

Submission  
No 477

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

**Organisation:** Northbridge Progress Association

**Date Received:** 18 June 2021

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# NORTHBRIDGE

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PROGRESS ASSOCIATION

## **Submission to the Parliament of New South Wales Inquiry into the impact of the Western Harbour Tunnel and Beaches Link**

### **EXECUTIVE SUMMARY**

The Northbridge Progress Association (NPA) is a 100-year-old, not-for-profit, volunteer association which advocates on behalf of Northbridge to preserve or improve for its residents, the amenity and environment of the suburb. Northbridge is a strong community with over 6300 residents, proud of the physical attractions of our peninsular suburb and indigenous heritage.

The NPA is making this submission to the Inquiry because the Western Harbour Tunnel and Beaches Link project is of great interest to our members. Given the proposed design and tunnel path for the Beaches Link, the construction timeline and the overarching risk profile of this major infrastructure project, the potential impact on the residents and environment of Northbridge during and post construction is significant and undeniable.

In March 2021, the NPA made a submission to the New South Wales Government in response to its Environmental Impact Statement (EIS) published in December 2020, in which we objected to the project proposal and provided a number of recommendations to help address community concerns. The key elements of our submission address a number of the points in the Inquiry's Terms of Reference. These include particularly:

- the impact on the environment, including marine ecosystems;
- the adequacy of processes for accessing and responding to noise, vibration and other impacts on residents, during construction and operationally;
- the impact of the project on nearby public sites,
- the consultation methods and effectiveness, both with affected communities and stakeholders; and
- whether the project is subject to the appropriate levels of transparency and accountability.

Attached please find the NPA's detailed recommendations on the EIS, which we have provided in our submission to the NSW Government and have aligned to the Inquiry's Terms of Reference.

In developing the key points of our submission, the NPA held a Special General Meeting in February, at which Transport for NSW attended and responded to local concerns. Our submission outlined clear, actionable initiatives our community expects the Government to adopt to mitigate the impacts on Northbridge, should the project proceed. Since then, we have also held meetings with Government entities and stakeholders to discuss possible approaches to mitigating concerns, which have been very constructive.

In assessing the EIS for the Beaches Link, we took particular note of the NSW Parliament - Upper House Public, Accountability Committee Inquiry into the impact of the WestConnex project. We acknowledge that major infrastructure projects take into account broader considerations for Greater Sydney; however, Northbridge residents should not be required to shoulder a disproportionate share of the costs and risks of this project. The WestConnex Inquiry report's findings are aligned with the general concerns of the Northbridge community.

To meet community expectations, the NPA recommends that a number of the relevant recommendations from the WestConnex inquiry should be adopted and implemented in full for Beaches Link in order to minimise the impacts for the residents of Northbridge. In particular, we support the WestConnex report's focus on:

- achieving greater transparency in delivering major infrastructure projects;
- improving community consultation and complaints handling; and
- addressing construction impacts and preserving community amenities.

The general concerns of the Northbridge community, as outlined in the attachment, are centered around:

- existing contaminated landfill at Flat Rock Gully
- bushland preservation
- construction traffic
- noise and vibration impacts to residents
- air and water quality impacts
- access and amenity
- property impacts.

Our submission includes specific recommendations on important matters for our community including bushland rehabilitation, compensation for local organisations particularly impacted by the project, protection of aboriginal heritage and the scope of property pre-assessments.

Our community has highlighted the importance of transparency and accountability of government throughout this project, consistent with the Inquiry's Terms of Reference. This must include arrangements for ongoing monitoring and consultation to manage risks, mitigate impacts and ensure effective communication with the community through the construction and operational period. We have expressed clear expectations that material changes on key issues that impact the community e.g. deterioration in air quality above threshold levels; noise during construction above agreed thresholds; water quality changes that materially impact the use of Middle Harbour, are communicated to the public in a timely manner.

We recommend the performance of the construction project in identified key risk areas is communicated regularly in accessible formats, such as dashboard information presented in public community areas and online, in order to inform and engage the community.

