

**REPORT ON PROCEEDINGS BEFORE**

**PUBLIC WORKS COMMITTEE**

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

**CORRECTED**

**Virtual hearing via videoconference on Monday 13 September 2021**

**The Committee met at 9:35.**

**PRESENT**

The Hon. Daniel Mookhey (Chair)

Ms Abigail Boyd  
The Hon. Wes Fang  
The Hon. Sam Farraway  
The Hon. John Graham  
The Hon. Shayne Mallard  
The Hon. Tara Moriarty



**The CHAIR:** Welcome to the hearing for the inquiry into the impact of the Western Harbour Tunnel and Beaches Link. Before I commence I acknowledge the Gadigal people, who are the traditional custodians of the land on which the Parliament sits. I also pay respect to the Elders past, present and emerging of the Eora nation and extend that respect to other Aboriginals who are present or who are watching. Today's hearing is being conducted as a fully virtual hearing. This enables the work of the Committee to continue during the COVID-19 pandemic without compromising the health and safety of members, witnesses or staff. Today we will be hearing from local councils and community representative groups.

Before we commence I would like to make some brief comments about the procedures of today's hearing. While parliamentary privilege applies to witnesses giving evidence today, it does not apply to what witnesses say outside of their evidence at the virtual hearing. Therefore, I urge witnesses to be careful about comments you may make to the media or to others after you complete your evidence. Committee hearings are not intended to provide a forum for people to make adverse reflections about others under the protection of parliamentary privilege. In that regard, it is important that witnesses focus on the issues raised by the inquiry's terms of reference and avoid naming individuals unnecessarily. All witnesses have a right to procedural fairness according to the procedural fairness resolution adopted by the House in 2018. There may be some questions that a witness could answer only if they had more time or with certain documents at hand. In those circumstances witnesses are advised that they can take a question on notice and provide an answer within 21 days.

Today's proceedings are being recorded, and a transcript will be placed on the Committee's website once it becomes available. The hearing is also being broadcast and saved on the Parliament's YouTube channel. Finally, I have a few notes on virtual hearing etiquette to minimise disruptions and assist Hansard reporters. Can I ask Committee members to clearly identify who questions are directed to, and could I ask everyone to please state their name when they begin speaking. Could everyone please mute their microphones when they are not speaking. Members and witnesses should avoid speaking over each other so we can all be heard clearly.

**LARISSA PENN**, Convenor, Stop the Tunnels, sworn and examined

**SALLY BROGAN**, Project Governance, Stop the Tunnels, affirmed and examined

**NOEL CHILD**, Technical Expert, Stop the Tunnels, sworn and examined

**KRISTINA DODDS**, Community and Schools, Stop the Tunnels, affirmed and examined

**The CHAIR:** Thank you very much. Can I invite a representative of Stop the Tunnels to make a short opening statement now if you so wish.

**Mrs PENN:** Yes. Larissa Penn. Firstly, Chair, Deputy Chair and members, thank you for having us and convening this important inquiry. Over the weekend we noticed that the Warringah Freeway contract was awarded. It is disappointing that decision-makers were not first prepared to listen; however, we trust that this inquiry's feedback will be valuable in achieving better outcomes for our area and our State. Community concern is high, and, while reviewing the 20,000 pages of environmental impacts during COVID-19 was difficult, thousands submitted and more than 90 per cent lodged an objection. Infrastructure Australia has reduced the benefit-cost ratio [BCR] of the project to 1.1 to 1.2 using P90 cost estimates. So cost benefits are already marginal before considering the following impacts.

The route chosen is geographically complex and densely populated, creating unknown risk and high-level impacts. Just a few of these include dredging our precious harbour and Middle Harbour, a majority residential route through heritage areas, poorly scoped drawdown issues, and unknown and uncertain geology. Twenty-two hectares of green space will go. Twenty Aboriginal sites will be put at risk, and over 3,500 trees will be removed. The documents attest that the project will create local traffic issues. Plugging two tunnels into the main east-west traffic distributor on the North Shore is clearly not a congestion solution. There will be eight years of high impacts in Sydney's largest school zone. At least 20,000 children will be impacted, and kids will compete with up to 70 construction vehicles per hour on their way to school.

The legacy landfill site at Flat Rock Gully in Middle Harbour's catchment is the chosen dive site. It has been subject to little more than a desktop review. Likewise, there are contamination issues arising at Cammeray, around the early works. Along the route, PFAS and dioxins have been found, but a full range of testing is yet to be done, and it is too late in the process. The community is genuinely concerned that we are heading towards another West Gate situation. The project places seven additional pollution stacks in the Sydney Basin, with stacks in range of dozens of schools and the Royal North Shore Hospital, and we have confirmed that there are risks to thousands of high-rise residents, yet to be modelled. The climate profile is poor: Electric vehicle transition and traffic flow improvements do not account for the high volume of traffic increases predicted. Two-way tolling is earmarked for all harbour crossings. The risk is that workers further avoid WestConnex tolls to afford the tolls that they cannot avoid crossing the harbour.

Most of the costs I have mentioned are not adequately covered in the business case and, conversely, the claimed benefits are not evidenced in the environmental impact statement [EIS]: the northern beaches gets more traffic; the Harbour Bridge stays the same; and Anzac Bridge and key arteries across the North Shore get far worse; Military Road does not benefit as per the data and Mosman Council's submission to planning. Viable alternatives have not been compared to the toll road option. The travel time savings claimed do not pass the pub test or, as we like to say, the school gate test. Validation of these is essential, given that they make up the majority of claimed benefits and have been a failure point for other projects, such as the Cross City Tunnel. Infrastructure Australia has stated that population has slowed, a proportion of work from home is here to stay and there is a shift to the regions. They recommend that all future projects be reviewed.

Given that the BCR is marginal, these changes may well reduce it to under one. It is imperative that the business case be updated, reissued and reviewed. With a \$14 billion price tag and engineers saying it is more likely to be 20, the public want assurance that this project represents the best value for money. Communities want sustainable, healthy and effective solutions. The pause in COVID-19 has given us the chance of a one-in-100-year opportunity to re-imagine our city, and this project is not what most have imagined.

**The CHAIR:** Thank you, Ms Penn. Is it possible that you could please email that opening statement to the secretariat if you have not already? Thank you. We are now going to go to questioning. We will kick off with the Opposition first. Then we will be going with the crossbench, then the Government. Over to the Opposition. I think it is Mr Graham.

**The Hon. JOHN GRAHAM:** Great. Thank you, Chair. Firstly, thank you for your submission. It was one of the comprehensive submissions that the inquiry has received. Already it has been quite helpful for the Committee. I might ask a question first to Ms Penn. The communities on the M5 corridor were promised, when

the tunnels opened there—more than \$4 billion of public expenditure—that trucks would be in the tunnels. Instead, they are on suburban streets in numbers that have not been seen for decades. Is that one of your concerns with this proposal going through your communities?

**Mrs PENN:** Larissa Penn again. I think trucks in general are a concern. Possibly a slightly different concern is that the project seems to be really oriented towards becoming a freight corridor. There is something over 63 per cent increase in freight coming through that corridor. Whether they end up on local roads or on the toll roads is yet to be seen, because we are not certain whether the Warringah Freeway will be independently tolled. We have not been able to get an answer from the project team about that. That will obviously influence where those trucks go. But one of the key concerns we have about that huge increase in freight coming through the corridor is the fact that it is Sydney's largest schools corridor and the diesel pollution associated with those trucks will be really significant. Certainly, we are concerned about trucks during construction. There are going to be 10,000 additional construction vehicle movements required per day between Roselle and Balgowlah at the peak of construction. So trucks in general are definitely a concern in that area.

**The Hon. JOHN GRAHAM:** Yes. In your submission you are putting in some ways the remarkable proposition that this \$14 billion or \$15 billion—the Minister says it is higher than \$14 billion but will not say how high—might be better spent in other communities, communities that are crying out for investment in transport. Can I just get you to expand on that point.

**Mrs PENN:** I think there is no question that there is a congestion issue. I think that cannot be ignored. But what we are suggesting is that there are far more cost-effective ways to spend some of that money relieving the congestion issue, and the remainder of that money could go to communities across New South Wales that are in so much need. Obviously, there is the south-west at the moment. There are communities recovering from bushfire. There is so much that has happened in our State. I guess what we are saying is this project does not have a strong cost-benefit ratio. We have identified numerous risks and under-costed areas. If it is not strong in terms of its benefit cost, then what other projects could this money be spent on that could have a greater benefit to New South Wales?

**The Hon. JOHN GRAHAM:** Locally one of the things you have called for is for some of that money to be spent on public transport solutions?

**Mrs PENN:** Absolutely.

**The Hon. JOHN GRAHAM:** Does it make you more concerned about that if I refer you to the 26 September 2016 Transport for NSW memo titled "Failure in Critical Options Analysis" that reveals a Cabinet direction to rule out consideration of a public transport comparison to this toll road option for these communities?

**Mrs PENN:** We have actually submitted—I should have said that in the beginning. We have sent through a supplementary document. I hope that is all right and acceptable to table today with some more information because additional information has been coming through to us. In terms of public transport, if you are specifically referring to the northern beaches—that is stated in the EIS that it is assumed that public transport such as a rail corridor is not possible from a geological point of view, from a cost feasibility point of view, whereas we have actually provided a feasibility assessment that was done in 2009 and says it is entirely possible. We have got several engineers that have actually looked at it and we have had some other submissions that have looked at it and said it is actually entirely possible at the moment. I do not know why there was an exclusion of public transport. We are certainly crying out. We have recently had buses cancelled across the North Shore. But also you would know the northern beaches had buses cancelled as well as the issues around the ferries. That is, I guess, testifying to the fact that these areas really do want public transport but also active transport options. So we want to see those options weighed up against a toll road properly—

**The Hon. JOHN GRAHAM:** I am just conscious of the time. Finally I might ask you this before I hand to my colleagues. What response have you had from the Government? You have had thousands of people support some of your concerns. In fact, more than 10,000 people signed a petition supporting your concerns. What response have you had to date from the views you have raised about this project from the Government?

**Mrs PENN:** Very little. I think the response—to summarise it—is that they believe that this project is the best option, they believe that they have consulted with the community. Really, we have seen no change as a result. We have actually had that in writing in one of the circulars after the EIS consultation. There were 3,000 submissions put in. The response we had was basically that no design changes will be made as a result of that community consultation. I think in general it is fair to say that we have really had very little response.

**The Hon. JOHN GRAHAM:** Thank you.

**The CHAIR:** What has been the engagement between either the Government and/or the transport department and the affected schools you were talking about and the parents of children at those schools you were talking about? I guess that is a question directed towards the schools coordinator of your group.

**Mrs PENN:** I was going to say does Ms Dodds want to take that one?

**Ms DODDS:** Sorry. What is the general nature of the question? It is whether we have been consulted about the project?

**The CHAIR:** Yes. What is the nature of the engagement between the transport department or the Minister or the Government and particularly the concerns around stats and the schools as well as schools in general?

**Ms DODDS:** I am on the P&C at the Cammeraygal High School, which is the North Sydney area, and I have been working with our school body and with 20 other schools across the construction route. I must say with our school we have not been contacted by the department of transport at all or Transport for NSW about impacts to our school. Our school is within 600 metres of the Warringah Freeway upgrade. It is at the crossroads where the Warringah harbour tunnel meets the beaches link. So it is right in the thick of things. We did have a memo that came to—it did not come to the school. It was just from the department of transport, saying that extra trucks—this was in March—were going to go through the streets of North Sydney and that this had been approved. We had not been consulted as a parent body at the school. I am not even sure that the school had been consulted, because I asked the principal. We have had very little. I know that some of the other schools have requested meetings with Transport for NSW, but they have taken that first step rather than those departments coming to us.

I would have to say as a resident of the area as well I personally doorknocked 400 residents, and we signed a petition of some of our concerns and we gave that to our local member, who is the Premier, and I did not even get a response to that. That was a little bit earlier, back in 2018. We are also pretty concerned about the Cammeray golf course, where the early works have started. We understand there is quite a bit of contamination there because it too was once thought of as being a landfill area. We were assured that bare earth would be covered, that it would be not very deep works. In fact, I go there every Sunday and take photographs of the loads that are not covered, the deep excavation works that are going on. This is all of the early works. It butts right up against the skate park and right up against Cammeray Oval. That is where our kids participate in school sports.

**The CHAIR:** Thank you. Ms Moriarty, do you have a question? No. Mr Graham, we might have one minute left of Opposition time. Mr Graham is on mute.

**The Hon. JOHN GRAHAM:** Thank you. I might just ask one of you to expand on the fact of the number of schoolchildren in this corridor. You touched on it, Ms Penn, in your opening remarks. But it is a remarkable figure.

**Mrs PENN:** Yes. That is a conservative figure. We have looked at all of the schools in the area and how many children are at those schools. Many of them have up to a thousand. It is very much just a schools precinct. This is conjecture, but it feels like perhaps when they were planning this project they did not quite realise the sheer volume of children moving across the area. Even out of that Mosman peninsula, they are coming across the Warringah Freeway to those North Shore schools, and from Willoughby across there is one of the major corridors that is going to get the 70 trucks per hour, with the kids coming through on their buses and everything and cycleways. There is a really large volume. That is conservative, because we know there are many, many more preschools and kindergartens in the area. We are a big medical—we are finding this with the schools, that we have got quite a few kids going to school during COVID because we are a huge support for the medical area here. There is a lot of kids and families and people moving through. It is a great concern in terms of the number of parks and schools and construction facilities going in very, very close to those children and where they are moving around.

**The CHAIR:** We will go to Ms Boyd and crossbench time now.

**Ms ABIGAIL BOYD:** Thanks, Chair. Thank you to all of you for your incredibly comprehensive submission and for appearing here today. I wanted to touch on the parts of your submission where you talk about how things have changed over the last few years, particularly during COVID. Can you take us back a step to look at when this proposal was first made for this project? I am curious as to when the decisions were made and in what context and also the age of the data that has been relied upon in the EIS.

**Mrs PENN:** Sally Brogan, did you want to talk to that?

**Miss BROGAN:** Sally Brogan speaking. Thank you for the question, Ms Boyd. Really I think documents started being submitted around 2016 to 2017 in terms of key things given to the community. Significant things have changed since then, as you can see. We are all working from home. That is under a public health

order. But I think that anyone could say that the changes that have been made to the way people work and the way that work environments have changed in the last 18 months is a once-in-a-lifetime event. That has definitely not been taken into account, the documents and also the travel patterns that were undertaken. I think something else that should be considered is that the northern beaches is a particularly unusual local government area in that nearly 50 per cent of the people that live within the northern beaches LGA actually work within the northern beaches LGA. So there is not a significant amount of people leaving that LGA to go to work in other LGAs. It is interesting looking at data say provided by the North Shore, where a lot of people do work in the city, that once you provide a public transport solution—in that case, the heavy rail that is the North Shore train line—you have up to 40 to 50 per cent of people using that. Really, putting a toll road to the northern beaches to alleviate transport for people to exit in this case is not as important as it would be for, potentially, other LGAs.

In terms of the key decisions, I think as Larissa Penn said earlier, we are seeing key contracts being made before even things like business cases are released. One of our big concerns is that this project is based on out-of-date information in relation to travel patterns and it has not considered a lot of public transport initiatives that have been introduced. Interestingly, if you analyse Roads and Maritime Services [RMS] data coming from over the tunnel, over the Spit, going back a number of years you had approximately 65,000 or 66,000 cars a day going across that. Since the introduction of the B1, the B-Line, which goes from the northern beaches into the city, that number of 66,000 cars a day has reduced to around 58,000 or 59,000 a day. That is just one public transport introduction. There is also the B2 introduction, which goes from Dee Why to Chatswood, and also the impact of the new metro train line, which is coming from the west into North Sydney and then into the city. So I think there is a real opportunity here to look at what has changed over the last three or four years in terms of habits and public transport introductions and really start afresh. Larissa, anything more to add?

**Mrs PENN:** Can I just quickly add to that from an active transport point of view. The litmus, I guess, on that is that many of the local bike shops actually sold out during COVID. People have bikes sitting in their garages. What they do not have is connected cycleways. They have got itty-bitty cyclepaths that end up on expressways at the moment. There is just such an opportunity to join up cycleways from Mosman, from East Willoughby, from Artarmon, from Chatswood and really get those cycleways moving into the city. I think you will find that there will be a huge uptake. That is something that is earmarked on the Infrastructure Australia list as a zero-to-five-year initiative. I think that is something worth really seriously considering bringing forward. It would actually alleviate some congestion. Certainly while we are in COVID conditions where public transport reluctance might be an issue I think those cycleways are really important.

**Ms ABIGAIL BOYD:** Thank you. We have seen with a number of projects from this particular Government that, once they have decided that there is going to be a road and not public transport options, things get siloed within RMS. When was the last time the community was consulted about the decision to go with a road and a tunnel instead of with a public transport option?

**Mrs PENN:** I would not say we have ever been consulted on that option. There was in 2006 an announcement just in the newspaper—Trent Zimmerman was part of that—about a metro line under Military Road, which I actually believe has been allowed for in the build of the Southwest Metro that is going in at the moment. Given the data that we are seeing in the beaches link proposal, it is really evident that a lot of the Military Road traffic is local traffic. I think there is absolutely value in reconsidering that option under Military Road. I think everyone thinks you have got to get it all the way to the beaches, but just getting locals and even local schools' transport onto something like an underground metro would alleviate that definitely more than this is because, as I said, the data shows that Military Road will not receive any benefit as a result of these projects.

**Ms ABIGAIL BOYD:** Thank you. This project was decided on the basis of a number of assumptions and on the basis of data that does appear to be out of date. We talked about the impact of COVID on working patterns. We have talked about the developments in public transport projects and the impact of other public transport projects on the need for this road. Then also there is this talk of contamination and new findings of contamination at relevant sites. Can you talk to us more about that? Is it just Cammeray, or are there more sites?

