



NSW Government response

Inquiry into the Impact of the Western Harbour
Tunnel and Beaches Link

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Recommendation 1

That the NSW Government ensure that public transport alternatives have been adequately assessed when proceeding with motorway developments, to increase community confidence in the robustness of the decisions.

NSW Government response

Support

The NSW Government will ensure that public transport alternatives have been adequately assessed when proceeding with motorway developments, to increase community confidence in the robustness of the decisions.

Recommendation 2

That the NSW Government assess including dedicated bus lanes in the Western Harbour Tunnel and Beaches Link projects if they proceed.

NSW Government response

Support in principle

In May 2023, the NSW Government formally placed the Beaches Link Project on hold. This follows the decision of the former Government to deprioritise the project in the 2022 Budget.

The Western Harbour Tunnel's planning condition E153 requires a public transport review¹ to be completed six months before its opening, to compare travel times at one year and 10 years post opening to 'do nothing' case and identify options to ensure there is no negative impact on public transport.

¹ <https://media.caapp.com.au/dmfwlg.pdf>

Recommendation 3

That the NSW Government not proceed with Beaches Link.

NSW Government response

Noted

As of May 2023, the Beaches Link project has been placed on hold by the NSW Government, with associated land acquisition and project development activities to cease. This follows the decision of the former Government to deprioritise the project in the 2022 Budget.

Recommendation 4

That the NSW Government not sign any further contracts regarding the Western Harbour Tunnel until after the March 2023 state election.

NSW Government response

Noted

The contract for the construction of the final stage of Western Harbour Tunnel Project was awarded in November 2022 prior to this report being published in December 2022.

Recommendation 5

That the NSW Government publicly release the final business case and funding model for the Western Harbour Tunnel prior to the March 2023 state election.

NSW Government response

Supported

Infrastructure NSW released a summary of the Final Business Case Summary for Western Harbour Tunnel (which included the Warringah Freeway Upgrade) in May 2020. The Western Harbour Tunnel is fully funded by the NSW Government.

The NSW Government is considering options for further release of information.

Recommendation 6

That the NSW Government include the Western Harbour Tunnel and Beaches Link in its Toll Road Pricing and Relief Reform Review, and that the Review be made publicly available as soon as it is complete.

NSW Government response

Supported

The Government is currently progressing a comprehensive review of tolling which includes all existing and possible new tollroad projects. This Review is being led by Professor Allan Fels AO and Dr David Cousins.

Beaches Link has been placed on hold by the NSW Government and therefore does not form part of the future motorway network considered as part of the Fels review. This follows the decision of the former Government to deprioritise the Beaches Link project in the 2022 Budget.

The former Government did not release any of its Toll Review work. The new Government will publicly release elements of the work commissioned by the former Government as part of the Fels Toll Review. The Government is committed to greater transparency, and the Review and recommendations will be released.

Recommendation 7

That the NSW Government keep the Western Harbour Tunnel (and Beaches Link, should it proceed) as public assets, with toll revenue being received by the government.

NSW Government response

Supported

The NSW Government has committed to retaining the Western Harbour Tunnel as a public asset with any tolling revenues to be retained by the State.

It is noted that the Beaches Link Project has been placed on hold. This follows the decision of the former Government to deprioritise the project in the 2022 Budget.

Recommendation 8

That the NSW Government investigate and publicly report on the possible conflict of interest whereby a private firm has both provided advice regarding environmental impact statements and benefitted from work associated with the Warringah Freeway Upgrade.

NSW Government response

Noted

Transport for NSW (Transport) has clear processes in place to manage conflicts of interest. Agency policy and procedures outline the expected standards of behaviour for employees and professional service contractors, in relation to actual, potential or perceived conflicts of interest. The NSW Government Supplier Code of Conduct holds suppliers and their supply chains to the highest ethical standards. This included the obligation to disclose conflicts of interest, or risk contract termination, loss of future work and reputation, investigation for corruption, and suspension or removal from prequalification schemes.

Transport is currently harmonising its two existing procurement accreditations into a single accredited infrastructure procurement standard, which will incorporate the best of the two existing procurement accreditations and learnings from Transport staff.

Recommendation 9

That the NSW Government improve its consultation process surrounding environmental impact statements by better considering the context and timing of the consultation period.

NSW Government response

Supported

The new Government will seek to continuously improve its engagement with local communities around transport projects.

The Department of Planning and Environment (DPE) have guidelines on undertaking engagement for State Significant projects and include requirements for engagement at each phase in the environmental assessment. These guidelines set out the requirements for effective engagement on State Significant projects in NSW, recognising that effective engagement requires everyone involved to do their part, at the appropriate stage in the process. They outline the actions each party must take, including, identifying opportunities for the community to participate. See: <https://www.planningportal.nsw.gov.au/major-projects>.

Recommendation 10

That the NSW Government improve its air monitoring program associated with the Projects so that communities do not need to pursue their own monitoring programs.

NSW Government response

Support in principle

Transport has an existing air quality portal which provides the community with information on how ventilation systems work. As part of the conditions of approval, the Tunnels are required to publish their air quality reports so the communities do not need to pursue their own monitoring programs.