Given the location of the proposed tunnel directly beneath the Northbridge peninsula, we have significant concerns about the potential for water-table drawdown leading to subsidence and property damage, as has been experienced by property owners affected by other tunnelling projects, notably WestConnex. Proactive and comprehensive measures to ensure adequate monitoring and compensation for any property damage are essential to provide assurance to Northbridge residents.

We recommend that the NSW Government monitor and publicly report on the new Community Complaints Mediator for the project to ensure that the improvements being sought regarding community engagement and complaints handling are achieved.

Finally, consistent with the recent request by the NSW Department of Planning, Industry and Environment to the Project Team, we support consideration of alternative locations to the dive site proposed for Flat Rock Gully. Community consultation will be key in exploring alternatives.

Should the Beaches Link proceed, the NPA strongly believes the NSW Government needs to address our concerns and recommendations to ensure community expectations are met. The NPA are committed to advocating for our community through this project assessment and have set up a sub-committee skilled with government regulatory experience at the highest level, legal, accounting, community engagement and external environmental management advisory support.

Yours sincerely

**Rachel Hill**  
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Attachment: Detailed NPA recommendations aligned to Inquiry Terms of Reference

To appreciate the beauty of our area and the time we invest into our community please visit [Northbridge.202](http://Northbridge.202)



## Northbridge Progress Association submission to NSW Parliament Inquiry into the Impact of the Western Harbour Tunnel and Beaches Link

18 June 2021

Below, the NPA has mapped the key focus areas from its submission to the NSW Government on the Environmental Impact Statement (EIS) to the Inquiry's Terms of Reference.

It is evident that many of the NPA's concerns and recommendations set out below relate directly to the following elements of the Inquiry's Terms of Reference:

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

*(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.*

*Inquiry Terms of Reference topic:*

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

Risk identified in EIS	EIS unmitigated risk rating	EIS residual risk rating	NPA Concerns	NPA Recommendations
<b>Air quality</b>				
<ul style="list-style-type: none"><li>Local air quality impacts due to dust generation</li></ul>	High	Medium	We are concerned about potential material impact to local air quality, and in turn health and wellbeing of residents, due to dust generation, potential disturbance of asbestos	That the NPA is represented on the Air Quality Community Consultative Committee (AQCCC)

Risk identified in EIS	EIS unmitigated risk rating	EIS residual risk rating	NPA Concerns	NPA Recommendations
			<p>or other airborne contaminants within the historical landfill site and odour impacts from construction activities at Flat Rock Drive (BL2) despite mitigation measures.</p> <p>Timely community notification of any air quality breaches including dust levels, along with clear action plans, is critical to protect vulnerable members of our community.</p>	<p>That the NSW Government include as a condition of approval:</p> <ul style="list-style-type: none"> <li>• Independent regular monitoring and reporting to the AQCCC of dust generation and dust levels at Flat Rock Gully</li> <li>• The nature and timing of external communication to the community should dust management plans be rated ineffective, with cessation of operations at BL2 until remedial measures have been planned and implemented</li> <li>• Formalisation of, and ongoing monitoring/ reporting on commitments made in relation to Air Quality, Emissions Controls and other measures to the NSW Government and the AQCCC</li> </ul>
<b>Geology, soils and groundwater</b>				
<ul style="list-style-type: none"> <li>• Disturbance of contaminated land or groundwater contamination during construction works</li> <li>• Marine contamination during dredging activities</li> </ul>	High	Medium	The Northbridge community is very concerned about the potential for harmful contaminants from the historical landfill site at and adjacent to BL2 site and in Middle Harbour sediment to contaminate the creek and waterways, potentially affecting health and safety for residents and in particular those using Northbridge	That the NSW Government working with Willoughby City Council commit to developing a long-term plan for remediation of contaminants at the historical landfill site as well as improving containment of stormwater run-off and associated rubbish accumulation at Flat Rock Gully

