified and briefed experts to establish a proper consultation process to minimise the short and long term adverse impacts so the community feels it has been heard and changes where necessary are made, and the DP in doing its job require the DT to take that action.

15. AFFIRMATIVE ACTION

Objection: There is a lack of provision in the EIS for affirmative action to monitor the construction process and the Project in operation after completion.

Background: Affirmative action means appropriate active real time monitoring during construction of roads used by heavy vehicles, construction sites, sites where spoil is placed, sites where there are contamination and/or biodiversity issues, and underwater sites with 24/7 community access.

Affirmative action after completing construction means perpetual appropriate real time monitoring of pollution and noise with 24/7 community access.

Affirmative action means immediate rectification by the owner of the Project where the monitoring discloses adverse impact on the community.

None of these terms are in the EIS in any or sufficient level.

Solution: The DP requiring as part of any approval the embedding of terms and conditions where the DT must install all the necessary pre and post construction checking, community accessible, facilities before taking any action towards commencing construction, and require the DT to include terms for it or the Owner to accept where it is required to immediately action changes where it is shown there has been adverse impact to the community.

16. CONCLUSION

Given the lack of time to completely review the EIS, due to it being issued in mid December 2020 after the final P & C Meetings of all affected Schools who could not learn of the Project until Schools' return in February 2021 and its size (over 10,000 pages), and the refusal by the Department of Planning to grant additional time the above is the best objection possible. The Association respectfully requests the DT and DP take that into account when considering the contents.

The Association awaits your response.

Regards


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Anzac Park Public School P & C Association