

Guide to making a submission for the NSW Parliamentary Inquiry – Impact of the Western Harbour Tunnel and Beaches Link

Our guide was made to help the community through the steps needed to enter a submission to the NSW Parliamentary Inquiry into the planning of the Western Harbour and Beaches Link Tunnels. There are a few steps involved, and we want to help everyone as much as possible.

The NSW Parliamentary Inquiry was implemented as a result of feedback from the community about the projects, including a petition of over 10,000 handwritten signatures.

Communities asked the government to place a moratorium on the projects development process until they could show the community a transparent process, consideration of other options for transport, and the business case / cost-benefit analysis for the projects.

The Inquiry will be heard by a committee made up of all political parties and independents – not just the current government. The idea is that the process is not political and can investigate the full details about the projects without government spin and marketing.

This inquiry is important for a few reasons:

- It has an important voice of authority to the decision-makers in government (but cannot compel decisions)
- It involves members of the government from regional areas that so often suffer inequity in public spending
- The media will cover the inquiry extensively, so our experiences and point-of-view will get coverage that we have been unable to achieve before

Hints for how to format and what to write in your submission

This is our opportunity to both ask important questions that the government has refused to answer, and to tell our stories of how the projects have impacted us to date, and will impact us in the future.

It is important that you write your submission in your own words. Form letters that are copied and pasted into submissions are not treated as seriously as your own submission. You can write as much or as little as you like – all submissions count, they don't have to be professionally produced.

1) Introduction

- Include a short introduction about yourself (or the organisation you represent)
- Clearly state if you oppose the project, and the reasons for your point of view
- Be relevant, concise and have a clear paragraph structure
- State if you are happy to speak at the inquiry (this helps to tell real people's stories)

2) General ideas of what to include

You can use a variety of sources for ideas of what to write, including your own EIS submission, or submissions from others. Some links are listed at the end of this guide.

Tell your personal story

The inquiry is asking for submissions from the community, not just from transport experts and economists, so of course they want to hear our personal stories. What have your interactions with TfNSW been like? How close is your house or your kids' school to the tunnel portal and how will it directly impact you? Has your

house been compulsorily acquired, and what has that experience been like? How do you use our green spaces and how will that be impacted?

This is how you will be personally impacted, and doesn't need to have all the facts and figures at hand (although you can include them if you like). The inquiry will have the information from the EIS and relevant experts to assess, as well as community submissions.

Include possible solutions or suggestions

It is a good idea to include suggestions, recommendations or alternatives to the tunnel project if you have them. It could be as simple as wanting the government to have a greater focus on public transport, all the way up to a complex plan for a train that runs from Chatswood to Dee Why, Brookvale and up and down the beaches.

Refer to research or policies to support your view

Referring to research done recently will help to back-up your point of view.

This could include research studies done by universities that have been published in the media, or studies of recent transport patterns and the impact of working from home and COVID-19. There are lots of references on our website (<https://viabletransportsolutions.com.au>), posted on our Facebook page, or published in the media.

Including current government policies on problems such as reducing greenhouse gas emissions / climate change or transport can also support your arguments.

3) Formatting your Submission - Address items individually in Terms of Reference

Whilst it is acceptable to write your submission in a letter format, it is an advantage for the points you make to be linked to each item in the Terms of Reference individually – this makes them clear and relevant.

The terms of reference are published on the NSW Parliamentary website.

(<https://tinyurl.com/2021EnquiryWHTBL>)

You don't have to address all of the items (a) to (m) in the Terms of Reference. However, even if you have short points about an item, it is a good idea to include them.

Here is a sample submission, with some examples of points you might want to include and elaborate on. You will need to write your own version, not just copy and paste this sample submission.

Sample Submission with **Terms of Reference in bold**:

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

(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,

You might want to include points such as:

- There has been no business case and cost-benefit analysis performed for the Beaches Link as a stand-alone project, nor has anything been released publicly. The Western Harbour Tunnel and Beaches Link tunnels are separate projects and merits of each must be assessed separately.

- Experts in our community were driven to calculate our own cost-benefit analysis of the Beaches Link, and it showed a BCR of around 0.80 (using a discount rate of 7%). This is significantly less than the minimum of 1.20 that is needed to justify infrastructure projects. If the BCR is adjusted to take into account the impacts of COVID-19 and working from home (where 40% of current drivers work from home 3 days a week), the BCR falls to 0.60.

- The assumptions used to produce the traffic modelling used for business case must use the most-up-to-date data and be publicly released.

The traffic demand data in the Beaches Link EIS used data from 2016 and does not take into account impacts from COVID-19 on travel patterns. It makes exaggerated claims of saving 38 minutes journey times on journeys that currently only take around 30 minutes at peak times.

The assumptions on the increase to population on the Northern Beaches used for modelling must also be released publicly. The community deserves to know how much medium-high density development will be imposed in the community to justify the expense of building the Beaches Link Tunnel.