Risk identified in EIS	EIS unmitigated risk rating	EIS residual risk rating	NPA Concerns	NPA Recommendations
			<p>Baths, Willoughby Leisure Centre recreational facilities and Flat Rock Creek paths.</p> <p>The EIS notes the high likelihood of encountering groundwater contamination at the Flat Rock Gully area as well as potential for landfill gas from the historical landfill materials. We are concerned the project will exacerbate existing contamination problems whereas this project should be an opportunity to put in place a long-term remediation plan.</p>	<p>That the NSW Government make a condition of approval:</p> <ul style="list-style-type: none"> <li>• Storage of any contaminated spoil sites away from community recreational spaces and living areas</li> <li>• Community awareness as early as possible in the construction process as to the extent and nature of disturbed contamination and potential impacts on users of adjacent facilities</li> <li>• Monitored controls to prevent the likelihood of runoff into streams and waterways to be included as conditions of approval</li> <li>• Ongoing testing of water in Flat Rock Creek for contaminants and timely community notification of any breaches</li> <li>• Preparation of a Remediation Action Plan by appropriately qualified experts for the landfill site at Flat Rock Gully to be shared with NPA</li> </ul>
<b>Hydrodynamics and water quality</b>				
<ul style="list-style-type: none"> <li>• Marine water quality impacts from increased turbidity and sedimentation from dredging</li> </ul>	High	Low	<p>The NPA is concerned about release of toxic chemicals and heavy metals into Middle Harbour waterways, affecting our ability to safely use community facilities</p>	<p>That the conditions of approval include:</p> <ul style="list-style-type: none"> <li>• At least weekly testing and reporting of contaminant levels in Middle Harbour, in particular around</li> </ul>



Risk identified in EIS	EIS unmitigated risk rating	EIS residual risk rating	NPA Concerns	NPA Recommendations
			such as Northbridge Baths and potentially harming marine life	Northbridge Baths and Clive Park Reserve <ul style="list-style-type: none"> <li>Timely community notification of any breaches of acceptable contaminant level</li> </ul>
<b>Biodiversity</b>				
<ul style="list-style-type: none"> <li>Impact on native vegetation, groundwater dependent ecosystems and threatened ecological communities.</li> <li>Impacts to fauna habitat, including aquatic and marine habitats</li> <li>Impacts on threatened fauna species and endangered populations.</li> </ul>	High	Medium	<p>The Northbridge community has spent decades on volunteer bush regeneration activities in the Flat Rock Gully area, which now provides immense natural amenity to local residents and visitors as well as forming part of the local green corridor for wildlife habitat and movements.</p> <p>We are concerned this beautiful area and its flora and fauna will be permanently affected by the construction project and we do not view biodiversity offsets elsewhere as sufficient.</p> <p>We are concerned about removal of trees, impact to habitat of species such as the powerful owl and marine species in Middle Harbour.</p>	<p>That the NSW Government make a condition of approval that Flat Rock Gully construction site BL2 be rehabilitated to an enhanced bushland state post-construction</p> <ul style="list-style-type: none"> <li>That this rehabilitation be undertaken working together with organisations such as Bushcare Australia and Birdlife Australia to enhance the habitat for Powerful Owls and improve biodiversity.</li> </ul> <p>Consistent with the WHT approval, a Flora and Fauna Environmental Management subplan and Dredging Monitoring Program to include:</p> <ul style="list-style-type: none"> <li>Details for undertaking pre-clearing/demolition inspections for native fauna including threatened species by a suitably qualified ecologist</li> </ul>

Risk identified in EIS	EIS unmitigated risk rating	EIS residual risk rating	NPA Concerns	NPA Recommendations
				<ul style="list-style-type: none"> <li>• Methods and procedures for welfare and relocation of displaced fauna</li> <li>• The locations of sensitive marine habitats in the vicinity of dredging locations that are potentially sensitive to elevated suspended sediment concentrations and procedures for mitigating impacts</li> <li>• Specific measures to protect little Penguins and marine mammals near maritime construction sites</li> <li>• Specific measures to minimise disturbance to habitat associated with White’s seahorse and Powerful Owl</li> </ul>

