

Submission  
No 316

**INQUIRY INTO IMPACT OF THE WESTERN HARBOUR  
TUNNEL AND BEACHES LINK**

**Name:** Name suppressed

**Date Received:** 18 June 2021

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Partially  
Confidential

## Introduction

My family and I live at the highly impacted street adjacent to the Balgowlah portal.

When the project was announced in early 2017 those in my street were unaware of any expected impact, however, when alarming images marked “cabinet in confidence”, purported to leaked, were published in the media our street formed a community group and sought information both from other local groups and (unsuccessfully) from the project team.

Despite expecting the worst for our street going by the layouts published our group came to the conclusion that we should support the project if it is for the good of the greater community and we should seek assurances regarding certain local environmental and amenity values that have meaning to our local area.

Our local member James Griffin arranged a meeting with staff at the project, among them the project director and communications manager in December 2017. In this meeting the “leaked” images were dismissed and the required assurances were given. We were told that the worksite would be in the golf course and the tunnel alignment would be parallel to the existing road.

I should add at this stage that our young family was rapidly outgrowing our old house and our planned renovations had been on hold since early 2017, we decided to keep the plans on hold until the design was finalised.

To my surprise, when the reference design was released for consultation in July 2018, the impact to our property was nowhere near as expected; in fact, it was arguably better off due to the reduced traffic and greater distance to the southbound road. Also to my surprise was the major impact to unwitting residents to the east and north of the golf course. A new community group was formed by these newly impacted residents which I supported and encouraged the use of a collaborative approach with the project team. The consultation period ended and the design team went back to work to finalise the design.

On 26 November 2019 I received an email from James Griffin MP stating that the **Final Reference Design** has been released, quoting the benefits and improvements in the **Final design**. Ominously, compulsory acquisition notices were served on most of Dudley St the very same day of this release.

On seeing this and receiving verbal confirmation from the technical lead (at the Balgowlah RSL display) that they were only working on solutions to perhaps lower the roadway height for the Pickworth St resident’s amenity, we realised that we could finally build our new house!

Another community update was issued with the same design shown in August 2020, a slight change in the image caption escaped my attention at the time as the caption always emphasised that the sporting field layout would be designed with the community. The words “once fully grown” were omitted, perhaps indicating that changes were greater than field layout and landscaping.

Ten days before moving back to our new house our lives were destroyed. The EIS was released and the final design, that our decision to stay and build was based on had turned into the worst case scenario from the 2017 situation – why didn’t they tell us? We could have sold and bought in 2019 or even in 2017 if the project team put forward the **actual** design.

This portal design had “evolved into” a new tunnel corridor 500m in places away from the corridor announced in 2017 and not even in the published footprint of the project from the scoping report. It turns out that the design that was subjected to community consultation was not even viable.

The team had successfully created a tunnel design with no consultation at all with the most impacted residents.

## The Terms of Reference

There are problems in each of these points but due to time constraints I am unable to contribute to all in this submission.

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

This will be well covered by other submissions. It is obvious that it is based on outdated data and the need to feed WestConnex.

**(b) the adequacy of the consideration of alternative options.**

I discuss this in the “Consideration of Alternatives” section

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

Will be covered by other submissions.

**(d) the consideration of the governance and structure of the project including the use of a ‘development partner’ model**

Will be covered by other submissions.

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

The original goals of the project are never really clarified:

- If congestion is the problem, then why aren’t future population growth rates factored into projections?
- If travel times are the problem – why aren’t the local road travel time increases and the population growth figures used?

Clearly the actual goals are about plugging the deficiencies in prior projects and political.

This is covered better in other submissions.

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

Discussed in the “Community Consultation/Engagement” section.

**(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.**

Dismissed by Project team as short term with no substance to this assumption. Hopefully will be covered by others.

**(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.**

Not my place to comment on however transparency is one of the original goals.

**(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.**

In the many interactions that I have had with the project team, it would seem that they do not realise that they are a public sector body. I have constantly been told that only “publicly available” information will be shared – even if I am affected by it. This is in contravention to my rights. The team have also refused to answer questions from the public where there isn’t a pre-empted response.

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

Others will respond to this.

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

Others will respond to this.

## Consideration of Alternatives

- The 1949 vision with exits at Balgowlah and Wakehurst Parkway is the only road option considered.
  - o The timeline in chapter 44-2 mentions what is essentially the same document 3 times in the final 4 timeline entries (*draft North District Plan, draft Future Transport 2056 Strategy* and *Future Transport Strategy 2056*). Each of these documents refer to the project by name and state “the committed”. This is obviously the only viable option put to the creators of this document. These documents are then used in the project development section of the EIS as they are the only option available – creating a circular reference.
  - o No other entry points to the Northern Beaches have been considered despite a major population shift north, since portal locations were first considered, and in the future vision for the Northern Beaches.
  - o These entry points were earmarked in 1949 (EIS 4.2) and have not been questioned since.
- Other options considered are selective
  - o “Improvements to the rail network” is dismissed basically because of the challenges of tunnelling underneath middle harbour. The Chatswood to Dee Why route isn’t given any consideration presumably because of implied use of lanes currently used for buses and cars.
  - o Rail is dismissed due to low population density and growth based on current data whereas elsewhere in this section the proposed population growth for the region is based on the 2056 future data that includes future planned growth. This is an inconsistency.
  - o The other 4 options are never considered in a cumulative fashion and are treated as competing with each other. Considering the great cost of the project, multiple configurations of the other options should have been considered.
- In further development “a multidisciplinary team including design engineers, construction engineers, transport planners and environmental advisors with direct experience in delivering major transport infrastructure in NSW, Australia and internationally” (EIS 4.4) determined:
  - o The red option that has a different connection at Balgowlah to other options should not be shortlisted or considered because it has a signalised intersection at Falcon street.
  - o The pink option was shortlisted even though the bridge option was dismissed out of hand in the 1984 enquiry due to the catastrophic environmental impacts. This is a bridge that would leave The Spit / Middle harbour precinct in its shade.
  - o This could go much further and these are two of the most absurd decisions made by the team of experts. There are only 2 conclusions that can be made here and they are that there was no team of experts, or that this was fabricated after the fact to justify a decision already made.

