



DOC21/744807-8

Ms Emily Treeby
Principal Council Officer
Upper House Committees - Legislative Council
Parliament House
Macquarie Street
SYDNEY NSW 2000

Dear Ms Treeby

I refer to your email dated 11 October 2021 regarding the Public Works Committee on the 27 September 2021 examine the Impact of the Western Harbour Tunnel and Beaches Link.

I note that on behalf of the Public Works Committee you have sought the following:

- any transcript corrections
- answers to questions on notice directed to your organisation (if applicable)
- answers to supplementary questions
- any additional information you wish to provide to the committee.

Please accept this submission on behalf of Ms Hanemann and myself.

We seek to make no further corrections to the hearing transcript or further submissions.

Please find attached to this letter responses to questions taken on notice and supplementary questions for the Committee's attention.

If you have any questions, please do not hesitate to contact me.

Yours sincerely

STEVE BEAMAN PSM
Executive Director Regulatory Operations
NSW Environment Protection Authority

Att. EPA answers to supplementary questions and questions on notice

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Public Works Committee
Inquiry into the Impact of the Western Harbour Tunnel and Beaches Link

Hearing 27 September 2021

Supplementary questions

Questions for NSW Environment Protection Authority

- 1. Could you give more detail about the EPA's role in mitigating the contamination at Cammeray Golf Course, given that surface works have begun metres away from the skate park and Cammeray oval?**

The EPA regulates significantly contaminated sites under the *Contaminated Land Management Act, 1997*. Section 60 of this act outlines the duty to notify the NSW EPA if potential contamination is identified. The Cammeray Golf Course has not been notified to the EPA as potentially significantly contaminated land and is not regulated by the EPA under the *Contaminated Land Management Act 1997*.

In accordance with the project approval, all contaminated land investigation reports are being reviewed by a NSW EPA accredited site auditor (conditions E120, E121 and E122).

- 2. Do you acknowledge that, given the reconfiguration and flow management changes to the Warringah Freeway and increased traffic modelled in the EIS, that there are wider congestion and pollution impacts to consider due to this project? a. Do you agree that whole of project contribution to congestion and pollution should be modelled according to the SEARS?**

The whole of project contribution to pollution was modelled in accordance with the SEARs and the NSW EPA's *Approved methods for the modelling and assessment of air pollutants in NSW 2017*.

The Air Quality Impact Assessment (AQIA), part of the Environmental Impact Statement, considered emissions from surface roads, tunnel ventilation stacks, and portals (Sydney Harbour Tunnel and Eastern Distributor). Emissions were determined using traffic and vehicle emissions modelling. Dispersion modelling was undertaken to predict impacts at community receptors, residential, workplace and recreational receptors.

- 3. Do you agree that the CHO was limited only to comment on stack contribution and not whole of project pollution impacts? a. Given the widespread changes caused by the project do you think that is a fair assessment of health impact?**

The Chief Health Office reviewed the draft Air Quality Impact Assessment, which forms part of the Environmental Impact Statement and assessed the impact of emissions from the tunnels, road network and portals, on surrounding receptors.

- 4. Can you name an equivalent overseas tunnel as long as these without air treatment (or increased ventilation breaks) where there are 20,000 children in close proximity?**

The planning and assessment process considers each project on its merits.

- 5. Are full length silt curtains in Sydney Harbour actually possible given the strength of tidal flows?**

The conditions of approval for the Western Harbour Tunnel project require the preparation of a Dredging and Disposal Management Plan to protect water quality. This plan must be developed in consultation with the EPA. Details of all feasible and reasonable measures proposed, including silt curtains, will be outlined in that plan.

- 6. Can you confirm if a full range of modelling has been done on the pollution contribution of the project to the many high-rise buildings across the area? a. Is there a risk that people living in high rise buildings will receive unacceptable levels of pollution?**

The Air Quality Impact Assessment, which forms part of the Environmental Impact Statement, assessed cumulative impacts at elevated receptors (heights of 10, 20, 30 and 45 metres) for all residential, workplace and recreational receptors within 300 m of the ventilation stacks. It included assessment at these heights regardless of whether buildings/receptors were present. For the expected traffic scenario, when considering the maximum ventilation outlet contribution, there were no predicted additional exceedances in any pollutants.

- 7. Can you confirm whether a document published at the end of the NorthConnex project shows buildings at 40m in height up to 2.8km away would receive higher levels of pollution under worst case scenario conditions? a. Will a similar document be produced at the end of this project build?**

The EPA is not aware of such a document.