**Mrs PENN:** I will touch on the big picture and just throw to Kristina Dodds. There is a large number of sites. Probably people would not expect that, but what they have explained is that, because the Warringah Freeway corridor is quite an old expressway system, the contamination has gone to the sides of those roads, into the parks that are around that system. There is a moderate to high level of contamination in, really, all of the parks in the surface-level soil. But, as Kristina said, we are finding out more and more information about the Cammeray golf course site, which is the major construction site, that there is old landfill but also now potentially that there is coal by-products, which can be quite dangerous, that were potentially dumped there too. You might think that is a golf club, but that is literally two metres away from where all the kids are running around and on their scooters and getting out for COVID and doing their walks. You can almost touch through the fence and touch the site.

That was something I alluded to at the moment. We are very uncomfortable with how the contamination management is being done, that it seems to be being pushed onto the contractors, which I think we have seen in other projects. Obviously, I think as a community it is safe to say that we are concerned that it is probably not in the best interests of the contractor to find the contamination and have to deal with it. They have got to look after their profits. So we start to get into concerns about that. We have had to really follow up everyone from the council, to the Department of Planning, Industry and Environment [DPIE] and to the contractors themselves about actually doing the up-front testing. The testing has not been completely done. There are major contaminants that we are aware of, like asbestos, that have not been fully tested for yet. The other major site of contamination is at Flat Rock. Kristina might like to just fill you in on that one quickly.

**Ms DODDS:** Yes. Flat Rock Gully is a slice of bushland five kilometres from the city, surrounded by seven suburbs. This is the proposed primary dive site for the northern beaches link. So a million tonnes of sandstone is going to be trucked from that site. But this is sitting right on top of a legacy landfill. It has been an unmitigated tip for 80 years. It was closed in the 1980s. For instance, the Hallstrom refrigeration factory was in the gully for 40 years. That dumped all of the waste from the refrigeration factory, including chrome plating. PFAS was used in the production of that chrome plating. Also there was the medical waste from Royal North Shore Hospital. None of this has actually been overtly expressed in the EIS. Then there is all of the dumping from 70 years of it being an unmitigated tip. That was all capped 30 years ago and remains, I guess, inert underground.

But Flat Rock Gully is a pretty incredible site because it is a gully and it is a water catchment for the area. Over the capping of the site you have got playing fields, Willoughby Leisure Centre. You have got regenerated bushland. Then it leads down into remnant bushland. Then it leads down into more playing fields. Then it leads down into Middle Harbour. The regenerated bushland, which the community has worked hard for 30 years to regenerate—it is only now the trees are maturing, now the wallabies are coming back. Yes, there are wallabies there. There are powerful owls. It is a wildlife corridor. But that is the dive site. I must say that the whole tip area in places is 70 metres deep. There were the Narrabeen falls that were, apparently, quite spectacular. All of that has been filled in by the tip. The dive site is going to clear those six acres of bushland, and it is going to sit right in there, penetrating through the capping of the tip. It sits right at the top. We have a huge flood event—apparently, it is in a flood zone—every 10 years. But in February we actually had quite unprecedented rains, and it just flowed down that gully.

**Mrs PENN:** I can just add to Flat Rock Gully. Obviously, we have got Sydney Harbour—I think you [disorder] a marine biologist about that—but also Middle Harbour. Because these two contaminated sites, Willoughby Creek and Flat Rock Creek, run down to Middle Harbour at that point and that is the point at which they have chosen to dredge Middle Harbour, again the most contaminated location—and mobilise those contaminants. Obviously, when you are talking about business case—all of these things have a [disorder] cost.

**The CHAIR:** I am sorry, Ms Penn. We are now in Government time, so I am going to go to the Government members to ask questions.

**The Hon. WES FANG:** Thank you, Mr Mookhey. It is Wes Fang. Ms Penn, I will start with you as the convenor. Can you tell me a little bit about your group, Stop the Tunnels? Where did you create the group? When was it started?

**Mrs PENN:** Larissa Penn. I apologise for not fitting that into my three minutes at the beginning. I was trying to get a lot in there. It was mums from schools, basically, is how I will describe it. I do have an international standards auditing background. The P&C president knew that, asked me to have a look at the documents. Knew nothing about the project at that point, started to try and do as objective a view as possible, started to talk to different independent specialists, which was part of my job when I was an auditor, employed those skills. Then we started to understand and more mums joined in, basically.

**The Hon. WES FANG:** I have got limited time. How long ago was that?

**Mrs PENN:** Sorry?

**The Hon. WES FANG:** I have only got limited time, so I am just going to ask for succinct answers. How long ago was that?

**Mrs PENN:** It was about three years ago.

**The Hon. WES FANG:** How do you predominantly join the group? If I want to join, how do I join Stop the Tunnels?

**Mrs PENN:** It is word of mouth. People contact us via email. We have got a website that we put together. Basically, information sharing is what we are trying to do in the community.



**The Hon. WES FANG:** If I join, do I get to vote on who leads the committee? You are the convenor. I would imagine that you are elected by the body. Is that right?

**Mrs PENN:** We do not have a very formalised—it is very grassroots. Mums at the school gate is how it is. Kristina Dodds and I are certainly elected in terms of being P&C. Both of us are P&C members at different schools. A lot of the group is various P&C members. In that regard we are elected to represent the school community.

**The Hon. WES FANG:** So the group itself is not elected by its membership. You do not have minutes. How do you develop policy? Do people contribute to policy positions? Obviously, you have made quite a detailed submission. Who develops the policy? Do you have a group of people that give input, or is basically just the four of you that just get together and put together a submission?

**Mrs PENN:** No, it is a lot more than four of us. It is just knowing our community. We are just part of the community. We all know many, many people across the community. Someone will say, "Do you know a marine biologist?" and someone else will say yes. That is pretty much how it works.

**The Hon. WES FANG:** So everybody you talked to is against this project. Do you have anybody that puts a divergent view to you?

**Mrs PENN:** On the various committees certainly we do, on the various other groups that we are on. I guess the way to think about it is Stop the Tunnels is more of a position than it is its own group. Different groups that have those formal structures adopt that position and then contribute to the ideas. Yes, there are some divergent views, but I would say, by and large, when people read the 20,000 pages of environmental impact, if they have time, or even attempt to—I have seen many people that like the thought bubble of this tunnel and actually read the documents and very much change their view because of what is contained in them.

**The Hon. WES FANG:** I have had a look at your Facebook page. You have got, I think, 900-odd likes. I imagine that that is a good gauge of how well you are engaging with the community in particular. Are you speaking for 900 people there? The number of people that are going to be benefiting from this tunnel is far exceeded by 900 people that have liked your Facebook page.

**Mrs PENN:** Sure.

**The Hon. WES FANG:** You are speaking on behalf of the community, you say, but your Facebook page has 900 likes.

**Mrs PENN:** We made a submission based on the information provided by the community. I think that is a little bit of a different stance. It is not so much that we are standing here, saying, "Right, we're it." We are saying this is the information that has actually been provided to us by the community, and we are pulling that together and sharing it. We originated that petition to Parliament, the 11,000 signatures. I guess that is a bit of a gauge on people. That was very much the things that we have said today. Unfortunately, things have not changed much in the year or so since we put in that petition. If that is a sort of gauge—but, as I said, it is more of a position that different groups adopt and different people in the community adopt more so than an entity in its own right.

**The Hon. WES FANG:** I also noted that your Facebook page, Stop the Tunnels, has a connected page, which is Save Flat Rock Gully. Again it seems like a position—

**The CHAIR:** Mr Fang, I am giving you very broad leeway here. But if we can perhaps tie the question into the terms of reference, it might be to the benefit of all. I am very happy for us to go through who likes whose Facebook page, but if you could at least link it to the inquiry it might be more pertinent in the use of the time.

**The Hon. SHAYNE MALLARD:** Mr Chair, the witness herself raised Flat Rock Gully and contamination. So it is relevant to ask questions around it.

**Ms ABIGAIL BOYD:** Point of order: Yes, there are substantial issues that we could be asking questions about—that is correct, Mr Mallard—in relation to the contamination at that site. Mr Fang is, of course, able to waste his questioning time, questioning how many Facebook likes it has.

**The Hon. WES FANG:** Chair, I suggest my time is being wasted now, and it is very limited. Save Flat Rock Gully is a part of the Stop the Tunnels campaign. You have got four people that are appearing today. How does this position be presented by Stop the Tunnels? They are quite different issues, are they not?

**Mrs PENN:** I guess, like all of us, we have different interests and different concerns—

**The Hon. WES FANG:** [Disorder]

**Mrs PENN:** —and the people that are part of the campaign to save Flat Rock Gully are worried about Flat Rock Gully and worried about the community around Flat Rock Gully, not just the contamination. It has got Australia's largest netball club playing in it. It has got kids' sports fields down the bottom of it. So the schools are very concerned about it. [Disorder] lots of people.

**The Hon. WES FANG:** Thank you, Ms Penn. It just seems very, very agenda driven, your group. I am now just turning to politics. Ms Penn, have you stood as a candidate in an election?

**Mrs PENN:** Yes.

**The Hon. WES FANG:** Can you tell me a little bit about that?

**Mrs PENN:** I stood as an Independent candidate in the last State election. I ran for three weeks on this platform. When I say this platform—I was encouraged for a very long time by very many members of the community to run, really, to bring. We very much felt at that time that we had done a lot of feedback. I had actually met with the local member. The schools had met with the local member. [Disorder] The groups had met with her, and we just did not feel listened to. So I was encouraged to run to bring more attention to the [disorder].

**The Hon. WES FANG:** I think it is fantastic. More people should put their hands up. Can I just ask the other members. Do you have any political allegiances, Ms Dodds, Ms Brogan, Dr Child?

**Ms DODDS:** No, I am not a member of any political party. No political allegiances. This is the first time I have been quite active in this area because there is so much wrong. It is a Pandora's box. It is a tunnel to support 300,000 people.

**The Hon. WES FANG:** [Disorder] this is the worst project in the world. Ms Brogan?

**Miss BROGAN:** Mr Fang, I do not have any political allegiances. Just referring to one of your earlier points, when Ms Penn ran against the existing candidate, she garnered nearly 10 per cent of the votes in that electorate on this basis.

**The Hon. WES FANG:** That means 90 per cent of people must support the tunnels, then. Is that what I can draw from that?

**The CHAIR:** We are just going to allow the panel to complete answering the first question, Mr Fang.

**The Hon. WES FANG:** Sorry, Chair.

**Mrs PENN:** I am happy to respond to that. Most of the electoral material had nothing about the tunnels in it. Most of the people I spoke to—I pounded the pavement for those three weeks very hard and spoke to thousands of people, and a large majority did not actually know that the tunnels were coming through Willoughby electorate at all at that time of that election.

**The Hon. WES FANG:** I have got one minute remaining, Ms Penn. Can I just ask Ms Dodds one question. You talked about the consultation or the lack of consultation with the schools. What exact consultation is it that you were expecting the school would be engaged on with regard to the project?

**Ms DODDS:** I would have expected that there would have been a communication between Transport for NSW and the DPIE directly with the school, because we are one of the most impacted schools in the area. We are the high school. Our whole student body is within the catchment of that North Sydney area.

**The Hon. WES FANG:** Have they provided you information and data around what is going to happen?

**Ms DODDS:** No, we have not received anything.

**The Hon. WES FANG:** Nothing at all?

**Ms DODDS:** No. As a parent body—

**The Hon. WES FANG:** [Disorder]. The school has been provided absolutely nothing.

**Ms DODDS:** From my point of view as a parent and at P&C group, we have received nothing.

**The Hon. WES FANG:** You said you spoke to the principal. Correct?

**The CHAIR:** Mr Fang, it is just question, answer. Your time has expired, but I am going to give you an extra minute because I am fair. It is just question, answer.

**The Hon. WES FANG:** Thank you, Chair.

**The CHAIR:** You have asked your question. Ms Dodds.

**Ms DODDS:** There has been a lack of consultation. I have only found things from interested parents who have looked on the portal to say, "Do you realise that there is a whole lot of extra trucks that has just been approved to go through our local streets?" This was back in March. It has been the parents who have actually been informing me of what is going on. I have spoken with the school principal. It has been very busy, of course, with COVID happening and all of this online stuff. But she has not had communication either, as far as I can understand. We are quite a close parent body with the school executive.

**The Hon. WES FANG:** Excellent. Thank you very much.

**The CHAIR:** That brings this session to an end. We thank you very much for taking the time. I do not believe you took any questions on notice, but if you did there will be 21 days for you to provide an answer. I understand, Ms Penn, you had tabled an additional document. If you have not already, please email that through to the secretariat. Again we thank you for your time.

**Ms DODDS:** Thank you very much.

**Mrs PENN:** Thank you very much, Chair.

**(The witnesses withdrew.)**

**Ms ABIGAIL BOYD:** Excuse me, Chair. Could I raise a point of order?

**The CHAIR:** Please.

**Ms ABIGAIL BOYD:** My point of order is that I believe that Wes Fang's background is in noncompliance with standing orders in relation to the parliamentary rules against displaying logos and slogans. I would ask that he put a blurred background on, please.

**The CHAIR:** Are there any other further contributions to that?

**The Hon. WES FANG:** [Disorder] my home office. Obviously, I am a proud member of The Nationals, and my home office is displaying as such. Many people have home offices that display memorabilia. All of these things are actually memorabilia as opposed to slogans. Obviously, it is my [inaudible] there. This is our 2019, framed in glass—

**The CHAIR:** Thank you, Mr Fang. I appreciate the contribution. What I will do is reserve on the ruling. Then we will rule after the break at 11.15. I will seek advice from the secretariat in the meantime as to what is the appropriate standard that we should follow here. I do not wish to delay the hearing any further.

**ROCHELLE PORTEOUS**, Mayor, Inner West Council, affirmed and examined

**KENDALL BANFIELD**, Senior Transport Planner, Inner West Council, affirmed and examined

**The CHAIR:** Would either of you like to make a short opening statement?

**Ms PORTEOUS:** Chair, our understanding is that we can both make an opening statement. Mr Banfield was going to go first, and I was going to follow.

**The CHAIR:** We will ask you then to be very short and sharp if there are going to be two people who are providing opening statements.

**Ms PORTEOUS:** We understand we were given five minutes between the two of us.

**The CHAIR:** That is fine. We will stay with that, five minutes between the two of you. Mr Banfield.

**Mr BANFIELD:** Inner West Council opposes the construction of the western harbour tunnel. The project is located across highly valued heritage suburbs and will bring unacceptable impacts to the environment, health, and traffic and transport in the inner west. I am Senior Transport Planner at Inner West Council, and I have been dealing with the planning and construction issues from WestConnex for more than five years. Impacts from WestConnex on the inner west have been serious, and we do not want this experience to be repeated. I have worked with countless residents who were dealing with unbearable construction impacts from WestConnex.

We have seen a big difference between the impacts described in project plans and what has been the lived experience of residents. Many have endured sleep deprivation, property damage, frustration over inadequate complaints processes and anxiety about ongoing operational impacts. Despite countless complaints, some of the most critical issues have not been resolved. Added to this have been broader, less obvious impacts from ancillary utilities works, toxic sites, air pollution and traffic in local streets. We are particularly concerned about how residents near Yurulbin Park will be affected and the devastating impact the project will have on biodiversity and water quality in the harbour. We are also concerned about residents, businesses and schools near the former Balmain Leagues Club site being affected by noise, dust and truck traffic from the 24/7 operation of this spoil extraction site.

The inner west is a unique historic part of inner Sydney that for future generations deserves to be protected from multiple major infrastructure projects. The Balmain peninsula is a particularly unique and precious part of the inner west that deserves the highest degree of protection. Finally, there has not been sufficient consideration of cumulative impacts from the multiple infrastructure projects planned and underway in the inner west, particularly in the Rozelle, Lilyfield and Balmain areas and in White Bay and Glebe Island. Had a comprehensive cumulative impact assessment been undertaken before this project was approved, it would likely have recommended cancellation of the western harbour tunnel on the basis of unacceptable impacts. Thank you.

**The CHAIR:** Mayor Porteous.

**Ms PORTEOUS:** Thank you. I am Mayor of the Inner West Council, former Mayor of Leichhardt Council and also ward councillor for the suburbs severely impacted on by the WestConnex tunnel: Birchgrove, Balmain, Rozelle, Lilyfield and Annandale. This project brings no benefits and significant negative impacts to the inner west. Consultation with the local community and with council has been poor, and the process has been poor. To give an example, there has been a lot of media in recent days about the much-loved Dawn Fraser Baths in Balmain. What has gone largely under the radar is that the western harbour tunnel could make the baths unusable. Yet, despite the catastrophic impact the western harbour tunnel could have on the baths, they have not even been included for consideration in the reference study and in the environmental impact statement.

The western harbour tunnel plans to dredge contaminated sediment from the harbour floor. We are told that the shallow floating silt curtains will capture the toxic plume from this, but it is likely that some will escape into the harbour. That toxic plume is going to impact on recreational users on the Balmain peninsula—that is the dog walkers, the fishers and the swimmers, including users of the Dawn Fraser Baths. It is also going to threaten Sydney Harbour's marine life. The toxic impacts of the western harbour tunnel just continue and they are just as bad on land. There are three exhaust stacks that are linked to the WestConnex and the western harbour tunnel. None of these are going to be filtered. Best practice worldwide is to filter stacks. One stack is located almost next door to Rozelle primary school. The parents are extremely concerned; they are already living through unacceptable air quality impacts with WestConnex and they know worse may be on its way.

A comprehensive health study on the documented impacts of WestConnex and the predicted impacts of the western harbour tunnel—including consideration of the cumulative impact of other major construction projects locally—is urgently required. The western harbour tunnel will impact highly valued heritage conservation zones.