## Community Consultation/Engagement

- In the community engagement section of the EIS a “2017 concept design” is often referred to and as I was unable to find such a published design. When I queried this with the project team, after several misleading answers they were unable to produce such a design.
- In June 2017, several media outlets published designs marked “cabinet-in-confidence” that had been “leaked” to the press. All meaningful community engagement in 2017 was initiated by the community as a result of the “leaked” documents. When asked if an investigation has been carried out to find if the documents were leaked from the project’s office, the team have refused to answer since March even though leaking such a document is against the law. The only explanation for this would be that either the documents were deliberately leaked by the team or more likely they were doctored documents created to create community uproar.
- Any contact via door knock or even events, staff were unable to answer any questions that did not have an already published response. These employees are clearly public relations staff unequipped with the required knowledge to engaged with affected residents.
- The secretary’s requirement for the proponent to report on feedback received and the response given, combined with the project’s requirement to learn from the failures of prior projects (ie. WestConnex – not listening to the community) means that the best design could not be proposed initially and still respond positively to feedback received.
- The 2018 reference design highlights the above point perfectly.
  - o Completely disengages the previously engaged (via the leaked document) Southern Serpentine Cres and Hope St residences as the impact could not have been moved further from them.
  - o Needlessly engages many residences without notice on the eastern and northern sides of the golf course. These residents would then provide the voice that the team would listen to, to move the design back to the intended location. Many of these residences sold for losses of hundreds of thousands of dollars and uprooted their families to different areas as they were unable to buy back in.
  - o The design is not constructible within the criteria of the project.
  - o A similar ploy was used in both the Killarney heights and Flat Rock Gully sites where unpalatable options were put to the public along with preferred designs and then proudly listened to when the public “chose”.
- In November 2019 the proposed reference design was published and put on public display containing a design of the Balgowlah that did not reflect the design that was being worked on behind the scenes, Acquisition notices were served to the houses required for the new link road on the very morning of its publication. The same image was also republished a mere 3 months before completion of the EIS with no mention of its inaccuracy – this is deceptive and done presumably to avoid consultation.
- During the EIS display period the webinars held by the project team were merely marketing exercise and only answers that had a prepared response were answered. The answers to all other questions were promised to be updated in the FAQs on the web portal but were not updated (for Balgowlah) before the EIS submission period ended, and then still only the pre-packaged answers.
- The many questions that I have asked through the portal and more recently email are generally initially answered by quoting the same indecipherable spin that prompted the question back to me. Many questions remain unanswered now after months. When pressed for responses the tone of replies (not answers) feels as if it is to an entitled NIMBY.

## Local Traffic Considerations

The EIS states that local traffic considerations will be handled in consultation with the local council after approval. This is troublesome as many local roads are already congested and by their own admission more traffic will pour into the area and the scant detail given in the EIS such as “traffic calming measures”, “encouraging the use of xxx street” etc. is avoiding the reality that many local streets are going to have major impact and the residents of these streets are unaware of it – another avoidance of community consultation.

- Manly Vale through traffic on Condamine St: This is already very congested with considerable delays. Will there be a push to remove parking as previously attempted and rejected?
- Manly Vale Roseberry/Kenneth/Balgowlah roads: Also very congested. Will there be additional lights, removal of parking in this area.
- Wanganella St: Obvious rat run for North Balgowlah. Traffic calming measures suggested in the EIS. What are they – speed humps?
- Woodland and Condamine Sts: EIS suggests that traffic will be redirected there to ease Wanganella St. Will parking be removed? This will push more cars into residential streets. How can Condamine St take more cars?
- Brooks Rd: Unanticipated rat run past school.
- Wakehurst Parkway North of Warringah Rd. Already busy, anticipated increase in travel times before taking into account additional population. Flood risk in low lying areas.

These considerable problems may not have a sufficient solution and those affected have not been consulted. The project should not be approved until these issues are resolved.

## Conclusion

My family and I have moved back into our house now but it is not a happy place. We haven't bothered landscaping because I don't really see the point. We have wasted our life savings on it and now have no way out.

I lost my entire summer going through the (disingenuously released on the eve of holidays) EIS looking for answers as to where I went wrong and found that whether from the overt ministerial pressure to get contracts signed before the election, pressure from the project benefactors, or some other reason, this project has been rushed and retrospectively justified without regard for the public which they serve's rights.

Mine is one of many stories of the social impact that hasn't been taken into account in the costing for this project.