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

Risk identified in EIS	EIS unmitigated risk rating	EIS residual risk rating	NPA Concerns	NPA Recommendations
<b>Noise and vibration</b>				
<ul style="list-style-type: none"> <li>• Ground-borne noise impacts during tunnelling</li> <li>• Airborne noise impacts from surface works during standard construction hours</li> </ul>	High	Medium	Our concerns are based on the high inherent risk rating including material impact on Northbridge residents from construction noise due to activities at Flat Rock Drive	That all relevant noise management, mitigation and consultation provisions in the Western Harbour Tunnel (WHT) approval are made conditions of approval for Beaches Link Tunnel.

Risk identified in EIS	EIS unmitigated risk rating	EIS residual risk rating	NPA Concerns	NPA Recommendations
<ul style="list-style-type: none"> <li>• Construction vibration impacts during standard construction hours.</li> <li>• Noise and vibration impacts outside of standard construction hours from surface works.</li> </ul>			<p>(BL2) and for residents exposed to noise from the Middle Harbour construction sites.</p> <p>We are concerned that given the nature of the construction activities, the mitigation measures may not be adequate, leading to significant negative impact on health and wellbeing of Northbridge residents.</p>	<ul style="list-style-type: none"> <li>• Consistent with the WHT approval, that a suitably qualified Acoustics Advisor must be nominated for the duration of the construction phase</li> <li>• This expert should be employed by and report to an appropriate NSW Government body independently of the design and construction contractors</li> <li>• The NPA and other community organisations should have direct access to the Acoustics Advisor for information and consultation on additional mitigation measures as needed.</li> <li>• The Acoustics Advisor to publish or provide the NPA with a monthly report on noise and vibration levels and any breaches</li> <li>• That the NSW Government formalise the process for responding to noise level excesses and complaints</li> <li>• That the NSW Government commit to timely publication on at least a monthly basis of summary statistics from the Complaints Register relating to noise level excesses</li> <li>• In order to undertake out-of-hours work, the contractor to identify</li> </ul>

Risk identified in EIS	EIS unmitigated risk rating	EIS residual risk rating	NPA Concerns	NPA Recommendations
				appropriate respite periods in consultation with the community
<b>Traffic and Transport</b>				
<ul style="list-style-type: none"> <li>• Construction traffic impacts on road network performance</li> <li>• Local road and parking impacts</li> </ul>	High	Medium	<p>Flat Rock Drive is a major transport corridor for commuters and local schools. Despite the traffic projections showing minor impacts on local roads in and around Northbridge with mitigation measures in place, we are concerned that the additional traffic light on Flat Rock Gully, significant number of daily construction truck traffic movements and local parking by construction staff will lead to traffic and parking spillovers on local streets.</p>	<p>That NSW Government require:</p> <ul style="list-style-type: none"> <li>• Monitoring agreed pre-determined criteria for traffic flow efficiency on Brook Street/Flat Rock Drive/Sailors Bay Road/Alpha Road, breaches of which will trigger consideration of mitigation actions in consultation with the community</li> <li>• Demonstration to the community of safe pedestrian and cyclist access around Flat Rock Gully and Willoughby Leisure Centre</li> <li>• Consultation with the community prior to finalising the Construction Parking and Access Strategy</li> <li>• That construction vehicles are prohibited from access to the Middle Harbour construction site from Sailors Bay Road</li> <li>• Commitments for timely response to community complaints regarding traffic and parking during construction</li> <li>• Timely monthly publication and/or sharing with the NPA of the number of complaints received regarding</li> </ul>