We saw the damage from WestConnex tunnelling under many local homes. It is expected, despite assurances, that we will see many more local homes and buildings damaged, particularly from the shallow tunnelling.

Yurulbin Point in Birchgrove is a much-loved local park. The impact on the park will be devastating. It will be closed to the community for 4½ years. When the only documented benefit of this project is the travel time saving of two minutes or less, you have to ask: Why is the New South Wales Government pushing ahead with this project? Our community has gone through hell and back with the WestConnex. We are expected to do it all again with the western harbour tunnel. There are no significant benefits to this project and we ask that the western harbour tunnel not proceed. Thank you.

**The CHAIR:** Thank you. We will now go to questioning. We will kick off with the Opposition, the Hon. Tara Moriarty.

**The Hon. TARA MORIARTY:** Thank you for joining us today and thank you for your submission. We appreciate the work that you have done on this and your time. You have just touched on this, but what kind of consultation has there been with the council in relation to this project in the lead-up to it, before it was confirmed, and any time since?

**Ms PORTEOUS:** Mr Banfield, I might ask you to kick off and then I will add in other consultations that I have been part of.

**Mr BANFIELD:** With all these major infrastructure projects there are obviously formal consultation processes that happen. But from a council staff perspective, there are always meetings going on between us and Transport for NSW to discuss projects that are either in the pipeline or getting underway. As for the detailed meetings that have occurred, I would obviously need to go back and look. But, yes, there have been several meetings between staff, even before the formal part of the process, to alert us that the project is on its way.

**The Hon. TARA MORIARTY:** The question really is, of course there would be formal processes but, given the issues that you are raising today, would you say you are satisfied with the consultation? There is obviously a process of meetings but do you feel as though the issues you are raising have been properly consulted on? Have you had responses to them? Are they being adequately considered, in the view of the council?

**Mr BANFIELD:** Councillor Porteous, would you like me to answer from my perspective?

**Ms PORTEOUS:** If you want to answer from your perspective and then I will add to that.

**Mr BANFIELD:** We have openly said in both our EIS submission and in our submission to this inquiry that the environmental impact statement was comprehensive. We always had a sense that, unlike WestConnex, particularly the early stages of WestConnex, this project was not moving at such a rapid pace. So there has been time to understand the impacts. I guess our main issue is that many of the conclusions reached we do not agree with. The environmental impact statement concludes that many of the impacts will be acceptable, and we do not agree. We think many of them will continue to be unacceptable, as many of the WestConnex impacts have been.

**Ms PORTEOUS:** I will just add to that. In terms of the consultation with councillors and with the community, certainly the time of the consultation for the EIS was very limited. We had to ask that they extend the period of time. It was originally from, I think, the last day of January through to mid-March, which is particularly difficult at that time of the year when people are going back to school et cetera and are not focused particularly on a major project. They did, in the end, extend it for another two weeks. It was meant to end, as I recall, on 13 March. However, that should have happened from day one.

What was really concerning was the way—they had an open session in Balmain Town Hall and the information that was provided was really inadequate. We were really provided with just very lightweight, high-level information, which really did not drill down sufficiently to give us understanding of the real impacts. The problem is as well that the sheer size of the EIS meant it was rather too dense for most people to get into. It was literally pages and pages and pages—it was book after book after book. I think it was seven volumes, but I would need to take that on notice if you want the exact figure.

**The Hon. TARA MORIARTY:** No, that is okay. Given the limited time, maybe for the Committee's benefit and for our benefit in terms of considering this we can just talk through some of the issues that you have raised and whether you feel as though they have been adequately dealt with. In terms of the environmental damage, in your statement you just touched on Yurulbin Point—sorry, I am not familiar with it—about some potential environmental damage there, but you have also raised some issues with some of the construction sites. I am interested in whether that is just issues around construction but also long-term issues—so, Balmain Leagues Club, Glebe Point and those kinds of things. Can you just expand on that and whether council feels as though they have been adequately considered or dealt with?

**Ms PORTEOUS:** I think council does not think they have been adequately dealt with in terms of the response from the EIS, no. Mr Banfield, did you want to speak in a bit more fine-grain detail on that one?

**Mr BANFIELD:** As construction is not underway properly with this project in our area, we cannot predict all the detailed impacts. But we have plenty of experience with WestConnex to have a general sense of what is coming. I guess based on that previous experience we feel that a lot of the conclusions about impacts in the EIS we do not agree with, based on our experience with WestConnex. There are plenty of times when the EIS says that an impact will be acceptable and we do not think that will be the case, given our experience. As you can imagine, the impacts are mainly around the old Tigers site and Yurulbin Point, those two locations.

**The CHAIR:** Can I follow up on that question, Ms Moriarty?

**The Hon. TARA MORIARTY:** Yes.

**The CHAIR:** Thank you. Mayor Porteous, the Tigers site is being acquired by a compulsory acquisition by Transport for NSW for this project. That is your understanding, is it not?

**Ms PORTEOUS:** Yes. That is our understanding as well.

**The CHAIR:** Are you aware about whether or not Transport for NSW is currently assessing an alternative dive site that is able to perform the same function that would be performed at the Tigers site?

**Ms PORTEOUS:** I am not aware of that at this stage, no.

**The CHAIR:** Given we had transport officials come before budget estimates a week ago and confirm that they have looked at an alternative site, which I think is down far more towards Rozelle, further down than where the Tigers site is, can we infer therefore that they have not been in contact with council to talk to you about an alternative option?

**Ms PORTEOUS:** Well, they certainly have not been in contact with me, but I was only elected mayor on Tuesday. So maybe, Mr Banfield, they might have been in contact with you.

**Mr BANFIELD:** No, no discussions at a staff level on that.

**The CHAIR:** But do you accept that this has created tremendous uncertainty for the Balmain Tigers?

**Ms PORTEOUS:** Absolutely. It has been just appalling, actually. It is like the nightmare just goes on and on and on.

**The CHAIR:** Sorry to interrupt, Ms Moriarty.

**The Hon. TARA MORIARTY:** No, it is fine. You have just said in your submission that you do not really see any benefits to this. What do you think the impacts will be, though, on traffic? Obviously in the short term impacts in terms of construction, but do you think there will be any long-term benefits or is it all downside from the council's perspective?

**Ms PORTEOUS:** Well, what the end result is is another motorway, and motorways induce traffic. It does not matter which motorway you study around New South Wales or in fact around the world, the same impact is that it induces traffic. We have seen firsthand as well the results of the WestConnex even in its early stages of construction and the way its impact—it impacts massively on our residential streets. What happens is, because tolls are charged on this, just this week, for example, we have been getting a lot of complaints about the fact that a lot of the trucks, including even construction trucks, believe it or not, for the WestConnex have been avoiding the WestConnex itself and using the residential side streets instead, simply because they do not want to pay the toll.

When we have been approaching the operators to say, "You've got to stop these trucks from actually using our residential side streets," they have said, "Well, we can't do anything about it. It's up to the truck driver whether he wants to pay the toll or not." This is the reality of tollways: People do not want to pay the toll or cannot afford to pay the toll and therefore they do whatever they can to dodge it. What ends up happening is those people will find rat-running through all of our residential streets. We have incredible problems already in parts of Leichhardt, we have problems in Rozelle and we have problems in Haberfield as well. These are all problems that have been created by WestConnex, and you can expect more of the same and worse with the western harbour tunnel. It is just an absolute no win for the local community.

What is also really concerning in our part of the world is we are already densely populated and we have a limited number of roads. We have limited options for public transport, particularly on the Balmain peninsula where we only have the road networks. We have buses, cars and ferries. We do not have a train and we do not have a metro there. Really, it is already so difficult for people to get around and anything that knocks out that very

delicate balance that we have got currently is pretty catastrophic. So to have that happen—I just do not know. My prediction is that we are just going to have complete traffic congestion in the future because of this.

**The CHAIR:** Can I just follow that up again? Have you been advised as to when construction will commence?

**Ms PORTEOUS:** No, we have not.

**The CHAIR:** Given that construction was meant to commence first last year and then apparently this year, have you at least been given an indicative range of when construction is meant to commence?

**Ms PORTEOUS:** Mr Banfield, have you received anything in council?

**Mr BANFIELD:** Yes. We had a discussion recently with Transport for NSW. Early works in November this year and extending through to next year—small pieces of early works—and then proper construction really will not be starting till probably toward the end or the second half of next year, possibly even into the year after.

**The CHAIR:** That came from a meeting you had with Transport?

**Mr BANFIELD:** That is right.

**The CHAIR:** Opposition time has expired so we will go to Ms Boyd.

**Ms ABIGAIL BOYD:** Thank you, Chair, and thank you, both of you, for appearing today and congratulations to Mayor Porteous. And just to save Mr Fang some of his time, I will confirm that Mayor Porteous is aligned with The Greens. I just wanted to touch on the cumulative impact of WestConnex and then this project, and not just the traffic impacts—although I would like you to talk about those—but also the emotional impact on residents in the inner west. Could you perhaps talk about the noise and other impacts?

**Ms PORTEOUS:** Yes. I might, because you have received [audio malfunction] into council, we as councillors also receive a lot of complaints from very upset people all the time, but do you want to kick off again, Mr Banfield?

**Mr BANFIELD:** Yes. The full range of impacts on residents, I could probably speak on that for a couple of hours. But certainly with our experience from WestConnex—and that is all we have, because western harbour tunnel construction has not kicked off properly yet—the one that comes to mind first is sleep deprivation from noise works. We had residents in St Peters and Haberfield who were really driven to the point of desperation over sleep deprivation. As you know, that has a major negative effect on people. That is the one that comes to mind first. But then there is just the general noise, dust, parking demand in local streets, sometimes bad behaviour by workers idling their cars and trucks at 5.30 in the morning when they arrive in residential streets, walking and cycling routes that have been severed or redirected unacceptably—I have written a full list of impacts here and I could rattle them off, but that might take some time—but the list goes on and on.

When it comes to cumulative impacts, residents can endure that for so long, but there are times when you bring it all together with multiple projects, and some of these are private projects. They could be apartment developments. People in St Peters, for example, live under the flight path. And there are other projects such as trenching for a power upgrade at the moment. You add it all together and it really pushes people over the edge. So, yes, it is the cumulative impacts thing that I think is often a bit of what you might say is a silent killer and often unrecognised for the residents. Some people vote with their feet, where they literally sell up or pack up and move out. I think that is a bit of a tragedy.

**Ms ABIGAIL BOYD:** So we are talking five to seven years of WestConnex and another potential five to 10 years of this project.

**Mr BANFIELD:** That is right.

**Ms ABIGAIL BOYD:** But also your council has been impacted by a number of other projects—the metro and the conversion of the T3 line. There was a whole bunch of—

**Mr BANFIELD:** That is right.

**Ms ABIGAIL BOYD:** What could the Government be doing instead? What are the alternatives in terms of actually providing decent public transport for the people of the inner west?

**Mr BANFIELD:** I think probably it comes down to management, having a body that oversees the multiple projects and times them in a way that you are not getting unacceptable overlapping impacts.

**Ms PORTEOUS:** Mr Banfield, as well, in terms of alternative transport I think it is really important to point out that there are real options for alternative transport. We certainly would like to see light rail come into



the Balmain peninsula and an extension of light rail across the inner west. It has been very successful, the Dulwich Hill line, to the point where a lot of additional carriages have been added and it is generally always full. Obviously this is all pre-pandemic. The fact is actually that the inner west population are very high uptakers of public transport. They are one of the highest users, for example, of buses. Where it is available, they will use it. So it does not have to be a solution of a private tollway for our transport because, as I have noted, we are actually looking at absolute minimal benefit in terms of where the benefit from this western harbour tunnel is less than two minutes of saved travel time. It is just not worth it for the impact that it has.

You provide the public transport alternatives and they will be taken up. That is where capacity will increase in terms of being able to have more people living locally but they will be able to have alternative ways of getting around—and still those that want to use the car will be able to use the car. A really good example I have always thought was when the school holidays are in and you see the difference on the road network because you are taking some people off the road during school holidays and how easy it is to get around then. That is what public transport does as well. We would like to see that. And there is an overwhelming desire, as well, in the inner west to see public transport as where the investment goes rather than these really devastating private tollways.

**Ms ABIGAIL BOYD:** I would like to talk a little bit about, again, the cumulative impacts on air pollution. Do you have any recent data on the impacts already of WestConnex construction on air quality in the inner west?

**Ms PORTEOUS:** It is something that we have been trying to get better evidence on. We have certainly tried to get some monitoring happening. I know we did get some monitoring happening. Mr Banfield, have you got any recent data on that?

**Mr BANFIELD:** No. Councils traditionally have not been involved in collecting data on air quality, so it is difficult for a council to gear up for that. We rely on State agencies. Part of the problem we have is that we often have to take State agencies' conclusions on their data at face value. So, yes, from a local perspective, very limited expertise in this area.

**Ms ABIGAIL BOYD:** Is that concerning then that there is potentially quite an impact on the area, not just from WestConnex also from all that construction activity, that is either not being monitored or is being monitored but not conveyed to council in real time?

**Ms PORTEOUS:** Yes, absolutely. There are many reports from local residents that their health is being impacted on because of the air pollution. And of course it is being compounded. I have got firsthand the experience as well of air pollution down at the White Bay Cruise Terminal, which is also located in Balmain. We have had a number of residents there for whom the air quality there has been so bad when we have had cruise ships in that they have really actually had to leave the area. Their health has been so negatively impacted on by the change in the air quality by the diesel fumes, in this case, from the cruise ships that we have actually lost a lot of local residents there. I can see more of the same with the western harbour tunnel. It is going to have air quality impacts and people are going to end up leaving the area because life becomes unbearable for them and a danger to their health.

**Ms ABIGAIL BOYD:** What have you seen in terms of, I guess, changes in traffic? We talked before about the changes in the amount of traffic on the roads during school holidays, but how have you seen it change during COVID and what do you expect the long-term changes of more people working from home et cetera to have on the area?

**Ms PORTEOUS:** As I said previously, inner west residents embrace public transport. Any additional public transport will be taken up very enthusiastically. There is no great desire locally to have to rely on the car, because parking is really extremely difficult. Balmain peninsula, we are talking about tiny streets and narrow streets that were never built for cars. As densely populated as it is—as I understand it, it is the fourth most densely populated area in Australia—it has got a lot of people living in a small space but we are fine. We get on with life and enjoy living in our community. But obviously the transport—it is challenging, if you like, that there are so many people living in a small space and also needing to move around.

Look, I do not know. I think a really good example, when we had the Rozelle fires a few years back—I do not know if you remember when we had some terrible fires down on Darling Street in Rozelle and we had to close off Darling Street for about six weeks—it was incredible the impact on the whole peninsula of closing one road. Literally, we became a sea of cars because nobody could get on the peninsula and nobody could get off the peninsula, because we had lost one road. Because we only have four roads that go on and off the Balmain peninsula. So, as I was saying previously, touch anything on this peninsula in terms of the traffic flow or the quantity and it just becomes a nightmare.

**Ms ABIGAIL BOYD:** Thank you. That is all my questions, Chair.

**The CHAIR:** Thank you. We will move to the Government for questioning. I think we are off to the Hon. Shayne Mallard.

**The Hon. SHAYNE MALLARD:** Thank you, Mr Chair. Thank you, Mayor Porteous, for your time this morning and congratulations on your election to the mayoralty. It is refreshing to have someone who is constructively giving evidence to our inquiry from your council. First of all, as a Government member I come from the position that you are opposed to the project. I had this same intense discussion with your predecessor face to face in, I think, the WestConnex inquiry. As you would recall, I was a councillor for 12 years on South Sydney and City of Sydney councils and I dealt with—

**Ms PORTEOUS:** I remember you, Shayne.

**The Hon. SHAYNE MALLARD:** —the Cross City Tunnel and the Eastern Distributor tunnel. What we did as a council then, and that was a mixture of Labor and Liberal governments, was extract a package of community benefits, for the surface community, for want of a better term, that whilst probably no-one was happy enough certainly gave some compensation for the disruption and then policed like crazy the disruptions that occurred and which your colleague, Mr Banfield, pointed out, like trucks using the wrong streets and idling at 5.00 a.m. That is clearly the best outcome for the community. Have you worked on developing a package of benefits to the community that will be implemented during and post construction of the tunnel?

**Ms PORTEOUS:** Over to you, Mr Banfield.

**Mr BANFIELD:** We have always said that apart from trying to minimise impacts on the community, we work hard at Inner West Council to get wins for the community wherever we can from these projects. Yes, we have worked with Transport for NSW to get what I would call "local wins". I think the wins are small compared to the costs. But a good example is the Rozelle Rail Yards parkland area, for example.

**The Hon. SHAYNE MALLARD:** It is a WestConnex benefit.

**Mr BANFIELD:** It is a WestConnex benefit. That is right. It is a good point about the western harbour tunnel. There are no identified benefits like that yet from the western harbour tunnel, but we will await those to come through from Transport for NSW. But, yes, we do work with Transport to get the best out of those small wins.

**Ms PORTEOUS:** We are going to get Yurulbin Point reinstated after they destroy it.

**Mr BANFIELD:** That is true, yes.

**Ms PORTEOUS:** But, I mean, that is also after losing it for community use for over 4½ years. So I do not know if that is considered a benefit or not. I do not know if the community considers that a benefit.

**The Hon. SHAYNE MALLARD:** I have a Sydney house in Alexandria and I am seeing the community benefits your council and the City of Sydney are getting now following the WestConnex interruption down that end, like the narrowing of roads and bicycle lanes. I am the Parliamentary Secretary for Infrastructure and the Aerotropolis and I am a very strong advocate for active transport—I chair that group in the Parliament. So cycle lanes would be a good benefit. I am looking for things we can recommend. We can play politics here or we can try and get the best outcome for your council and your community, and the same with Willoughby and others. The things you would like to see more of would be more parkland, narrowing of streets, traffic calming on the surface, active transport links, cycling and walking, and consideration in the future of light rail, which I am totally on board for. It is just an issue of resourcing in the future. Mr Mookhey's Government in 20 years' time might be able to do that for you.