- 8. When approving work in proximity to childcare centres and schools generally, what is the acceptable pollution impact?**

The Air Quality Impact Assessment, which forms part of the Environmental Impact Statement assessed the potential impacts at sensitive receptors which included childcare settings and schools. This is a requirement under the NSW EPA's *Approved methods for the modelling and assessment of air pollutants in NSW 2017*.

The AQIA showed that, under expected traffic conditions, the contribution of tunnel ventilation outlets to pollutant concentrations was negligible for all receptors included in the assessment.

- 9. Why is the contribution to high rise buildings not considered at the planning stage, particularly given many more children are living in high rise accommodation in the area?**

Refer to the response to Q6.

10. What contaminants are being tested for at Flat Rock Gully? Will these tests help inform the Preferred Infrastructure Report (PIR)?

In February 2021, Willoughby Council notified the EPA of the Flat Rock Gully site under Section 60 of the *Contaminated Land Management Act 1997*. As part of the process to assess the potential risks from contamination on site, the EPA requested Willoughby Council undertake a detailed investigation to determine the nature and extent of the contamination of soil and groundwater. This report is due to the EPA on 29 October 2021.

The detailed investigation is being undertaken by a suitably qualified contaminated land practitioner (certified by an EPA-recognised scheme) and will detail the potential contaminants at the site based on the historical uses of the site.

It is the role of DPIE Planning to determine the format and content of the Preferred Infrastructure Report.

11. In your opinion, would re-aligning the project to avoid the Flat Rock Gully tip site substantially reduce the drawdown, social and contamination risks involved in this area?

The proposed route of the project is not a matter for the EPA. The EPA regulates the pollution impacts associated with significant activities including transport infrastructure construction projects, to protect the environment and human health.

12. PFAS has been detected in Middle Harbour. When will further testing be conducted to understand the scale of the problem and mitigation costs?

PFAS compounds are ubiquitous in the urban environment at very low concentrations. The EPA is continuing to focus on investigating and managing PFAS contamination from known source sites across NSW. The EPA is not aware of a source site in or near Middle Harbour.

Details around further testing of sediments and sediment management will be contained in the Dredging and Disposal Management Plan required under the conditions of approval.

13. The project documents state that contaminated sediment will be barged out under the Spit Bridge to a drying location. Where will the sediment be dried out and where will it be disposed of? a. Has the cost and time to do this safely been included in the project?

Details around sediment management, including the drying location, will be contained in the Dredging and Disposal Management Plan required under the conditions of approval. This plan is currently being prepared. The conditions of approval require the project to consult with the EPA on the plan.

14. Can you guarantee that each of the following will be safe to swim at during the project build:

- a. Dawn Fraser Baths
- b. Greenwich Baths
- c. Northbridge Bath
- d. Clontaff Pool
- e. Manly Dam
- f. If no to any of the above, what monitoring will be in place to test for the specific contaminants identified in the EIS outside the water quality testing already being done?

The conditions of approval for the Western Harbour Tunnel project require the preparation of management plans and monitoring programs designed to protect water quality, including a Dredging and Disposal Management Plan and Dredging Monitoring Program. Both documents are currently being prepared. The project must consult with the EPA on both dredging management plan and monitoring program.

Integral to managing the potential impacts on water quality is the development of Trigger Action Response Plans (TARPs). The TARPs will provide triggers for monitoring and management responses to monitoring exceedances, including clear triggers for ceasing dredging and investigating further mitigation measures.

The EPA will include water quality monitoring requirements and mitigation measures on the environment protection licence for Western Harbour Tunnel works.

15. Are you aware of the risks identified from 48 additional vessels per day, noise and water quality issues to Manly's dwindling penguin population? a. What will be done to further protect wildlife in Middle Harbour?

Assessment on the impacts of wildlife are a matter for the Department of Planning, Industry and Environment.

16. Will the EPA recommend any measures to keep children safe during the COVID-19 return to school, such as the installation of air filtration or stopping project work where windows need to be kept open?

The conditions of approval for the Western Harbour Tunnel project require the preparation of management plans and monitoring programs designed to protect air quality, including an Air Quality Management Plan and Air Quality Monitoring Program.

The EPA will also regulate construction of the project, including air quality impacts such as dust, under the Environment Protection Licence. Typical measures employed for these projects include on-ground site management, the use of enclosures and water carts to minimise off-site dust impacts, monitoring and triggers to cease dust generating works during unfavourable weather conditions.