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

You might want to include points such as:

- Alternative options have only considered road tunnels in different alignments.
- There is not adequate consideration of other transport options such as increased public transport, including business case and cost-benefit ratio for rail, tram, light rail, or bus options.
- The impact of more active transport such as bike paths and the uptake of e-bikes for either whole journeys or linking up with public transport.
- The impact of increased support for people's ability to work locally in de-centralised business hubs, working from regional areas or to work from home, instead of commuting to the CBD. Currently 52% of Northern Beaches residents work on the Northern Beaches, and this could be increased with more incentives to employers.
- The impact of increased support for companies to adopt more flexible work arrangements to minimise congestion during typical peak times.

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

You might want to include points such as:

- The cost per kilometre of the Beaches Link Tunnel is the most expensive of any road tunnel in NSW, due to the complex engineering involved. It also costs significantly more than a rail tunnel, despite a lower capacity to move people.
- With the complex engineering of the Beaches Link Tunnel, there is great risk for contractors to overrun their budgets, and they will need to include huge budget contingencies – all paid for by NSW taxpayers.

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

You might want to include points such as:

- The Beaches Link Tunnel is a "tunnel into a dead-end" unlike other toll-financed tunnels that take vehicles through or around parts of Sydney. The Beaches Link will not generate enough traffic for the project to be funded from tolls via the development partner model, and will need a multi-billion dollar subsidy from the NSW government and taxpayers.

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

You might want to include points such as:

- The stated objectives to the projects are vague statements about reducing congestion and making faster journeys. There are no tangible, measurable goals or outcomes mentioned.
- The EIS travel time projections demonstrate that various intersections will suffer an increase in travel times (e.g. Warringah Rd, Military Rd, Warringah Freeway) due to the impact of the tunnels. This does not meet a goal of decreasing travel times for residents – a large percentage of journeys will have delays but no time saving elsewhere.
- The Beaches Link EIS assessed scenarios ("Do minimum", "Do something" and "Do something cumulative") but did not assess a scenario with the Western Harbour Tunnel, but no Beaches Link (despite the Western Harbour Tunnel being approved). This new scenario needs to be assessed to evaluate whether objectives are achieved without the Beaches Link.
- The general objective of improving transport on the Northern Beaches will not be achieved through building the Beaches Link Tunnel. The objectives can be more easily achieved through increased support for

working from home, more flexible public transport within the Northern Beaches and an increase in peak time bus capacity.

- The Beaches Link Tunnel EIS shows traffic projections of significantly increased traffic volumes and longer journey times within the Northern Beaches. For example, we expect an extra 30,000+ vehicles on weekends during summer to come to the beaches – putting increased pressure on already insufficient parking and infrastructure.

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

You might want to include points such as:

- Poor community consultation through the EIS process – conducted through a COVID-19 lockdown, with only virtual sessions, and without questions being answered appropriately.
- Formal applications from the community to extend the EIS consultation period due to COVID-19 restrictions were rejected as insufficient justification.
- Throughout the planning process, tunnel designs have changed unexpectedly, including moving the location of tunnel portal openings and exhaust stacks. A design in 2018 stated the tunnel was “further away from schools and homes... reducing the number of homes needing acquisition”, but the subsequent design in 2019/2020 required many more homes to be acquired in Dudley St, and moved the tunnel closer to homes and schools. This has provided no certainty for residents, impacting our mental health.

(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,

You might want to include points such as:

- The changes to travel and work patterns as a result of COVID-19 impacts have not been considered in business cases, cost-benefit analyses, or traffic projections. TfNSW have indicated that these effects are “temporary”, despite research and evidence showing significant permanent changes.

(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,

You might want to include points such as:

- All planning details, assumptions, business cases and cost-benefit analyses must be released publicly to give the community confidence in the planning process.
- A business case and cost-benefit analysis must be carried out and publicly released for various transport options including public transport alternatives.
- All changes to designs and planning must be released publicly and undergo an appropriate EIS process.
- The number and scale of increases to dwellings and population on the Northern Beaches (particularly in Frenchs Forest) must be released publicly. The community must have transparency in order to evaluate any trade-off of an increase in population to justify increased road infrastructure.
- Transport Minister Andrew Constance has stated publicly that he wants to sign contracts for the construction of the Beaches Link project before the state election in 2023. This gives the community no faith in a transparent planning process to assess projects fairly on their merits – when the decision to build seems to have already been made by the Minister.

Statements like this also place undue pressure on the Department of Planning, Industry and Environment (DPIE) to rush making its "determination" on the many complex and serious problems raised in the submissions to the EIS, including by DPIE themselves.

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

You might want to include points such as:

- The impact on the local environment will be huge to our community with rare open green space permanently removed including over 2500 established trees without local biodiversity offsets.
- The EIS has stated tunnel construction in North Balgowlah and Seaforth will cause the water table in Seaforth and North Balgowlah to fall, and natural groundwater flows into Burnt Bridge Creek will fall by 96%.