**Ms PORTEOUS:** The problem, I think, is these presents that you might want to give to the community really do not compensate for the losses that we are going to incur. I talked about the Dawn Fraser Baths because I wanted to emphasise the fact that here is something that—we have just spent, you know, over \$8 million on the works there to restore it, to upgrade it and also to meet the challenges of climate change in terms of having to raise the flooring and all of the sewerage et cetera in the baths. We could be slammed then with the fact that the water is then going to be contaminated through this project and it will then render the baths unusable. This is the kind of issue—

**The Hon. SHAYNE MALLARD:** I accept your concern. I accept that. When I was involved in the council response to the Cross City Tunnel—the one from the city out to Kings Cross—we, in principle, opposed that tunnel. But, if it goes ahead, these are the things we are concerned about and these are the benefits we want. We are very strong in that second half. The baths is clearly an issue that needs to be taken into account and the water quality issues need to really be monitored closely. I agree with you. So we need to have a recommendation

that talks about that in our report, to support you, like making sure the water quality is really strongly monitored and interventions occur to prevent any of the concerns you have, if it goes ahead.

**Ms PORTEOUS:** If you are looking for a wish list, I cannot give it to you. My wish list has got one thing on it and that is: Don't go ahead with the western harbour tunnel.

**The Hon. SHAYNE MALLARD:** [Disorder].

**Ms PORTEOUS:** There is nothing there for our community and, in fact, there is just more of the same of what we have lived through. I am not joking. It has been an absolute nightmare. I am so embarrassed. I have been so embarrassed as a ward councillor having to take the phone calls and take the emails from so many people who are so distressed about what is happening locally. They cannot sleep, they can hear the tunnelling underneath them every night, the air quality is terrible and they have lost all of their sense of community. I was speaking to a resident the other day who was saying how all his neighbours are packing up and going because they are all losing money, because they are not getting compulsory acquired or anything like that, but it has become such a nightmare to live locally that they just cannot bear it anymore; they have got to get out. That, for me, is such a tragedy for my local area. I can see more of the same with the western harbour tunnel. If this is just for financial gain, why are we doing it?

**The Hon. SHAYNE MALLARD:** I commend you for representing your community so strongly. Do you accept or you do not accept—your council, not just you, Mayor—that there is a need for another harbour crossing? Is Gladesville Bridge in your local government area or is it just outside?

**Ms PORTEOUS:** No. It is outside.

**The Hon. SHAYNE MALLARD:** That is bumper-to-bumper packed morning and night, the Harbour Tunnel is bumper-to-bumper packed morning and night, and the bridge, of course, is bumper-to-bumper. Do you accept that there is need for another harbour crossing? And recognising there is a rail crossing going in here too, when we are talking about public transport—the metro.

**Ms PORTEOUS:** I think that is the salient point. There is a rail crossing going in. What is needed is the rail crossing, but what is not needed is the road crossing, particularly because this is a private tollway. It is going to be sold off by Government just as they are selling off the WestConnex now. It is going to be something that, to be honest, we are already seeing with WestConnex. People are avoiding it. They cannot afford it.

**The Hon. SHAYNE MALLARD:** It is not finished yet.

**Ms PORTEOUS:** [Disorder] the same with the western harbour tunnel. People will not be able to afford it. They will not use it. So it will only be used by people of a certain income. If that is what you want for the city, that is what you are going to get.

**The Hon. SHAYNE MALLARD:** So you do not accept there is need for another road crossing?

**Ms PORTEOUS:** Not another road tunnel, not a private tollway—

**The Hon. SHAYNE MALLARD:** Set aside private because it is not private at this point.

**Ms PORTEOUS:** —for cars. No.

**The Hon. SHAYNE MALLARD:** I do not know how councillors can come to this inquiry or previous inquiries and with a straight face talk about wanting to reopen the Balmain Leagues Club. That site has been derelict for 10 or more years. Maybe 20, but 10 years at least. Your council, from memory, opposed every single application by different owners to redevelop the site and suddenly now you are urgently concerned around the future of the Tigers and that site. Don't you think that is a bit hypocritical suddenly when the State Government wants to use it as a dive site?

**Ms PORTEOUS:** No—

**The Hon. SHAYNE MALLARD:** [Disorder] went through a DA approval to maximise the value for the compulsory acquisition.

**Ms PORTEOUS:** You might not be aware of the fact that actually within the development control plan, because there is a special local environment plan and DCP for that site, there is a requirement within it that it must have a community club in it and that community club is for the Balmain Leagues community club. That has always been central to—I do not think there has been any councillor, certainly on the previous Leichhardt Council. I cannot speak so much for the Inner West Council because some of the councillors obviously have not had a history with Balmain. But, you know, there has always been pretty much a unanimous vote to support the club and to

support the community club in that construction. The problem has always been the overdevelopment of the site. Nothing to do with locating the club at that location.

**The Hon. SHAYNE MALLARD:** Yeah, all right. I will just note that history there, though, that suddenly it is a great concern and the council has opposed—

**Ms PORTEOUS:** It always has been.

**The Hon. SHAYNE MALLARD:** —including [disorder] a number of occasions now over the last decade.

**Ms PORTEOUS:** The development has been opposed.

**The Hon. SHAYNE MALLARD:** And it is an eyesore up there.

**Ms PORTEOUS:** Yes.

**The Hon. SHAYNE MALLARD:** Mr Banfield, I note you commented in the submission—I think it was you—that the western harbour tunnel EIS is comprehensive, or the council submission to this inquiry said that it is comprehensive. But, Mr Banfield, you said you reject the conclusions of that EIS. You do not accept them—on what scientific or professional basis?

**Mr BANFIELD:** Some of the issues we have talked about. At the highest level we do not accept that building more roads is the solution to addressing traffic congestion. Council has always advocated traffic reduction as a solution and that comes from public transport, as our mayor has just pointed out. Then at the lower level, for many of the construction and operational impacts the conclusion in the EIS says they are acceptable and we just simply disagree.

**The Hon. SHAYNE MALLARD:** So your submission to the EIS reinforces your concern and puts forward some stronger controls around that construction impact. Obviously your position is, "We don't support it," but if it goes ahead have you addressed those construction concerns?

**The CHAIR:** This is the last question, thanks.

**The Hon. SHAYNE MALLARD:** I have not even asked what party people belong to yet.

**Mr BANFIELD:** I think a lot of the concerns cannot be addressed. That, I guess, is one of the sticking points for us. Even with full compliance, there are times when the impacts just are not acceptable to residents. Councillor Porteous, do you have anything to add?

**Ms PORTEOUS:** No, I think you have said it well, Mr Banfield. It is simply not going to work.

**The Hon. SHAYNE MALLARD:** Okay. From my experience, I strongly put it to you that you need to have a plan B where you strongly articulate the controls you would like to put in place—hours, construction, vehicle movements and pollution monitoring, as you mentioned before, which the City of Sydney did in partnership with the State Government on some of those projects. I accept your principal position, but I suggest a plan B. That is all.

**Mr BANFIELD:** Okay.

**The CHAIR:** That draws to an end this particular session. We thank the mayor and Mr Banfield for joining us this morning. I do not believe you took any questions on notice that were pressed by a member but, if you did, you will have 21 days to return an answer from the date of receipt of the transcript by the secretariat. Again, we thank you very much for your time and you are excused.

**(The witnesses withdrew.)**

**The CHAIR:** Prior to me going on break I reserved on an earlier matter which I now need to rule on. Does any member wish to have any further submissions on this particular point?

**Ms ABIGAIL BOYD:** Yes, please, Chair. I understand that this practice within committees has been a little bit fluid and that you are being asked to rule on something a bit novel. However, it has long been established that committee hearings are an extension of the parliamentary space and a lot of the rules that apply when we are sitting in the Chamber also apply to when we are hearing in committees. In particular, the rule against props is really quite strong. That is what this is; it is props. It is for the same reason that we are not allowed to wear slogan T-shirts in the Chamber. We are to be judged on the things that we say, not on the props that we bring. I totally appreciate that the honourable members are sitting within their own offices and that is why they have those things in there, and that is absolutely fine. But, given how easy it is to just blur the background, there really is no excuse for having a prop in this committee hearing.

**The CHAIR:** Are there any further submissions people wish to make?

**The Hon. SHAYNE MALLARD:** Mr Chair, I am afraid I was absent from this point of order occurring earlier and I was not aware of it, but there are no rules that have been set up for the virtual hearings for committees. We are dressing fairly casually; although I do not wear a tie at hearings now at Parliament, as a rule. If you want to refer to rules, I note there are rules to be applied—adopted by the House if the House meets tomorrow and goes through that process—about the appearance of members by the virtual nature of the Parliament sitting. There are no rules about the backgrounds of members in virtual hearings that apply to committees or to the Parliament at the moment—how they appear or what is behind them. I have got a library there. If you zoom in, you might see some books that might offend you there, Ms Boyd.

**Ms ABIGAIL BOYD:** To the point of order—

**The CHAIR:** Ms Boyd, do you mind pausing? I am just going to invite any other submissions by any other members and then perhaps give you the opportunity to respond to them all, if you wish. Mr Farraway, did you wish to make a contribution?

**The Hon. SAM FARRAWAY:** Yes, just quickly, Mr Chair. I will support what my Government colleagues have said. I am sitting in a self-funded mobile electorate office in Bathurst. I set this up and paid for it myself. When the Parliament, the Parliamentary Remuneration Tribunal and whoever else wants to give regional MLCs an electorate office where there would not be any obviously National Party, Labor Party or Liberal Party material in there, that is fine, and I will be happy to comply with that. But whether it is this office, the Hon. Wes Fang's home office or the Hon. Shayne Mallard's home office in his house, I am sorry, but you are not going to tell me what I can and cannot have in this space. But I would agree. I quickly looked it up as well and I cannot see, Ms Boyd, where it is definitive around virtual hearings. Whether that is something you want to pursue when Parliament does resume, that is up to you. But for the moment with virtual hearings I think it is such a grey area that it cannot be enforced.

**The Hon. WES FANG:** I would just make one contribution, if I could. If we were to adopt Ms Boyd's determination of the rules then I think we are all in breach when we go to committee hearings without ties and without jackets or anything of that nature. I think it is a little bit of a moot point and caution is best advised, given the far-reaching effects a ruling on this could have.

**Ms ABIGAIL BOYD:** Thank you. In response to Mr Mallard's point, this is not about a rule; it is about a ruling. As we know, chairs of committees take guidance from the rulings that have been made by Presidents in the past in the House. That is where this "rule" comes from. It is more an interpretation, and that interpretation can be extended to these circumstances. Just in relation to Mr Farraway's comments, of course no-one is telling him what to put in his house or his office. This is a very strange overreaction to being asked to blur your background. The screen behind me cost about \$60. Who knows what I have behind that? But I think it is not unreasonable to expect members to set themselves up in a way that does not promote slogans and props during what is an extension of the parliamentary process.

**The CHAIR:** I appreciate the contributions of all members. I am conscious that this is obviously a live deliberation and there is no reason why this needs to be in private. Secondly, we are on the break, so I am going to make a ruling. I understand that there is a set of precedents that apply to conduct in the House about what is the appropriate attire and/or the use of props, but I am advised that there are no similar precedents to committees. On the basis that, really, ordinary committee hearings take place in either of the two or three spaces that are made available today in Parliament, so the question does not really arise. Equally, when we are visiting community members we are usually doing it in council chambers. That is the first point.

Therefore, I think the relevant principle here is twofold. Firstly, we have to rule about whether or not they are in fact props. The second aspect of it is whether they cause offence and the third thing is whether or not

that can be controlled. With the question as to whether or not they are props, I do not think that there is a set of precedents that identify party memorabilia as a prop, so I do not rule them as props per se, which applies to the majority of all the matters which are on display by Mr Faraway and Mr Fang. The second question therefore is: In the absence of them being props, are they likely to cause offence in the eyes of a reasonable person or a reasonable member? To be fair, various people might be offended by the National Party's logo. I accept that, but I am not sure that I can rule on the basis that the National Party logo itself is offensive. So on that basis I am not going to rule them as offensive and therefore I am not going to preclude.

The third and final point is a good point by Ms Boyd, which is: Is it in the spirit of the Parliament, parliamentary decorum and the standards of behaviour that you would expect from members of Parliament? Ultimately, that is a question that has to be decided by each member at first instance. I am not going to rule that Mr Fang's matters breach parliamentary decorum, but I will just point out there is one particular poster that in the eyes of some members of Parliament might cause offence. If that particular member of Parliament was here and said that they were offended then that would be a different matter.

I would encourage Mr Fang to reflect on whether or not all his paraphernalia is in the spirit of parliamentary decorum. It might be the case that he can keep his background on display if he was to slightly tilt his camera at a certain angle to preclude the space of one poster. But I am not going to rule that. I am going to leave it to the better judgement of Mr Fang. I would just say, though, that if a parliamentary member of a particular party was here and said that they were taking offence to it, that would be different, because there are multiple procedures in the House where if a member takes offence then on balance the rulings can go a certain way. On that basis, there is no point of order. I hope everybody enjoys their five-minute break. We will be back in five minutes to resume our hearing.

**The Hon. SHAYNE MALLARD:** Good ruling. I was looking forward to virtual dissent.

**The CHAIR:** Thank you. You might wish to keep your microphones and videos off, given we are still live.

**(Short adjournment)**

**GAIL GILES-GIDNEY**, Mayor, Willoughby City Council, affirmed and examined

**ANDREW GILLIES**, Strategic Transport Planner, Willoughby City Council, sworn and examined

**JOSEPH HILL**, Director, City Strategy, North Sydney Council, affirmed and examined

**MARCELO OCCHIUZZI**, Manager, Strategic Planning, North Sydney Council, affirmed and examined

**The CHAIR:** I invite each organisation to make a short opening statement if they so wish.

**Ms GILES-GIDNEY:** Yes. I am happy to go, if that is suitable to everyone else. First of all thank you to the Committee for this opportunity to appear today. As you can appreciate, these projects have generated intense interest amongst the Willoughby community. These projects will have a significant traffic and transport, environmental, social and economic impact to our city, particularly the beaches link, given its location. Council has made extensive submissions and I note that Willoughby council unanimously objected to the northern beaches tunnel project. Of particular concern is traffic changes in relation to the western harbour tunnel. Changes mean the removal of access points to the Sydney Harbour Tunnel and flow-on impacts to the western harbour tunnel proposal. This will concentrate traffic onto Willoughby Road, Penshurst Street and Eastern Valley Way, major arterial roads within our city.

Increased traffic on these routes will greatly detract from the amenity and viability of the local centres on these routes—local centres that not only council but also the Greater Sydney Commission are actively trying to support. With other modes of transport, like walking, cycling and also public transport, we believe that they have not been given proper consideration. The recent Infrastructure Australia reform report confirms that as a result of COVID more people are working from home, using local centres, utilising active transport as exercise and also a means of accessing work and services. As a recent e-bike user and taker-up, this is absolutely real and it is a revolution as far as cycling goes in our city. Improvements for these modes need to be included and not deferred to other sections of Transport for NSW for resolution at another date.

We have significant environmental concerns. A temporary construction support site is proposed on Flat Rock Reserve for the beaches link project, which will involve the destruction of a large area of highly valued bushland. This will have serious ecological impacts, including habitat loss, noise and vibration during construction and negative impacts on water and air quality. Potentially contaminated land is a key issue, given this area was once a landfill—yes, it was a tip. The many and diverse users of our bushland tracks will be impacted and the 6,500 members of the netball association, which is immediately adjacent to the site and heavily used on Friday, Saturday and Sunday nights, has incredible traffic gridlock as it is already.

The cofferdam construction in Middle Harbour will disturb sediment and council is concerned about the impacts this will have on water quality and also local aquatic users, including the sailing club, which will lose part of their course. We need tight commitments regarding repatriation of the site due to contaminations at the conclusion of the project. I have to say that St Peters in the inner west does not give us a great deal of confidence in that regard. In conclusion, council recognises the potential that the beaches link has to redirect traffic away from existing road surfaces and we believe this presents an opportunity for urban renewal, active and public transport improvements. However, unless steps are taken to lock in these improvements as part of the project, a significant opportunity will be lost. We want you to support the matters outlined in council's comprehensive submission and create a truly integrated transport solution. Thank you.

**The CHAIR:** [Inaudible]

**The Hon. JOHN GRAHAM:** You are on mute.

**The CHAIR:** Sorry, now I have made the same mistake. Thank you, Mayor Giles-Gidney. I invite a representative of North Sydney Council to make an opening statement if they so wish.

**Mr HILL:** Thank you. I will make a shorter statement than maybe what I was going to, given the response from the mayor of Willoughby, which was wholeheartedly concurred with by North Sydney Council. The depth of the response from both councils has been quite significant. I would like to thank the inquiry for the chance to have a say on behalf of North Sydney Council. This matter has been around for a number of years. At the outset there were a number of concerns in mid-2017 around the business case development of the project, the transport alternate options and the like and just general preparation of the project and involving council. The first wave of submissions comprehensively details council's concerns to the point that council was so concerned that it established a website to advise the community at a bit more readable level around the project and those concerns. I will be tabling that to the inquiry afterwards, which is a chronology of all the resolutions; it was quite a number.

The number of issues that were mentioned before—we agree with traffic, contamination, trees, air quality and the like. There are many, many more. As the project developed through to mid-2018 and late 2018, council, which was very oppositional, moved to a bit more neutrality as it looked to this project proceeding and trying to get the best out of this for the local community. Local community is very much North Sydney-centric, but many of the issues are for all local communities and we focus very much with the big CBD on achieving a really clear, exceptional public benefit outcome, which this project compromises with the Berry Street traffic changes. Place-making was top priority, as was the return of public open space, which is clearly impacted by a number of the construction sites.