Recommendation 11

That the NSW Government ensure water quality monitoring in relation to the Projects is:

- sufficient to judge the efficacy of mitigation and management measures,
- publicly available, and
- provided in real time.

NSW Government

Support in principle

An alternative option of using a Tunnel Boring Machine (TBM) to tunnel beneath Sydney Harbour has been proposed for the Western Harbour Tunnel Project. The change in construction methodology will remove the need for cofferdams, dredging and the disposal of dredged material. This change removes the works within Sydney Harbour and therefore negates the need for extensive water quality monitoring required by the project conditions of approval. The Western Harbour Tunnel Project is currently preparing a Modification Report to support the change in construction methodology.

It is noted that the Beaches Link Project has been placed on hold. This follows the decision of the former Government to deprioritise the project in the 2022 Budget.

Recommendation 12

That the NSW Government inform the community, ahead of March 2023, where treated contaminated sediment will be disposed.

NSW Government response

Noted

For the Western Harbour Tunnel project, the proposed alternative construction methodology of using a TBM to tunnel beneath Sydney Harbour will remove the need for cofferdams, dredging and the disposal of dredged material including the contaminated sediment material. The Western Harbour Tunnel Project is currently preparing a Modification Report to support the change in construction methodology.

The Beaches Link project has been placed on hold by the NSW Government. This follows the decision of the former Government to deprioritise the project in the 2022 Budget.

Transport will continue to work with DPE and the NSW Environment Protection Authority (EPA) to achieve the best possible outcomes for the environment and community.

Recommendation 13

That the NSW Government ensure that publicly available real-time monitoring of water quality be provided for the Dawn Fraser Baths.

NSW Government response

Noted

An alternative option of using a Tunnel Boring Machine (TBM) to tunnel beneath Sydney Harbour is proposed for the Western Harbour Tunnel. The change in construction methodology removes the need for cofferdams, dredging and the disposal of dredged material. The change in methodology will remove the works within Sydney Harbour and therefore negates the need for water quality monitoring at Dawn Fraser Baths.

The Western Harbour Tunnel Project is currently preparing a Modification Report to support the change in construction methodology.

Recommendation 14

That the NSW Government reinstate the original recommendations of the expert working group on the Rozelle Parklands.

NSW Government response

Noted

The Rozelle Interchange (WestConnex 3B), as part of the WestConnex M4-M5 Link project, received planning approval in April 2018. Therefore, the approval of Rozelle Interchange was a separate planning approval from the Western Harbour Tunnel and Beaches Link projects.

The majority of Rozelle Parklands are due to be open to the public with the opening of the Rozelle Interchange at the end of 2023, with all works completed in early 2024.

As of May 2023, Transport is working with the Inner West Council at councillor and senior staff level to address issues in the Masterplan.

Recommendation 15

That the NSW Government, as a priority, complete and publish a site investigation and remediation action plan of the contaminated Flat Rock Reserve.

NSW Government response

Noted

The Beaches Link project has been placed on hold by the NSW Government.

Recommendation 16

That the NSW Government further engage with residents and community groups regarding its plans for returning and rehabilitating open spaces and local flora and fauna habitats once the Projects are completed.

NSW Government response

Support

Transport is committed to delivering high quality open spaces and built features once work is finished. For the Western Harbour Tunnel and the Warringah Freeway Upgrade Projects, this will be detailed in the project's Place, Design and Landscape Plan (PDLP) and will include the proposed landscaping areas and species types, active transport links and locations of replacement carparking, as well as the project's built features like bridge and wall finishings. The PDLPs will be prepared in consultation with councils, community and affected landowners and businesses.

A Landscape Strategy Report will also be prepared and will include higher levels of detail including the type, size, number and location of proposed replacement trees. This report will incorporate feedback from the community and council provided during the development of the tree replacement strategy report.

It is noted that the Beaches Link Project has been placed on hold.

Recommendation 17

That the NSW Government ensure local traffic impacts of the Projects on the lower north shore are minimised through collaboration with the local community and local governments, including through the North Sydney Integrated Transport Plan.

NSW Government response

Support in principle

As part of the CoA for the Western Harbour Tunnel and Warringah Freeway Upgrade projects, Transport will prepare a Road Network Performance Plan and an Operational Road Network Performance Review to assess and review the operation of the project six months prior to opening to traffic, and 12 months and 10 years post opening.

Transport is committed to ongoing engagement with councils and communities to identify opportunities to improve local traffic outcomes and minimise impacts of projects.

In the coming months, Transport will be engaging with councils and communities about a number of local opportunities including the North Sydney Integrated Transport Program.

It is noted that the Beaches Link Project has been placed on hold.

Recommendation 18

That the NSW Government ensure the results of environmental impact assessments at various Northern Beaches locations inform construction planning so that environmental impacts are minimised to the greatest extent possible.

NSW Government response

Support

It is noted that the Beaches Link Project has been placed on hold.

Recommendation 19

That the NSW Government engage and work with Northern Beaches Council and other stakeholders to deliver best outcomes around local traffic impacts of the Projects.

NSW Government response

Support

It is noted that the Beaches Link Project has been placed on hold.