This much-loved creek will become a stormwater drain, running only after significant rain, with downstream impacts to Manly Lagoon. What will the loss of water flows do to large trees and wildlife near the creek? What will the fall in the water table and loss of groundwater do to all the large trees in the suburb, in residents gardens?

- The widening of Wakehurst Parkway from Seaforth to Warringah Road (on the ridge between Bantry Bay and the Manly Dam War Memorial Park) will create polluted run-off water from even moderate rain events during construction. The EIS states due to topographical constraints these cannot be controlled – an admission that many in the community find unacceptable.
- The community has many concerns about dredging Middle Harbour and stirring up toxic sediment that will impact the marine environment, and insufficient silt curtains are offered as the only protection during construction. Would you be concerned to swim at Clontarf and nearby?
- The last mainland population of little penguins (approx. 60) lives on the Middle Harbour foreshore in Seaforth and Castlecrag, where coffer dams will be used in construction. The EIS acknowledges that the penguins will most probably be forced to leave the area permanently.

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

You might want to include points such as:

- How will you be impacted by construction? Based on the limited information TfNSW have told us so far, protections for residents and schools from noise, vibrations, dust and traffic are vague and inadequate.
- How do you think you will be impacted when the tunnel opens? Residents in the areas around the tunnel portals will suffer increased pollution from the tunnel exhaust stacks, increased traffic and rat-running (and associated surface pollution), and extra noise and light. Do you already have health concerns that would become worse with this extra stress or pollution?
- The 2018 Parliamentary Inquiry into the WestConnex Project found “That the various noise mitigation measures offered by Roads and Maritime Services are wholly inadequate to substantially reduce heavy construction noise.” (Finding 14). No tangible improvements to the process have been evidenced to give residents confidence if this project is built.
- During construction, it is up to residents to report if contractors are working outside of restrictions provided by the government (i.e. out-of-hours work, exceeding noise levels etc). Residents have no input into these “agreed” restrictions, but are expected to understand them and be the watchdog to protect themselves. Instead, we ask that a fully independent advocate or arbitrator be appointed to work on behalf of residents and the community to negotiate with contractors.

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

You might want to include points such as:

- the impact on and loss of Balgowlah Golf Course
- the impact on Clontarf Beach and park from disturbing polluted sediment in Middle Harbour
- the impact on indigenous sites near Wakehurst Parkway, or at Clive Park and inadequacy of protections provided
- the impact on Manly Dam War Memorial Park from construction run-off water

(m) any other related matter.

You can include any other points here that have not already been addressed.

- We know that the Beaches Link Tunnel will contribute significantly to our greenhouse gas emissions both during construction and through the increased number of cars using it (even if many are electric vehicles). The EIS states yearly operational emissions of 45.3 kt in 2027, then rising each year to 52.5 kt in 2037, which equates to one single road contributing 0.04% of the emissions of the entire state of NSW. The project is not consistent with NSW greenhouse gas emissions reduction policy and Net Zero by 2050 goals to deal with climate change.

4) Points we believe are particularly important to include

- The Beaches Link Tunnel needs to be assessed as a stand-alone project, separate to the Western Harbour Tunnel. TfNSW have joined them together when it suited them, and we know the business case is better with cheaper build costs for the Western Harbour Tunnel. There is no logic to them needing to be built together.
- The business case, cost-benefit analysis and the assumptions that go into them make up the critical information needed to know whether the project is a good idea. However the government continues to hide this information, and not release it to the public. This information is released, they also need to be open about the amount of development and increase to the population on the Northern Beaches that comes with a tunnel.
- The environmental impact will be devastating to many sensitive areas, and has not received significant attention in the EIS process, or awareness in the wider community. How you interact with our local parks and environment that will be impacted or lost is important.
- How you have been personally impacted by the planning and construction of the tunnel project, and your interactions with TfNSW. Your personal experiences are important and will be heard.

5) Links to sources of info for your submission

- Info on our our website: <https://viabletransportsolutions.com.au>
- Balgowlah Residents Group's EIS submission:
<https://viabletransportsolutions.com.au/wp-content/uploads/2021/04/Balgowlah-Residents-Group-Beaches-Link-EIS-Submission.pdf>
- The recent Beaches Link EIS produced by TfNSW: <https://caportal.com.au/rms/bl/documents#eisChapters>
- Submissions to the Beaches Link EIS from other individuals or groups, they are all published here:
<https://www.planningportal.nsw.gov.au/major-projects/project/10456/submissions/12921/3251>
- Save Manly Dam Catchment Committee EIS submission
<https://www.planningportal.nsw.gov.au/major-projects/submission/776481>
- Northern Beaches Council EIS Submission
<https://www.planningportal.nsw.gov.au/major-projects/submission/783841>
- Willoughby Council EIS Submission
<https://www.planningportal.nsw.gov.au/major-projects/submission/783836>
- Submissions to the Western Harbour Tunnel EIS from other individuals or groups:
<https://www.planningportal.nsw.gov.au/major-projects/project/10451/submissions/12921/3251>