There was also a big, strong push on active transport integration with a cycleway through North Sydney and that obviously extends into local LGAs as well. I picked up on the repatriation point as well. At the moment we very much moved trying to be inside the tent, trying to make sure the conditions of the current project are genuinely adhered to. There are many, they are complex, they require a lot of buy-in from all parties but mainly the State to deliver and we are very willing to do that. We know there are plenty of real issues that need to be resolved. We would like to very much get them front-loaded and we feel as though we might be just missing that front-loading opportunity right now as a project at its early work stage is broken up to many, many contractors and subcontractors. It is very hard to get a grasp of how much stuff is going on. It is not as coherent as what it could be, but we are very much trying to get commitments to deliver very good outcomes for the local community if this project continues. Thank you.

**The CHAIR:** Thank you. If you have a copy of your opening statement, could you both please email it to the secretariat? It will assist our Hansard reporters. We will now go to questioning starting with the Opposition and the Hon. John Graham.

**The Hon. JOHN GRAHAM:** I turn first to Mayor Giles-Gidney. Thank you for the submission from the council. It is very comprehensive and will be helpful to the recommendations that the Committee might make by way of easing some of the impact on your community. What response have you had so far to this comprehensive set of views that you have put through the various channels, including to this Committee, from Transport for NSW or from the Government?

**Ms GILES-GIDNEY:** [Inaudible]

**The CHAIR:** Sorry, mayor, you are on mute. Turns out I was too.

**Ms GILES-GIDNEY:** I will get it right one day. We have had consultation along the way with the project. We did raise significant concerns in relation to the western harbour tunnel and these were deeply explored. There was traffic modelling that was provided to us as a result of those concerns that we raised. Whether or not we agree with the results of that traffic model is probably the million-dollar question. That was one of the issues that we have. There has been additional consultation that has happened along the way with progress associations and other meetings that I have attended—drop-in centres, for example. I know North Sydney have organised one of those as well. I have to say I was absolutely delighted that the upper House inquiry was called in respect to this because it was more than I had hoped for.

**The Hon. JOHN GRAHAM:** One of the concerns, talking to communities in the south-west of Sydney, is really the fact that from a traffic point of view, despite the promises that they would have trucks off their suburban streets and on these motorways, in fact the opposite has happened. You have raised concerns about the traffic impacts in your neighbourhood. Give us some more detail about whether you believe those have been addressed or do you still have those fears.

**Ms GILES-GIDNEY:** There are grave concerns around traffic, particularly on Flat Rock Drive, which is one of the major arterial accesses that we have through to the freeway system at the moment. Channelling all that traffic that we have got from, not only our suburbs and beyond, there is going to be 70 traffic movements per hour that are going to be happening on that main road. This is going to be an incredible disruption to our local transport system and I think when the reality hits for our residents who are trying to get into the city, particularly during peak hour and other times, it is very, very concerning to us indeed.

**The Hon. JOHN GRAHAM:** The northern beaches link part of this set of proposals is perhaps the most distant and it has receded further into the distance as the Government has talked about these projects. Can you give us a clear view about your council's attitude to that part of the project?

**Ms GILES-GIDNEY:** The northern beaches tunnel project?

**The Hon. JOHN GRAHAM:** Yes.

**Ms GILES-GIDNEY:** We have got concerns, as I have outlined in my opening statement, around the effects on the environment, on the traffic management areas but also the way that active transport has not been



significantly addressed. We have some quite good cycleways that we have been working on for connectivity at the moment. They will be disrupted and we are wanting to make sure that those cycleways are not only not disrupted but also enhanced in the future. We feel that this could be a really major win for us all. There are concerns that we have also got in relation to the marine aspect of it as well, the cofferdams going into the harbour. As I have outlined there are a number of different areas that we have got significant concerns that still need to be worked through and resolved to our satisfaction.

**The Hon. JOHN GRAHAM:** Thank you for those comments. Turning to North Sydney, Mr Hill, I do not think the council made a formal submission to this inquiry. Is that correct?

**Mr HILL:** Yes, that is correct, Mr Graham.

**The Hon. JOHN GRAHAM:** That is despite the fact this has a very significant impact, as you have indicated, on the CBD of North Sydney?

**Mr HILL:** Yes.

**The Hon. JOHN GRAHAM:** The mayor was due to appear but is not appearing today. You have not made a submission. I am slightly confused about the position you put where the council is both hosting a website attack on this project and it is in quite strong terms, and you have said you are inside the tent at the moment. Perhaps I might invite you to again outline the council's concerns about the significant impacts this has on the North Sydney CBD?

**Mr HILL:** Thank you. The significant impacts on the CBD—at the moment as it stands the project has a very key condition around having to not preclude the outcomes of the North Sydney integrated transport plan. It is a pretty significant condition, particularly in relation to the impact on Berry Street and some other modelling work that needs to be done. We have had so much traction with that environment. It has been much more collaborative. I appreciate your question is very issue-specific, but the CBD has been something we have developed a coherent vision over and evidence for for a number of years and to have that group pick up that piece of work, understand it and work towards it has meant that we are pretty comfortable being inside the tent. Changes to Berry Street, including making it bidirectional, are actively being sought. Whilst the project is rather confidential, that is the feeling I have had for the best part, since just outside the past restructure, which is probably about 15 to 18 months in time.

**The Hon. JOHN GRAHAM:** That is your view about the Berry Street issue. In relation to the other issues that council has raised, do you feel those have been satisfactorily addressed or not at this point? That is my final question before I hand to my colleagues.

**Mr HILL:** In terms of the start of the process where there was a lot of information and the concerns were put towards the proponent, the department of planning, as well as the assessment team, their responses have not been adequate in my view and council's view. The responses have been to receive the submissions and provide answers. A lot of those responses have been "we will deal with it later through the modelling work", for example, or "that is an issue for construction management", particularly in relation to construction management plans and where trucks are going to go. The air quality one has been something which I am certainly not professional on. It is one where we have raised the issue and clearly the issue is not going to be moved. The advice that the proponent had received was something they are comfortable with. The community in particular took that issue up a lot more than council did and I do not believe they are satisfied with the response. As we get close to the pointy end—the pointier end—we are getting more buy-in and more responses. Whether we like them or not, at least we are getting the responses, which is a vast improvement on what happened in 2017, 2018 and 2019.

**The CHAIR:** I might ask a few questions, if that is possible. In respect to the planning controls that decide the movement of trucks around construction, especially, have you had the opportunity to have any discussions with the department of planning or Transport for NSW as to what the appropriate controls are that are required?

**Ms GILES-GIDNEY:** Sorry, Daniel, who are you addressing that question to?

**The CHAIR:** Both councils. Sorry.

**Ms GILES-GIDNEY:** I might defer to Mr Gillies for that one.

**Mr GILLIES:** Are we talking about during construction—the construction vehicles?

**The CHAIR:** Yes.

**Mr GILLIES:** We have had a couple of meetings with the project team on beaches link specifically about all issues, but yes, in terms of construction traffic. I understand there would be a construction traffic

management plan. That would be a condition of any approval and that would be prepared by Transport for NSW and it would detail the number of vehicles, type, time of day and they have presented some of that information to us briefly before. That would be the mechanism I guess for our council and the community to understand those impacts and those have already been detailed to some extent in the EIS.

**The CHAIR:** Given that I do not think those plans have been formalised yet, do you have confidence that they are likely to address the concerns of your residents? That is to you first, mayor.

**Ms GILES-GIDNEY:** At 70 traffic movements an hour, I do not know how that can be mediated to a point that will resolve all of the community concerns.

**The CHAIR:** Does North Sydney Council have a view?

**Mr HILL:** We do. It is not necessarily traffic controls, it is more the process of doing the construction management and having council officers involved in what the best traffic routes are and having a relationship whereby the proponent will take on the best advice. Regardless they have got access to North Sydney, for example, the number of movements is quite overwhelming and it does touch into probably less sensitive areas than maybe Willoughby because there are some slightly larger roads and a less geographic area. However, the community is very sensitive to some of the traffic movements, which goes to the question around confidence in around Anzac School, for example, and McMahons Point, less so in the CBD. The community angst is there, their vigilance is there and the confidence to get immediate responses from Transport or the State—I think it is improving, but I do not think the confidence is there.

**The CHAIR:** Thank you.

**Mr OCCHIUZZI:** Sorry, Mr Chair. I was just going to add, the occurrence of those traffic movements in the context of very, very significant construction projects in North Sydney and no doubt in Willoughby as well. You have the construction of the Crows Nest Metro station, the North Sydney Metro station, the over-station developments associated with both of those and quite unprecedented levels of construction in the North Sydney CBD. It is a very, very difficult nut to crack and we would hope a significant level of consultation and collaboration occurs before approvals are issued on those routes and timings.

**The CHAIR:** Can I ask you about the processes around the development of the business case? Were you invited to make any contributions to that and/or were you shown the business case at any stage? Do you think that there is a need to revisit it in light of the pandemic and other factors, as has been put to us by various residents who have come before the inquiry? The question is to the mayor first.

**Ms GILES-GIDNEY:** I do not believe that we have had any input into the business cases. Yes, I would agree that there is a need to have a business case that is open and transparent and we would be very keen to see that.

**The CHAIR:** Have you been told what the toll is likely to be or given any indication as to what price people will be paying?

**Ms GILES-GIDNEY:** No.

**Mr HILL:** No.

**The CHAIR:** Equally, have you been advised as to when construction will commence—not the pre-works but the actual main construction?

**Ms GILES-GIDNEY:** Are you talking about northern beaches tunnel or are you talking about Western Harbour?

**The CHAIR:** Both really.

**Ms GILES-GIDNEY:** Mr Gillies, perhaps you could answer.

**Mr GILLIES:** Yes. I believe those years have been quoted. I just cannot remember them off the top of my head. I know western harbour tunnel, Warringah Freeway Upgrade is—

**The CHAIR:** Have you been advised directly, as opposed to what is available on the public record?

**Mr GILLIES:** Yes, we have, through meetings with the project team. I just cannot recall those years off the top of my head.

**The CHAIR:** On notice can you come back to us and let us know what they were and when you were advised?

**Mr GILLIES:** Yes.

**The CHAIR:** Thank you very much. We will now go to the crossbench.

**Ms ABIGAIL BOYD:** Thank you, Chair, and thank you to the witnesses for appearing. I wanted to pick up on the point of the business case. We have not seen the business case. We do not know what assumptions it was based on. We have got an idea but we have not seen the detail because it has not been released. In any event given what has happened in the last couple of years, would you be supportive of a pause and rethink on this project in terms of perhaps producing a new business case and reconsidering? I go to you first, mayor.

**Ms GILES-GIDNEY:** Yes, certainly. I think a business case would be very much welcomed by the community. From where I sit as an elected representative, whenever we are talking about pausing projects of this nature it does make me somewhat nervous, but I believe that there is a demand within the community for justification of any public money that is being spent.

**Ms ABIGAIL BOYD:** Thank you.

**Mr HILL:** I concur. I believe the community and the council position is that very much we would welcome a pause and reconsider, particularly in light of the benefits that should really be front-loaded into delivering for the community if it does go forward. I think a pause is consistent with council's position for over a fair chunk of time.

**Ms ABIGAIL BOYD:** Would it be fair to say that council's position is in line with the majority community position in relation to this project? I go first to the mayor. Would you say that your community is broadly opposed to this project?

**Ms GILES-GIDNEY:** It is a very interesting question and one that we have grappled with as a council because we do certainly have a large number of people within our community who have grave concern around the environmental impacts and the fact that active transport has not been adequately addressed and public transport issues, those sorts of things. But we also have to be mindful that we represent another body of people within our community who would welcome the conclusion of the project where there would be an alleviation, they believe, of the traffic situation that they are currently experiencing and any reduction in local road traffic congestion would be welcomed. I cannot say definitively that all of my community is absolutely on board with stopping the tunnels, because there is certainly a major group of people that would hold an opposing view.

**Ms ABIGAIL BOYD:** Thank you. Perhaps Mr Hill?

**Mr HILL:** Yes, it is very difficult question to answer. Certainly in the public realm parts of the community that are against the project get a lot more airtime and have a fair bit of legitimacy. That is reflected in council's position over a number of years and giving visibility on those who are a bit more supportive or qualify—maybe more important, support with qualifications is very hard. They are out there and often they are the minority working against the others who generally have the microphone and the voice. So, it is very difficult to tell.

**Ms ABIGAIL BOYD:** Thank you. Mayor Giles-Gidney, you spoke before of those who are very concerned about congestion. Although being concerned with congestion, are they in favour of other projects that could ease that congestion and what would those other public transport projects be?

**Ms GILES-GIDNEY:** Certainly when we have had the first tranche of the metro introduced in our area, people were absolutely ecstatic about that. For us a game changer is the metro going from Chatswood into the city and beyond. That has been very well received. There have been a number of discussions with different groups around the fact that the public transport option has not been fully explored to their satisfaction and certainly I would concur with that. There are those people who are certainly looking at other options too. But I think they are just welcoming of the fact that there is a possibility of relief of congestion in sight.

**Ms ABIGAIL BOYD:** Mr Hill, I want to talk about the loss of open space in the area, not just during construction but after construction. Could you perhaps comment on what that loss looks like and how much open space there is currently compared to other areas?

**Mr HILL:** I will do the easy part first. In terms of the numbers, I will pick out the right submission and table it to the inquiry. The open space—it does feel as though we are taking an extraordinary hit in a temporary sense down at McMahons Point and Cammeray golf course and a few other areas. The return, which we would like to be convinced that it will be returned, one, in a very good state and, two, they have a condition around net open space loss. What we are concerned by the loss, North Sydney, will get replaced in other LGAs. Those discussions are afoot. I do not believe that the proponent has come forward with the best possible answer that says we are going to deliver open space in a net sense that matches what was there beforehand. Mr Occhiuzzi, did you have anything else that you wanted to comment on that open space issue?

**Mr OCCHIUZZI:** The only thing I wanted to add was I do not have the exact figures, and perhaps we can provide them. The North Sydney community unfortunately has one of the lower levels of per capita provision of particularly playing fields, but open space generally, particularly on the northern part of Sydney. But in terms of some of the specific numbers, I do have some of them here and there is very significant temporary loss of open space. At the Cammeray golf course, 48,000 square metres of space gone temporarily but almost 30,000 square metres gone permanently; St Leonards Park, 7,000 square metres during construction; Anzac Park, 1,000 square metres during construction; Alfred Street Park, almost 2,000 square metres during construction and 1,000 square metres permanently; and High Street Reserve, during construction 2,100 square metres of open space. Open space is a very, very sensitive issue, as you can imagine, in North Sydney, so the loss of any amount of open space is crucial and what goes along with that is that we have got a receding level of canopy cover which we are trying to claw back over time. The loss of open space, whether it is in a golf course or in a public reserve, also equates to the number of trees permanently gone as well.

**Ms ABIGAIL BOYD:** Is there a risk to that remaining open space from shifting potentially contaminated land throughout construction? Has that been considered as part of that?

**Mr HILL:** Sorry, I do not quite understand the question.

**Ms ABIGAIL BOYD:** Sorry. I am perhaps directing it to Mr Occhiuzzi but either of you. We have heard that there is a significant risk or a potential risk, because there is a lot of reclaimed or filled land—old tips and the like—and that some of the construction may disrupt that contamination, which could travel significantly. The question is with the open space that is left over, will any of that be impacted by potential contamination or has that not been considered?

**Mr HILL:** I will take that question, thank you. The issue of contamination is quite a hot one at the moment. Those lands, as the mayor said before, are contaminated. We have got a lot of the community and council raising concerns with the proponent around what they are doing to remediate their works on land that we believe is contaminated. The responses that we are getting are, in my view, slightly inadequate. The process is slow where you put in a complaint around what the proponent is supposed to do with the early works in relation to contamination. It then goes off to the department of planning compliance team to start that investigation, get the proponent's response. Those responses are a little bit where, mainly the community who are lodging the complaints, but to a lesser extent the council, who has some expertise in it, it is not adequate enough. To your point, if contamination, which does not seem to be an issue for the proponent or the department, if that were to become an issue, then yes, the future of open space would look different. I am not a remediation expert, so I imagine that is a function of cost.

**Ms GILES-GIDNEY:** Perhaps if I can chip in because I think that was raised by previous speakers in respect to contamination from the Flat Rock Gully site where it was an old tip. That is very real because of the water flows that are going through that particular site. It does go through parkland areas, not only revegetated bushland but also established bushland, then going out into the harbour area. That one area in particular is of major concern to us, not only during construction but post-construction. What will the site be like when it is actually returned back to the community? In addition to that is the waterways that with the cofferdams going in Middle Harbour, the disturbance to sediment. We know that there have been old industries that have been pumping goodness knows what into the bed there and the disturbance that will happen to that. What impact that will have to water quality we just do not know and we want very significant insurances and also mitigation around the contaminants in those two particular areas. That relates to Willoughby. North Sydney might certainly have other areas of concern.

**Ms ABIGAIL BOYD:** Have you raised those concerns directly with the Government?

**Ms GILES-GIDNEY:** Yes, that has been part of our submission.

**Ms ABIGAIL BOYD:** Similarly, in relation to the impacts on air pollution, particularly plans for the stacks coming out of the tunnels and the fact that there is a high density of schools and other vulnerable populations around the proposed area. Have you looked at the impact of air pollution and made any requests of government in relation to that?