Risk identified in EIS	EIS unmitigated risk rating	EIS residual risk rating	NPA Concerns	NPA Recommendations
				traffic and parking and how these are being addressed
<b>Hazard and risk</b>				
<ul style="list-style-type: none"> <li>Ground movement (settlement) or geotechnical uncertainty causing damage to properties.</li> </ul>	Medium	Low	We are aware that the potential for settlement and other property damage due to tunnelling activity and uncertainty about final tunnel locations are creating unnecessary anxiety for local residents	<p>That NSW Government include as a condition of approval that property damage assessments will be available for all Northbridge property owners, not only those in close proximity of the tunnel route</p> <ul style="list-style-type: none"> <li>At the owner's option, a damage assessment to be conducted by an assessor independent of the project contractors</li> <li>Damage remediation to be carried out by a contractor and to timelines acceptable to the owner</li> <li>The dispute resolution mechanism must consist of qualified experts who are independent of the project contractor</li> </ul>

*(l) the impact of the project on nearby public sites*

Risk identified in EIS	EIS unmitigated risk rating	EIS residual risk rating	NPA Concerns	• NPA Recommendations
<b>Traffic and transport</b>				

<ul style="list-style-type: none"> <li>Temporary maritime traffic impacts to recreational users, community groups and clubs, commercial and government operations.</li> </ul>	High	Medium	<p>Barge traffic, restrictions on Middle Harbour navigation and the potential for water contamination will adversely affect operation of Northbridge Sailing Club, Northbridge Sea Scouts and potentially Northbridge Baths and the Northbridge Amateur Swimming Club. These are valued community-run organisations and their viability may be threatened as a result of the project.</p>	<ul style="list-style-type: none"> <li>That the NSW Government implement the recommendations put forward in submissions of the Northbridge Sailing Club and Northbridge Sea Scouts including a commitment to funding for compensation for loss of access</li> <li>A condition of approval to liaise with the Northbridge Sailing Club, Northbridge Sea Scouts and Northbridge Amateur Swimming Club before and throughout the project to address concerns about water quality, safety and continued recreational use of Middle Harbour.</li> <li>That that the NSW Government provide a commitment to compensation for the Northbridge Amateur Swimming Club in the event it needs to cease operations due to contamination or other obstruction caused by the Beaches Link project.</li> <li>That the NSW Government together with Willoughby City Council consult with the Northbridge Amateur Swimming Club and the NPA and develop a plan regarding any need for potential closure or changes to the operation of Northbridge Baths during construction</li> </ul>
<b>Aboriginal heritage</b>				

<ul style="list-style-type: none"> <li>Indirect impacts to terrestrial Aboriginal heritage sites due to vibration and settlement.</li> </ul>	Low	Low	<p>The Clive Park cave site is unique and fragile and we are concerned that the risk assessment may not adequately reflect the potential for damage due to vibration or inadvertent interference with the site during construction.</p>	<p>That an aboriginal heritage specialist make recommendations for protection and preservation of the Clive Park aboriginal site</p> <ul style="list-style-type: none"> <li>Resulting recommendations made a condition of approval</li> <li>Archival recording to be made of all significant artefacts</li> </ul> <ul style="list-style-type: none"> <li>A condition of approval that no construction equipment, vehicles or project staff are to be placed on, access or enter Clive Park Reserve from land or water other than in emergency</li> </ul>
<b>Socio-economics</b>				
<ul style="list-style-type: none"> <li>Temporary impacts on social infrastructure and community values during construction</li> <li>Impacts to businesses during construction (access, parking etc)</li> <li>Access and connectivity impacts during construction</li> </ul>	High	Medium	<p>As noted above, there will be significant adverse use and access impacts on the Northbridge Sailing Club, Sea Scouts and Northbridge Amateur Swimming Club. Amenity for residents and visitors at Clive Park Reserve and the small beach and remnant tidal baths will be significantly reduced during construction due to noise and barge traffic.</p>	<p>The NPA supports the submissions from the Northbridge Sailing Club and the Northbridge Sea Scouts and represents Northbridge Amateur Swimming Club in being compensated for any operating losses.</p> <p>That the NSW Government commit to funding compensation for any permanent damage, including contamination to; Clive Park Reserve, Northbridge Baths, the tidal baths or Flat Rock Gully through remediation and provision of commensurate public reserve enhancements such as improved pathways or facilities</p>