**Ms GILES-GIDNEY:** I might have to throw to Mr Gillies for that one as to what specific undertakings were made there.

**Mr GILLIES:** It is definitely something that we have raised in our submission on the beaches link on the EIS and with the project team directly, as have members of the community. We have had the discussion and the project team have told us that most ventilation stacks are not filtered around the world. I cannot confirm if that is the case or not. It is not unique to this project. This was an issue with WestConnex, I know. In terms of air quality, I cannot remember the complete details off the top of my head but essentially we have requested that

monitoring be put in at certain locations, important locations like playing fields around Flat Rock Reserve, to monitor changes in air quality, both from construction works themselves and traffic, the traffic during construction. But then also what if the project is built, during the operational phase monitoring ongoing air quality? It is definitely something we have made recommendations on that we are definitely concerned about, so we are working with the project team to understand what they are proposing and hopefully that aligns with what we want.

**Ms ABIGAIL BOYD:** Thank you. Those who are not in favour of filtering on these stacks clearly have not been reading the latest science on the health impacts. I go to you, Mr Hill, in relation to air pollution.

**Mr HILL:** Air quality as an issue spiked in around 2018. Previously it was a bit more business case-oriented. Council actually resolved to undertake some air quality monitoring in and around the site. We had some difficulty trying to find an adequate site but we found one in St Leonards. We have undertaken some baseline testing for that, which will get reported to council shortly. I think as you succinctly put, there are two competing arguments on the air quality: Both of them do not agree; they are both ends of the spectrum. However, council did take up that community concern. They raised it with the proponent many times and the State probably about commitments to ventilation. Those arguments are not something I can explain but process-wise we did that several times. We got basic responses, leaving it to the detailed stage-type correspondence and that was probably part of the reason council continued to do the air quality monitoring for a period of a year as a baseline. I think that reflected community sentiment quite a bit. As I said, that finishes up and will get reported to council shortly and no doubt we will do it again at some point.

**The CHAIR:** That brings crossbench time to an end. We will now go to the Government. The Hon. Shayne Mallard?

**The Hon. SHAYNE MALLARD:** Thank you, Mr Chair, and thank you all for your submissions to this inquiry. I note North Sydney did not put in a submission but articulated the view during questioning from the Hon. John Graham. Mayor Giles-Gidney, good morning. I do not know if you heard my conversation, my inquiry with the Inner West Council Mayor?

**Ms GILES-GIDNEY:** Yes. I did take on board your comments about you are in violent opposition but what is plan B.

**The Hon. SHAYNE MALLARD:** Yes. I think you are a bit more along the plan B case by the sounds of it because I noted that you talked about you want locked-in improvements, you talked about active transport and so forth, a concern around tight commitments to repatriation. Do you want to expand upon how you would like to see those locked in? Someone else talked about funding—it might have been North Sydney—for making sure there is adequate funding for remediation and repatriation of land use. Articulate that.

**Ms GILES-GIDNEY:** There are a couple of tranches to that. In one, the active transport piece, and I know that you are vitally interested in this space, Shayne.

**The Hon. SHAYNE MALLARD:** Thank you.

**Ms GILES-GIDNEY:** I do commend you on that. We do feel it is a missed opportunity, particularly in relation to the western harbour tunnel and indeed the northern beaches tunnel, about cycleways and encouraging the cycleways and connectivity. I went for a ride last week. There are sections that are still missing. It is still very, very difficult for anyone from the city of Willoughby to ride through North Sydney in a safe way, get over the Harbour Bridge into the city. We believe that should be actively encouraged. Walking my e-bike up 55 steps is not particularly appealing to me.

**The Hon. SHAYNE MALLARD:** We will come back to North Sydney's view on the Harbour Bridge.

**Ms GILES-GIDNEY:** But we believe that this is a real opportunity to ensure that those cycleways are enshrined and, in fact, built. Why not put a part of the project? You are spending all this money. Just do it. That is part of the active cycleway piece of it. In relation to the very grave concerns we have environmentally, we need absolute watertight ways of protecting our environment. I do not know if you have had the opportunity to go down Flat Rock Gully. It is a little slice of heaven. It is highly used by our community. It has beautiful bushland tracks. You are only a few kilometres from the city but it feels like you are in a forest. It is quite extraordinary and to preserve that, make sure that there is no contamination leakage, that we have got a beautiful environment going forward, not only for this generation but also future ones, is absolutely key.

Similarly, we have got an issue with the marine environment. We want to make sure that there is a way to ensure that that sediment is not stirred up. We really do not know what is on the bottom of that seabed there. We have a lot of aquatic users. We have the beautiful Northbridge Sailing Club engaging with a large number of members of our community, little kids out there learning how to sail. It is absolutely extraordinary the use that it gets, the waterways. We are so blessed. We know that that is going to have impact through these cofferdams. The

sailing club will not be able to run a full course. The recreational sailors and the kayakers will also be impacted. There are lots of different elements to this. Indeed, once we have got the project handed back to us it will require some discussion with our community about the best use because is best use, for example, going to be returning and revegetating it to a bushland area? Do we have a need for public open space, for example? Are we looking at that? Are you going to be giving us the acoustic shed? If the acoustic shed is handed back, what good is that to us when we have to fit it out and maintain it and do all those things? There are still a lot of issues that we have got to work through as far as this project goes and we just want some certainty going forward.

**The Hon. SHAYNE MALLARD:** I guess the representatives from North Sydney Council would have similar views about those issues of contamination, repatriation, the investment in active transport?

**Mr HILL:** Absolutely—locking in the benefits. The way to really approach that at the start is actually having more genuine project development, and that is where we came at the start. If you do more genuine project development, then you can look at the active transport, you can look at how things get returned. It does feel as though we are kept at arm's length and trying to play catch up right now about how Blues Point Reserve will be returned. A pretty obvious issue that could have been done—and yes, funding is a part of it but it tends to get more expensive as you design with retrospect. We have very similar views on that. When I was listening to the answer I felt that if the State were more genuine around the project and looking at all the other options and maybe that there is a really good niche in between to achieve a lot of different things. As we are seeing it right now, we have got a lot of issues flaring up, politically and professionally, because they are just not addressed in that project properly.

**The Hon. SHAYNE MALLARD:** Mayor, could I ask you? I take one step back. I want to talk about Flat Rock Gully, because we had some quite passionate representations in earlier evidence. I was a bit confused with Ms Boyd's questioning around open space and open space being returned. I was not sure, because if open space is not being returned I am making the assumption it is being permanently taken for infrastructure, like portals or for stacks or for buildings that support the tunnel. Is that the case?

**Ms GILES-GIDNEY:** Yes. That is really relating more to North Sydney, that question. With Flat Rock Gully there is a dive site that is being undertaken and then my understanding is that once that dive site is no longer required, the council would have a return of that land and our concern is what state that is returned in and what we can then do with it.

**The Hon. SHAYNE MALLARD:** Flat Rock is a dive site? Before I wrote down a construction site, they said in earlier evidence. It is actually a dive site?

**Ms GILES-GIDNEY:** Yes. Construction-slash-dive site—same, same.

**The Hon. SHAYNE MALLARD:** A construction site could go somewhere else if they could find suitable land but a dive site is pretty restricted I guess. The only other way around this is to compulsorily acquire properties and that is a really human impactful, business impactful process. I understand the gully is an old tip. St Peters is an old tip. Almost all land that councils have got is old tips. The Domain behind the Parliament House was a tip. Obviously there are contamination issues that need to be addressed there. Previous evidence said there was 30-year-old reforestation of the site. Is that the case across the whole site?

**Ms GILES-GIDNEY:** There are two areas on the site of the tip and Flat Rock Drive runs between it. On one side if you are going into the city, on the left-hand side is the revegetated bushland, an area there of 20- to 30-year-old trees getting mature. It is beautiful looking. On the other side is the netball centre and also a baseball diamond. The Government did at one point investigate the possibility of putting the baseball diamond as the preferred dive site. I think that there was reasoning around the traffic ingress and egress that made it more suitable. I do not know the reasons why they have chosen the Flat Rock Gully site as opposed to the baseball diamond. There are pluses and minuses for both sides, I would say, from Government's perspective.

**The Hon. SHAYNE MALLARD:** The North Sydney Council issue on the return of open space—you are saying there is a net loss?

**Mr HILL:** Yes.

**The Hon. SHAYNE MALLARD:** Is the land that is being acquired for the project high-quality parkland or are you talking about industrial land or what are you talking about?

**Mr HILL:** Yes, high quality, high value. The golf course land, St Leonards Park, Anzac Park—no doubt Mr Occhiuzzi has got the numbers in front of him. Some are deep dive, some are construction. For example, Cammeray golf course with the numbers we talked about before is a substantial operational asset for the project, so it is a very permanent thing.

**The Hon. SHAYNE MALLARD:** Is the golf course owned by the council or is it Crown land or privately owned?

**Mr OCCHIUZZI:** It is Crown land, I believe. I might have to get back to you on that. But it is public land. That is the point.

**The Hon. SHAYNE MALLARD:** If it is Crown land it is important to know. There was a campaign by Clover Moore to reduce the golf course at Moore Park from 18 holes to nine and to return the rest to parkland. She argues accessibility is very limited to the golf course. Is the golf course used by the whole community? Is it open as parkland when people are not playing golf?

**Mr HILL:** You can walk through there as a municipal course. Yes, people can walk through there.

**The Hon. SHAYNE MALLARD:** Just watch your head

**Mr HILL:** I will get back to you on the ownership. It is a bit more complex. We have the answer, I am just not prepared to give you one to mislead at this point.

**The Hon. SHAYNE MALLARD:** All right. I think it is relevant. I will touch on active transport. The mayor acknowledged my very strong, career-long involvement with cycling and walking and accessibility. I think that is one of the things we are trying to lock in as a benefit from the project. I will articulate that to my colleagues in terms of recommendations. North Sydney, the big missing link is a ramp up into the Harbour Bridge, which you are strongly opposing. Yet, the mayor just talked about the problem of lugging a bike up 60 sets of stairs. You are out of step with a regional cycling network there. Will you take on board that needs to be part of an integrated transport solution for the north?

**Mr HILL:** Yes, that is an easy one. We do not necessarily know what the best option is, but there needs to be an option there.

**The Hon. SHAYNE MALLARD:** Certainly not a lift and it is not the stairs.

**Mr HILL:** There are so many conflicting opinions on what that is. It got deferred to a design comp or something like that, but the point is, the answer is quite easy to your question, that needs to be taken on to a solution. In amongst a heritage area, an open space area and a cycling issue, that is very, very complex. I appreciate the simplicity of the question, I think.

**The Hon. SHAYNE MALLARD:** They are always complex. I have been involved in them all. I do not know if any of my colleagues have any questions. The Hon. Wes Fang?

**The Hon. WES FANG:** Thank you, Mr Mallard. I want to ask for a bit more expansion on the effects that you see around pine gully reserve and the dive site. We heard earlier that Stop the Tunnels were in opposition to that reserve being used for the dive site, citing a number of issues, contamination and the like. Do you see that those issues are insurmountable or do you think that they are issues that can be controlled through proper processes and regulations around the handling of waste and material?

**Ms GILES-GIDNEY:** I am not an environmental expert; I put my hand on my heart and say that. But, it is so deeply complex down there because you have got different geology. You have got soils, you have got runoffs, you have got flooding issues, you have got a storage tunnel for sewage that ruptured only about three months ago—kids and dogs and sewage, it is just horrendous. So I think it is going to take a lot of work. You would really need to be getting some experts in there to try and mitigate any possible areas of that. I guess that is not the answer you are wanting but that is the answer that it is.

**The Hon. WES FANG:** I have less than a minute left now but I just want to ask: Given you cited that these are such complex issues, do you think it is appropriate that a Facebook group is effectively trying to use that as a mechanism for stopping the project? Do you think that they perhaps need more high-level experience before they can start to use those factors as a means of attacking the project?

**Ms GILES-GIDNEY:** My experience with the people in that group is that they are a highly educated, professional group of people that have a great depth of information available to them.

**The Hon. WES FANG:** On what basis would you say that?

**The CHAIR:** I will allow the mayor to answer that question, but that is the last question as Government time has expired.

**Ms GILES-GIDNEY:** I have seen the quality of the submissions that have happened. I have had conversations with that group. I understand what you are saying. I am very reticent to take likes on a Facebook page as true community consultation. But I do not think that you can dismiss the integrity of the people that have

put together those submissions. They are very well researched. They have got a great deal of professional expertise. So please do not dismiss them.

**The CHAIR:** Thank you, Mayor Giles-Gidney. That brings an end to this particular session. I note that some witnesses have taken some questions on notice, for which you will have 21 days to supply an answer after you receive the transcript. Equally, if there are any documents that you have tendered, please email them through to the secretariat as well. Again we thank you for your time. You are now excused.

**Ms GILES-GIDNEY:** Thank you.

**(The witnesses withdrew.)**



**CRAIG COVICH**, Director, Environment and Planning, Mosman Council, sworn and examined

**PHILLIP DEVON**, Manager, Transport Networks, Northern Beaches Council, affirmed and examined

**YIANNI MENTIS**, Executive Manager, Environment and Climate Change, Northern Beaches Council, affirmed and examined

**The CHAIR:** I welcome our next set of witnesses. I invite a member of each organisation to make a short opening statement, if they so wish. Does anybody wish to make an opening statement?

**Mr DEVON:** The Northern Beaches Council has one. The Northern Beaches Council has been on this journey since the council endorsed a detailed submission on the reference design at the 27 November 2018 meeting, following on from a significant community engagement project that my team ran that included six stakeholder meetings and a public forum attended by over 200 residents and 21 speakers. The consultation generated 64 written submissions and 217 responses to the online public survey. The key themes identified through the engagement process were the link road and the connectivity to the Balgowlah portal; temporary and permanent impacts on the green space at Balgowlah; the emissions, the stacks, the filters and their location; potential impacts on flora and fauna; the Burnt Bridge Creek Deviation; the Wakehurst Parkway environmental considerations; the necessity of additional road infrastructure; construction impacts on local roads; construction operational noise and vibration; the compound locations during construction; the traffic modelling; and the predicted growth figures.

Council provided in-principle support, subject to minimising impacts on the community and the environment as detailed in the response to the EIS in February this year after it was endorsed by the elected council at the 23 February meeting. To provide this response, council established a working group across the business units to feed the detailed information into the final submission. We also consulted with our strategic reference groups and the community, especially around the Clontarf-Seaforth area. The issues raised in the submission include the bushland and biodiversity impacts; the groundwater drawdowns and the impact on biodiversity and stream health; the ecological impacts on creeks in the harbour; construction impacts on residents; the tunnel emissions and the monitoring; active transport and bus connectivity during and post construction; the local road network being used as a bypass around the work zones; the post-completion impact on the local road network; and the Balgowlah golf course and the reuse of the clubhouse for the community.

Our submission also identified several issues at a precinct level, with issues raised for the Balgowlah, Seaforth and Frenchs Forest precincts, as well as more broadly across the road network as travel habits change. Some of these issues that are noted are subject to further investigation during detailed design of the surface works around the Frenchs Forest precinct to maximise the benefit to the community and reduce the impact on the operation of the road network. Council views this project as catch-up infrastructure, providing direct connection to the Sydney motorway network and a crucial fourth access point for the area to and from Greater Sydney.

During development of council's Move strategy, which is council's adopted transport strategy, a number of submissions were received in relation to the provision of mass transit systems—namely metro, heavy rail and light rail—to connect the area to the rest of Sydney's network. However, they were seen as equally a negative impact as to the benefit that they would provide. Northern Beaches Council is in constant contact with the project team, working through the ongoing issues that we have raised and how to progress the project should it receive planning approval in the future. The way forward, we believe, is to address the local concerns and impacts to allow the project to proceed to provide a broader benefit to the whole northern beaches community, with the inclusion of public transport options within the project to increase the modal shift to rapid bus connectivity. Thank you for the opportunity for myself and Yianni to provide evidence to the Committee today.

**The CHAIR:** Thank you, Mr Devon. Would you mind emailing that opening statement to the secretariat, if you have not already.

**Mr DEVON:** Okay.

**The CHAIR:** Mr Covich, would you like to make a short opening statement on behalf of Mosman Council?

**Mr COVICH:** Yes, I would. I have forwarded my submissions to the Committee already so you should have a copy of those. If you do not, they will be with you. As the Committee is aware, Mosman Council has made two submissions on this matter. We have considered it and Mosman Council has provided in-principle support for the tunnel and beaches link. Although we have provided in-principle support, we believe that there is a missed opportunity to improve The Spit and Military Road corridor. We believe the EIS lacks the means to achieve this benefit. Having said that, the council is very strong on that it does not mean an increased housing density for

Mosman Council. Council would strongly oppose any attempt by the Government to leverage the tunnel to increase the density in Spit Junction and Mosman.

We want to bring to the attention of the Committee that the project scope should include the revitalisation of The Spit and Military corridor. Adequate funding should be provided for the western harbour tunnel project and Beaches Link project to implement the required improvements. Council has resolved to initiate a working group with Transport for NSW and North Sydney Council to create this project scope. This would include improving public space, pedestrianisation and improved amenity. I again stress that it should not be used to leverage increased housing density in Mosman.

As another matter it would be prudent for me to raise, there is the proposed establishment of a compound site on Spit West Reserve for a period of about 4½ years. Council's acceptance of this will be subject to a formal lease between Mosman Council and the builder or the proponent. Discussions of this matter are already underway. Council is confident this can be achieved but, again, it will be subject to a formal lease between Mosman Council and the proponent. In summary, council gives in-principle support to this but recommends a working group be established, and not an opportunity missed to provide adequate and improved benefit for The Spit and Military Road corridor that does not include increased housing density. Thank you.

**The CHAIR:** We will commence questioning with the Opposition. We will go to the Hon. Tara Moriarty.

**The Hon. TARA MORIARTY:** Thank you, Mr Chair. I thank both councils for the submissions that you have provided. I note your opening statements. I will start with Mr Covich, if I could, in relation to Mosman Council's view. Thanks again for your submission. You say that you have raised issues through your EIS submission. Can you give the Committee some information about what those are? What are the issues that you have raised and what do you see as the issues that have not been dealt with in relation to the EIS?

**Mr COVICH:** We believe there is a missed opportunity in the EIS to look at the impacts on The Spit and Military Road corridor as a result of the tunnel. We are of the view that obviously there is an enhanced opportunity to increase pedestrianisation and improve the environment of the corridor, given the traffic volumes that will be now using the tunnel. We just believe that there is silence in the EIS, and an opportunity can be raised to look at that. We are saying include in the scope of works adequate funding to look at that matter, the caveats being: we are not looking at increased density; we look at utilising kerb lanes to improve pedestrianisation, improving amenity, canopy coverage, but not increasing density and adding more population to those areas.

**The Hon. TARA MORIARTY:** Have you had any feedback either in relation to those submissions or in any engagement that you have had on the project about those concerns? I will start with your proposal to seek funding for the revitalisation of The Spit-Military Road corridor. Have you had any feedback on that?

**Mr COVICH:** We put it to the project team and they have noted it, but obviously they are not in a position to give us any further information at this time. We are further having high-level discussions with North Sydney of our intentions and they have not raised any objections of note to date.

**The Hon. TARA MORIARTY:** I note that you have mentioned a couple of times quite strongly that the council has the view that this should not in future allow for any increased density in the area. Are you confident that will be the case? Is this something that you guys have had feedback on?

**Mr COVICH:** We have worked pretty hard on our housing strategy and looked at the capacity of the corridor and Mosman more in general. We just see this potentially as an option for the Government to slip in increased density due to the infrastructure. Given the work we have done and the discussions we have had to date, we do not want this to be leveraged as that opportunity. We do not believe that it is necessary or needed, and the modelling does not show that. But anything can happen with things, and we just want to be very clear that council's in-principle support is contingent on no density increases in the area, subject to what we have already got in our housing strategy.

**The Hon. TARA MORIARTY:** I might just turn to Northern Beaches. Thank you for the detailed submission and your opening statement. Can I ask you to expand? I note your in-principle support for the project or a little further than in-principle. What do you see as the environmental impacts of the construction, but also longer term? I direct that to Mr Mentis, but either or both of you can respond.

**Mr MENTIS:** I can respond regarding the environmental issues and then perhaps Mr Devon can give you some detail about the construction and transport stuff. Regarding the environment, our key concerns that were raised in the environmental impact statement were groundwater drawdown in the local catchments, in particular in relation to Burnt Bridge Creek. There was significant impact on that creek regarding the groundwater drawdowns. There is obviously the ensuing ecological impact that will be created by that. There is an expectation

that there would be fauna bridges or opportunities for fauna to be able to traverse the final project. That is an issue that has not, we feel, been completely addressed.

There were also concerns about, obviously, the erosion and sediment controls that might be put in place during the project in order to ensure the quality of the existing receiving catchments. In particular there is a species of freshwater fish that is quite unique in urban environments in the Manly Dam catchment which we are concerned about. It needs protection. From a flood response point of view, our concerns related to the operational impact of the flood regime and how it was presented. Reports suggested that there would be a 10 per cent annual exceedence probability—in other words, a one-in-10-year possibility—that local residents may be flooded. We need some clarity on that and believe there needs to be more work done in that space.

On the issue of biodiversity, I have mentioned already the question of fauna access and wildlife corridors. We also expressed some concerns about biodiversity offsetting and securing local offsets. The current offsetting arrangements allow for any large development to create offsets through the biodiversity offsets trust. We would like to see those offsets be local. We would like to work with both the State and also with Transport for NSW to address that particular concern.

**The Hon. TARA MORIARTY:** And open space? I know you provided some information about some of the areas that you are concerned about in your submission, but if you could just expand on any potential loss of open space and how that might be mitigated.

**Mr MENTIS:** I will leave that to Mr Devon, I think.

**The Hon. TARA MORIARTY:** Sure.

**Mr DEVON:** The main concern raised by the community is the conversion of the Balgowlah golf course open space during the tunnelling works and then handing the remaining land back to council for public recreation purposes at the conclusion of the construction project. There is a net reduction in public open space due to the road connectivity that runs through the existing golf course. One of council's concerns is that land take for the road needs to be minimised as part of that project. We understand the need for that road connection as the alternative, from a transport perspective, impacts significantly more properties along the Condamine Street and Sydney Road corridors to get the traffic to actually enter the project from the north, opposed to entering through the golf course proposed land.

**The Hon. TARA MORIARTY:** While I have got you, Mr Devon, I have another quick question before I hand over to my colleague. You described in your opening statement this plan as "catch-up infrastructure" for your community. I can understand that. On that basis, do you think this is a project that will simply meet long-held needs in the community? Will this meet future needs? How will this fit with the needs of the community in terms of an integrated transport program for the future for your community?

**Mr DEVON:** From the initial development of our transport strategy we identified the need for a rapid connection to North Sydney and the CBD and to take pressure off the Warringah Road corridor. This project provides that solution. One of the key factors around the western portal, the Wakehurst Parkway portal, is it enables further development in the Frenchs Forest planned precinct, which is the health and education precinct around the new Northern Beaches Hospital. All of the development that this will unlock is already included in our housing strategy and our local strategic planning statements [LSPS].

**The Hon. JOHN GRAHAM:** I might put a question to Mosman Council. You have indicated that you are hopeful there will be no further development in Spit Junction and in Mosman itself if this is the case. Given the scale of the infrastructure here, given it is billions of dollars, that seems slightly delusional, I have to put to you. Do you have any guarantees from the Government that you will not be subject to any more development? Aren't you really going to be facing further development in those areas? Doesn't this significant traffic and road infrastructure investment mean houses are on the way for those areas, particularly given that some of the traffic forecasts show just how much extra vehicles will be on the road?

**Mr COVICH:** What we are saying is that we do not want this project to be leveraged to suddenly change council's housing targets. We have worked with the department of planning in detail with our housing strategy and our LSPS to establish current targets and future targets. What I am pre-empting is I would not want to be in a position where suddenly there is an announcement that the tunnel is going ahead and suddenly—

**The Hon. JOHN GRAHAM:** But it will be, though, won't it, Mr Covich? Do you have any guarantees, does the council have any guarantees, that it will not happen? Because it will unless you have a guarantee from the Government.

**Mr COVICH:** No.

**The Hon. JOHN GRAHAM:** The Northern Beaches Council projections for growth in population between 2016 and 2036 on one reading are about a 0.4 per cent annual growth. That is one of the submissions that has been put to us in the submissions to this inquiry. Has the Government come clean with your council about how many extra dwellings and how much extra population will be piled into your council area if this project goes ahead?

**Mr COVICH:** I cannot answer that specific question. All I can say is we are working—

**The CHAIR:** That question, Mr Covich, was directed to the Northern Beaches Council.

**Mr COVICH:** Apologies.

**The Hon. JOHN GRAHAM:** All good. Mr Devon?

**Mr DEVON:** The department of planning has confirmed our main growth areas, being the Frenchs Forest planned precinct and the Ingleside land release area, are all within the housing strategy targets at this point.

**The Hon. JOHN GRAHAM:** The council has got a plan to drop car use by 23 per cent but this EIS shows vehicle traffic on one measurement going up 40 per cent. How do those two figures square from a northern beaches point of view?

**Mr DEVON:** Since the reference design was released, we have been advocating for the inclusion of public transport within the tunnel to provide rapid bus to the metro in the CBD. So the traffic modelling talks to a baseline figure. It does not actually break it down into buses versus cars, from our understanding of it. A lot of the future transport design around the Frenchs Forest planned precinct takes into account that direct access through the tunnel to the metro at North Sydney to provide a better connectivity solution from that precinct to not only North Sydney but also through the motorway through to Macquarie Park.

**The CHAIR:** Thank you, Mr Devon. Opposition time has come to an end, so we will go to the crossbench, Ms Boyd.

**Ms ABIGAIL BOYD:** Thank you to our witnesses for your submissions and for attending. If I could start with Northern Beaches, with you, Mr Devon. I am looking at your submission and the in-principle support. When you say the council has given its in-principle support for the beaches link, is that in the absence of any other proposed investment into transport options in the area? Let me reframe that question: Is the support given on the basis that nothing else is forthcoming, or is the support given in terms of wanting a tunnel instead of a public transport option?

**Mr DEVON:** The way the elected council looked at it was that it is an integrated transport project. Obviously by running the rapid bus through it, that meets the needs of the community for the public transport connectivity. During the consultation that we ran as part of the development of the transport strategy, we framed the need for a mass transit system within that consultation. That was firmly rejected by the community, because they saw any heavy rail link as being an enabler of development.

**Ms ABIGAIL BOYD:** That is interesting because, I guess going a long time back, when the idea was first floated, the Government of the time was talking about having a train link only if there was a sufficient increase in population in the area. Do you think the community sees that as a threat, in terms of, if you were to push for public transport then the quid pro quo is that you would have to have greater development in the area?

**Mr DEVON:** I believe that was the view of the community at the time we did the consultation. We did have some responses that were talking to a metro link from the Frenchs Forest precinct to Chatswood, for instance. What the community didn't really want was for it to become a link that ran all the way through to Mona Vale, for instance. They were quite happy with it linking that growth centre back to the network but not an overall connection along the coastline because they see that as enabling multiple precinct developments along the beachfront.

**Ms ABIGAIL BOYD:** What is the basis for that understanding in the community, that understanding being that transport projects are not to serve the current population but are put in place to serve as a form of future development opportunity?

**Mr DEVON:** Historically the community has been wary of increased public transport provision because they see it as an enabler of large-scale development. They have seen it elsewhere in Sydney. That is their concern: that it will become another high-rise.

**Ms ABIGAIL BOYD:** If current congestion is holding people back from wanting to move to the area and we then have the beaches link put in place, wouldn't that naturally lead to greater demand in the area anyway?

**Mr DEVON:** From a transport planning perspective that would be what will happen. But by making it a limited capacity piece of infrastructure you also limit that potential development further up the peninsula.

**Ms ABIGAIL BOYD:** Would it be fair to say then that council is in favour of this project only to the extent that it includes a major public transport component, this rapid bus?

**Mr DEVON:** Correct.

**Ms ABIGAIL BOYD:** Have you got assurances that will be the case with this project?

**Mr DEVON:** We are working with the team from Transport for NSW to deliver that option.

**Ms ABIGAIL BOYD:** So no assurances, though, at this point?

**Mr DEVON:** Not at this point.

**Ms ABIGAIL BOYD:** More of a discussion.

**Mr DEVON:** Yes.

**Ms ABIGAIL BOYD:** Do you accept that if the road becomes a toll road and becomes something that gets effectively privatised or run by private operators, that might negate the incentives to include significant public transport options within the tunnel?

**Mr DEVON:** There is that potential. I think that the conversations that we have had with Transport for NSW and the bus operators indicate that they are already gearing up for the potential for it to become a bus corridor anyway.

**Ms ABIGAIL BOYD:** I will ask a similar question of Mr Covich in relation to Mosman Council. Is the council's support really based on there being no other proposed investment in terms of relieving congestion or is this actually a preference to other forms of public transport?

**Mr COVICH:** I would say that it is probably safe to say that council's position on the tunnel has been pretty consistent for many years and that they prefer the tunnel option.

**Ms ABIGAIL BOYD:** Just to clarify, a tunnel with road only, not with any sort of rail link within it?

**Mr COVICH:** I do not believe council has considered other options, including the rail, so I would not be certain in giving a response on that. But broadly the tunnel has been supported for many years.

**Ms ABIGAIL BOYD:** Can I ask you first, Mr Covich, about the concerns that council and the community have around air pollution? What sort of discussions have you had so far with the Government in relation to monitoring and curbing the potential air pollution impact?

**Mr COVICH:** The project team has briefed our councillors on air monitoring and the benefits of filtering and the like. The projected tunnel direction does not come through Mosman, so any air requirements are probably not as significant for our council to consider and as such have not been a significant matter for Mosman.

**Ms ABIGAIL BOYD:** I will ask the same question of Mr Devon.

**Mr DEVON:** Similarly, our elected councillors have been briefed by not only the project team's subject matter expert but also NSW Health on the potential issues and options for the stack locations, filtering. They also put it into context around the need for it to be taken into context around the time frame of the project and the uptake of electric vehicles and low emission technologies and that sort of thing. One of the things that was explained to the elected councillors—I was at the briefing as well—is the bidirectional flow within the tunnel. We only end up with half the emissions coming out through the two stacks at the northern end, and the southbound ends up at Rozelle or Cammeray, I think, from memory.

**Ms ABIGAIL BOYD:** I just wanted to ask Mr Covich: You mention in your submission that there is a desire to involve North Sydney Council in establishing this working group that you refer to. What is the coordination between the impacted councils like? Is it just North Sydney Council that is not participating at this point?

**Mr COVICH:** No, I do not believe that North Sydney Council is not participating. Essentially, our council has resolved to establish a working group. We have had an initial meeting with North Sydney who have expressed they are okay to commission something. Essentially, given we have a boundary and share the same road, it is important that both Mosman and North Sydney are talking the same language when we are improving the amenity and pedestrianisation of Military Road. We do not want something stopping at one street and continuing over. So we are in constant discussion about their planning controls on the border so this makes sense

to ensure that whatever we are doing matches what North Sydney is doing and make sure that we take the opportunity to do something important.

**Ms ABIGAIL BOYD:** Is there a broader working group on these issues or is there any other forum in which you come together as councils to discuss these issues?

**Mr COVICH:** Yes, we are both part of the Northern Sydney Regional Organisation of Councils, or NSROC, the regional group. We also have inter-staff meetings regarding specific items that will be affecting each side of the boundary. So we are not acting in silos by any means.

**Ms ABIGAIL BOYD:** Thank you. That is the end of my questioning, Chair.

**The CHAIR:** Okay. We will go to the Government. If there is any time left over, we will throw it open.

**The Hon. WES FANG:** Thank you very much to the councils for their fantastic submissions. It is good to see some common sense being ventilated in support of these tunnels. I guess I just wanted to start with the first bit, which is: Could each of the councils, given that you have got such a strong connection with your communities, highlight some of the important issues that the general public have provided to you by way of feedback as to how these tunnels are going to make a change in people's lives?

**Mr COVICH:** I suppose from the residents' feedback in Mosman it is essentially the reduction in traffic impacts of The Spit and Military Road corridor. I think it is well known that that corridor is one of the most congested corridors, and the fact that traversing across Mosman, as it does split the suburb in two, and getting from place to place in early morning peak or afternoon peak is of significance to them. We have also had some commentary, not largely, about reduced congestion and therefore improved air quality. But the significant factor is just mobility.

**The Hon. WES FANG:** Thank you. Mr Devon, do you have any feedback?

**Mr DEVON:** Obviously the communities that are impacted around the construction areas and the portals are of one view. However, the broader community view is that the connectivity benefits to both the social fabric of those communities and also the ability for the local businesses to connect to Greater Sydney is improved by the tunnel. One of the things that we heard from a group of businesses from the northern area, sort of around Warriewood/Mona Vale, is that they were in favour of it on the basis that it actually allowed improved connectivity through the motorway network to other parts of Sydney, to enhance the amount of manufacturing and distribution, whereas at the moment, a.m. and p.m. peak there they actually schedule their production around the inability of vehicles to get in and out of the area due to congestion.

One of the other things that came up was that we heard that people would use public transport more often if it meant getting a quicker run through Mosman and Neutral Bay obviously, through Pittwater Road and Condamine Street in our area, to the city and North Sydney, to provide that benefit to people actually getting on an express bus and using the corridor. The B-Line has been fantastic on the beaches but it is still using the road corridor as it is today. It can take 40 to 45 minutes from Manly Vale to get to the city.

**The Hon. WES FANG:** I want to touch on one of the things that you just raised there. Usually the negativity that is attached to this project is around people who may be directly affected during the construction et cetera. Have you found that the groups that purport to have an issue with it are generally smaller and concentrated around those construction sites or dive sites? You will find that the wider and more silent parts of your community are very much in support of it, so it is more a case of better for the many, not the few.

**Mr DEVON:** I would agree with that. I also declare an interest. I live within 200 metres of the Balgowlah dive site. Obviously it is going to be an impact myself. However, from an overall community benefit, and you look at it from the broader area and not just the couple of years that we are going to have increased impacts locally, I think that longer term for the community it is a benefit. Also in those niche community groups that have concerns with the project, they also see a longer term benefit to have the project. It is more around the individual impacts during that construction phase or a lot of it is the "what happens if" type comments that you get. People may bypass the tunnel and run through the local roads. Well, the offset to that is that we look at enhanced traffic-calming solutions around those local roads to keep the traffic on the State road network, irrespective of whether it be the tunnel or the existing corridors.

**The Hon. WES FANG:** Mr Covich, what about your experience? Have you found that the people who have a, say, negative view of this project tend to be lesser parts of the community and very much affected by perhaps the construction phase whereas the silent majority of your community are very much in support?

**Mr COVICH:** I would say that the majority are in support. We have limited construction impact. So I suppose the issue for any concern around Mosman will be the devil in the detail in terms of construction,

particularly on Spit West Reserve. But, having said that, I believe councillors and council are confident that a solution can be ascertained. The concern from Mosman's side of things is merely around something is going to come out of the hat at the end of the day that council was not expecting and suddenly that is an issue. But overall I think the support for the tunnel is well accepted in Mosman and that is a good solution for the peninsula.

**The Hon. WES FANG:** In that instance, Mosman Council is impacted less by the construction and is broadly supportive, while you have some areas in the northern beaches that are affected by construction and there are pockets of concern. It seems to me that a lot of the issues around the project—for people along the corridor—seem to be small pockets of people who are going to be affected during the construction or, say, green groups that do not want any progress at all. Is that the experience you have both found?

**Mr COVICH:** We have not undertaken that finer grain of detail of consultation. It is generally accepted by our councillors that the project is a good one. We see opportunities for improvements in the project. We just do not want to be caught, essentially, with surprise at the end of the day. As I have said previously, we are very supportive of the tunnel, with the caveats we have provided in our submission.

**The Hon. WES FANG:** Wonderful. I just want to address some of the leading questions you were asked by some of the questioners previously. When people were asking you if you had been given guarantees around whether there would be no increase in the density for construction and the like, has there been any confirmation that there is going to be an increase in density in construction along the corridor?

**Mr COVICH:** This is a matter that council has raised with the project team to take back and say, "As part of this proposal we are not seeking." I suppose our submission purely is to put it on the notice of all parties that council supports the tunnel but does not want any surprises on the matter. I cannot really answer that question directly because we have not raised it formally other than in submissions saying, "Please be aware we are not supportive of increased densities linked to this project." We have a government-supported local housing strategy and an LSPS in train, we have looked at that and we do not want any surprises.

**The Hon. WES FANG:** I appreciate the clarity you have given with your answer, because I noted that some of the other questions were framed around this: Given that you have not been given a guarantee, it is going to happen. But what you are saying is that you have raised it as an issue and nobody has actually said to you that this is going to happen. What you are saying is that you want this as something that is on notice to all parties. Is that correct?

**Mr COVICH:** That is correct.

**The Hon. WES FANG:** Thank you very much for clearing that up. One of the other issues that has been raised in the questioning, which was quite leading, I thought, was that your support for these tunnels is only because you have not been given other solutions. I guess I could ask you: Is your support for these tunnels only because we have not offered to put an airport in the middle of Manly and the middle of Palm Beach, and that we are going to have regular public transport, or RPT, flights going in there? Are you supportive of the tunnel, no matter what other solutions may or may not be on the table in the future?

**Mr COVICH:** Again, we have not been presented a broad suite of options. I think council is of the view that the tunnel has been something that is realistic that has been touted for many years, and therefore with that reality comes the support that this is an achievable outcome. I could not speak to the other options because there are none that have been put in a reality context that council could realistically consider.

**The Hon. WES FANG:** But your support for this project, independent of any other options, is it because it is a good project that is going to be of benefit to your community?

**Mr COVICH:** Yes, this project is a good project that will benefit the Mosman community.

**The Hon. SHAYNE MALLARD:** I might jump in there, Wes. There is a minute left, isn't there, Mr Chair?

**The CHAIR:** Mr Mallard, go ahead.

**The Hon. SHAYNE MALLARD:** Is that okay, Wes? Can I take the last minute off you?

**The Hon. WES FANG:** It is all yours.

**The Hon. SHAYNE MALLARD:** Thank you, my friend, my colleague. Thank you for your submissions. I do acknowledge your constructive and supportive position of the project. I have spoken at many events and functions in your area, and I have campaigned in by-elections and elections right through the area. I know that Military Road and The Spit have always, always been a big issue for the 20 years I have been involved in politics. Mr Devon, you used the term that this is "catch-up infrastructure". I would like you to expand upon

the historic community attitude to this. It is implied that the community has missed out. Would you like to expand upon what you meant by "catch-up infrastructure"?

**Mr DEVON:** [Inaudible].

**The Hon. SHAYNE MALLARD:** You are muted at the moment, I am afraid.

**Mr DEVON:** [Inaudible].

**The Hon. SHAYNE MALLARD:** You are still muted.

**Mr DEVON:** Here we go—I was not using the headset to unmute. The term "catch-up infrastructure", we have not had any major road connectivity projects connecting our area to the rest of Sydney since I was a boy growing up on the northern beaches, basically, since Warringah Road was widened in the sixties and seventies. Obviously the population has grown considerably since that point. The way we have looked at it is that to provide a connection directly to the Sydney motorway network is bringing us in line with the rest of Sydney.

**The Hon. SHAYNE MALLARD:** I congratulate you on your consultation that speaks to the whole community. You articulate there is a group that is very unhappy that are directly impacted but the broader community is generally supportive, which I think is good to hear. Do you think that there is a sense in the community that they have always missed out compared to the rest to Sydney?

**Mr DEVON:** One of the key things in Mr Mentis' team at the moment is running a project in partnership with Transport for NSW to do some flood work on Wakehurst Parkway, for instance. One of the key themes is that there has been nothing done there for the past 20 or 30 years, either. The further north you go in the LGA, the more the community feels like they have been almost left behind. They kind of like it like that at times, provided they want to not travel outside the area. The minute they want to travel outside the area they see what the rest of Sydney's network looks like, and they would like to have something similar.

**The CHAIR:** That does bring Government time to an end. We have two minutes and I definitely have a question. Can I have an indication from members if they have got any questions that they wish to ask? No. I will ask two questions to Mosman Council. Mr Covich, I understand you have made the point repeatedly throughout that your support is contingent upon there being no adjustment to the housing target that arises. What is Mosman's housing target for next five years?

**Mr COVICH:** Craig Covich from Mosman Council. It is approximately 300 dwellings.

**The CHAIR:** And there were 300 dwellings in the past five years?

**Mr COVICH:** I believe so. I could not be 100 per cent accurate on that.

**The CHAIR:** The Greater Sydney Commission has flagged that there is a need for an additional 92,000 houses in the north of the city. How then are you intending to secure that commitment from the Government if one arm of the Government is saying that 92,000 additional homes are needed in the north of the city and, from the best I can tell, over the past decade only 600 of them are going into Mosman? Do you have a view as to whether or not you are going to formally seek a protection or not?

**Mr COVICH:** Craig Covich from Mosman Council. What we are saying is that we are working through the existing government structure of the department of planning with the LSPS and the housing strategy to ensure that we are providing housing that Mosman is capable to fill. My point being that we just do not want to be surprised by suddenly—now you have the tunnel you should therefore have another couple of thousand dwellings. We have done detailed studies that incorporate all these factors. We do not want a pie in the sky number picked out as a result of increased infrastructure and that therefore—we see in other places in Sydney. We do not want it to happen in Mosman.

**The CHAIR:** I will bring the session to a close. Thank you for your time. I understand that you have taken some questions on notice for which you will have 21 days to supply an answer. In addition, if there were any particular documents that you had tabled or wish to table, can you please email that through to the secretariat. Again, we thank you for your time and you are excused from the hearing today.

**(The witnesses withdrew.)**



**IAN GREY**, Chair, Waverton Precinct and Co-Convenor, North Sydney Combined Precincts Committee, affirmed and examined

**STEVE MILES**, Chair, Parks Precinct and Member, North Sydney Combined Precincts Committee, affirmed and examined

**PAUL WALTER**, Chair, Bay Precinct and Member, North Sydney Combined Precincts Committee, sworn and examined

**The CHAIR:** Welcome to our next set of witnesses. We have had a late apology from Ms Genia McCaffery, who cannot join us today. Can I invite one representative from the organisation to make an opening statement if they so choose?

**Mr GREY:** That is me, if that is okay. Can we just check our timing because I have about three minutes of opening statement, Mr Walter has a presentation and Mr Miles has a section to talk to as well. We think we are likely to be 12 or 13 minutes, something like that, in total. We just wanted to check if that is okay or not with you guys.

**The CHAIR:** I am sorry but we will limit you to three minutes as an opening statement, as per all witnesses. I understand that you have emailed through your presentation slides, which are available to all members. When you are being questioned you can make reference to them, but the predominant purpose of the hearing is to allow us to ask questions of witnesses so it will be limited to three minutes if that is okay.

**Mr GREY:** I may not take three minutes but I will try to do the grab. We can use some of our materials, hopefully, in answering your questions if that is okay, Chair.

**The CHAIR:** Thank you. You can consider all those documents tabled and they are available to members as well.

**Mr GREY:** Wonderful, because the visual images explain some of these concepts so much better than a very quick set of words. First of all, I guess most of you not know what the Combined Precinct Committee [CPC] is, so let me just explain. In the 1980s the independent mayor of North Sydney Ted Mack introduced a structured system across North Sydney to enable ongoing regular communication between local residents, communities and the council. That was about 30 or 40 precincts, they are called. They meet every month or second month. They pass motions, make requests to council and get replies to every single meeting. It provides the council a ready-made infrastructure to brief residents on any initiatives and key issues that are going on.

In addition, the Chair of each precinct, which is each of us three and our colleagues, attend a combined precinct meeting each quarter, which enables us to talk to one another about what is going on. It also provides a wonderful forum for council staff to come along and brief everybody simultaneously in exactly the same fashion. That is what the CPC is. The model exists in only two other councils in New South Wales. We have selected a group of Chairs from around our municipality to talk with you today so that you get a sense of what is a common problem and what are the slight different emphases in different places. We are not opposed to this particular project; indeed, we welcome a State government that is prepared to invest in public infrastructure.

I would note that this particular project was a complete surprise as it had never been on Infrastructure NSW's priority list and we have always thought that across the State—and, frankly, even close to our own homes—there are other higher priorities. But we do not have an in-principle objection. The key take-out we want to tell you is that this project solves a non-existent problem. By this we mean that it is currently easy and quick to get from anywhere in the North Sydney area across to the Rozelle area: it is all freeway, there are no traffic lights, there are plenty of access and egress options for us, the trip takes between 10 and 15 minutes and it also links you onto the main road now out to the Blue Mountains and beyond. This project will probably unintentionally inflict massive permanent problems on the North Sydney area, all of which are completely solvable and avoidable. But the Government unfortunately has been uninclined to listen to the comment.

When the EIS came out we ran very large public meetings of hundreds of people. We gathered views from our whole communities and we came up with three main issues: the traffic implications for North Sydney, which are immense; the pollution concerns about the fact that the tunnels are not filtered; and a great concern about loss of open space in the municipality that has the least green space anywhere north of the harbour bridge. We also saw a wonderful missed opportunity—if I could put it that way—to establish proper pedestrian and cycle-through routes in North Sydney and out of North Sydney, which was sliced in half when the Warringah Freeway was built in the 1950s and 1960s.

The most absurd issue is that everyone in North Sydney, and therefore beyond North Sydney, is going to actually be routed down into the North Sydney CBD and across what is a suburban street called Berry Street in

order to access this tunnel, so it is just insane. Instead of accessing the tunnel somewhere on the freeway, which is where the access and joining point should be, everyone will be routed down into the North Sydney CBD where they do not want to be. They do not have any intention of being there and it will make a mess of a street called Berry Street. Coincidentally, Berry Street is the street where the new metro station is about open. On their own projections we will end up every morning with failed traffic intersections all the way along Berry Street and backup in hundreds of metres beyond that on the Pacific Highway and beyond.

If you know our area you will know the implications, but maybe you do not know our area. It means that whole suburbs will be unable to get out in their cars in the morning peak hour because of the traffic gridlock that will be created on Berry Street. North Sydney was allowed by the State Government to increase the height of buildings in the North Sydney CBD about four or five years ago. Some immensely big buildings are being built there now. The flip side was that they were meant to create more open space both in the CBD to make it more friendly to be able to get around and around the municipality to make it better connected. Instead, we have this bizarre situation where everything is connected to going along Berry Street, which cuts through the middle of the CBD.

**The CHAIR:** Mr Grey, could I ask you come to an end?

**Mr GREY:** Sure. We have pollution and green space problems, which are totally immense, and we would love to tell you more about them in answering your questions.

**The CHAIR:** Thank you, Mr Grey. We will start with questioning from the Opposition.

**The Hon. TARA MORIARTY:** Thank you all for joining us today. We appreciate the effort that you have put into each of your submissions. It is good to have gotten that explanation for how all of this fits together in terms of the work you have done on this. I might start with a bit of a micro view from each of your precincts. I invite each of you to give us the highlights on what you say will be the worst impacts of this project on your immediate local precincts. For example, perhaps, Mr Miles, in terms of the Parks Precinct, you are saying that there are some local changes that have not been considered since this project was first outlined. Do you want to give the Committee some information about the impact that will have on your specific precinct?

**Mr MILES:** The major impact everyone is concerned about is that there is no filtration of the ventilation stacks—the smokestacks there—which actually service two tunnels and 14 kilometres of tunnels and the emissions exhaust. As Mr Grey has said, there is a lot of traffic put onto local streets. I can now access the bridge by going 100 metres from my place but now I have to loop about 500 metres around. So there is going to be a lot of traffic on the streets during construction and after construction. During construction, we have just seen the start of construction and, basically, the builders do what they want to do and then people have to complain to try to get things fixed up. Nobody is trying to follow the Minister's conditions for approval in spirit—maybe just in black letter. Traffic is going to be a nightmare; there are going to be hundreds of people needing parking around Cammeray.

Some 200 people will need parking around Waverton, which is a suburb that was built in the late 1800s; it is not made to accommodate big trucks and lots of workers. Nobody thinks the workers will do anything other than drive their vehicles to the worksite. It will destroy our suburb. We are going to lose three hectares of green space during construction. We get a little bit back. We are losing 570 mature trees that will not be replaced. They will plant a few trees that will just die and, anyway, there is nowhere to do it. Some things we value around here. We have some beautiful king parrots that fly out of Primrose Park. They have a very wide range and they go across the golf course. I have not seen them since the work has started. As Mr Grey said, they are just making a mess of our suburb for no reason. Basically, we want filtration, we want it to be a better place after the project than before the project and we want to keep the green space that we have in one form or another.

**The Hon. TARA MORIARTY:** Mr Walter, perhaps in terms of the Bay Precinct, I know in your submission you have provided some useful specific details on the impact on specific intersections. Do you want to expand on that and also the loss of green space in your local precinct?

**Mr WALTER:** Yes, thank you. The presentation that I sent through—just by the way and for the gallery—is available on our studio website on the landing page, which is atlasurban.com. I would like to talk to the slides because it really does help structure the information. I am looking at slide one now, which is a view from across the top of Cammeray back towards the North Sydney CBD. In that view you have the villages of Crows Nest on the right-hand side, Cammeray in the foreground, Neutral Bay on the left and the North Sydney CBD in the distance. The Warringah Expressway carves through that part of the city to give the approach to the harbour bridge. That is obviously a mid-twentieth century project that we have been working to stitch back and improve over time, but it is obviously a very important major piece of infrastructure.

I make a few other comments about this particular corridor: We have 22 schools with more than 10,000 schoolchildren and there are 54 childcare centres. What that talks to is the fact that this is a centre which serves a much wider community of people who come here for all sorts of services. It is akin to Parramatta or another major node in the city. Therefore, the quality of the streets, the environment, the ability to walk places and so on really matters at the scale of the city. The graph you can see shows the North Sydney local government area has one-third of the amount of open space per person than the other local government areas on the North Shore. In fact, it has less than the City of Sydney. The next slide shows a set of information. I have to say that one of the most challenging things—and I am so grateful to this Committee for being formed and giving us a theatre to be able to communicate to. The environmental impact statement did not state the impacts; it really played hide the ball with what we were losing with what the impacts were.

At every point when we tried to understand what was to be disconnected or what was to be lost, it was never easy to find; it was always on the 376th page of a document somewhere. This is a diagram that North Sydney Council has generated, which shows a series of linkages to the motorway system which will be closed as a result of this project. This major motorway that connects into a living part of the city has connections that already exist. When they are closed, people are forced onto longer routes on surface roads and local streets right through this part of the city. It really has terrible consequences. Therefore, there are much worse traffic delays at a range of intersections. I do not care particularly about people sitting in their car in traffic; I care about schoolchildren crossing intersections and the quality of the environment when people are walking down the street. These are impacts that will really affect the quality of the place that we are living in.

**The Hon. TARA MORIARTY:** We have very limited time, so if there are any specific highlights, I invite you to provide it but, otherwise, we do have the submission. Mr Grey, if there is anything specific that you want to highlight to us about your local precinct in Waverton?

**Mr GREY:** Yes.

**The Hon. TARA MORIARTY:** Before I hand over to my colleagues—if they have questions in this limited Opposition time—these are detailed issues that you have raised and you have clearly done a lot of work on this. What has been the feedback? In terms of your consultation, is the Government listening to you? What kind of responses are you getting in terms of these local issues?

**Mr GREY:** Can I answer that question but can I also answer the first one about the specifics? We will not be able to get out the one street that takes us out of our suburb to the harbour bridge in the mornings because the traffic lights will be failed and there will be gridlock. That is at one end of the suburb. At the other end of the suburb where we will be, the construction site for all the drilling equipment that is creating the tunnel—all the spoil will come out and go in barges around to Rozelle Bay. All the shotcreting, when they get to that point, all the lining of the new tunnels—all those cement mixers are going to come down. There is only one street at that point in Waverton and it is a little street. There are going to be 50 trucks a day coming down, 24 hours a day, going in with concrete for the shotcreting. All this is going to happen in a little tiny peninsula suburb that has never been designed for anything like that. Sorry, that is the part (a) of that answer—"Did I have anything special?" Yes, we have real big things at both ends of the suburb. What was your other question?

**The Hon. TARA MORIARTY:** Each of you have raised really significant issues for your local precincts that make life difficult.

**Mr GREY:** Absolutely.

**The Hon. TARA MORIARTY:** What kind of responses are you getting from the Government in terms of how these things are going to be dealt with for your community?

**Mr GREY:** We have noticed through various campaigns, including this one, that we get meticulously polite letters back from the Government and from MPs. The Premier is the MP of the adjoining seat. They thank us for our input and they are proud of our democracy—that people have the right to contribute and everything. We do not get any kind of answer apart from that kind of thing. We have gone along and talked to our MPs, we have gone along and talked to the department of transport and we have gone along and talked to the department of planning. We have had hundreds of submissions go in from members of the public following the format and the points that we developed for them and we have made not a solitary skerrick of difference to what the proposal is. And yet you can see the traffic implications for us in our own municipality, for a project that adds nothing to us in terms of where it takes us to or where brings it us from, are catastrophic and permanent.

**The CHAIR:** Thank you. I believe we are out of Opposition time, so we will go to the crossbench.

**Ms ABIGAIL BOYD:** Thank you all for your diligence, your detailed submissions and for appearing today. I will start with Mr Walter. I am interested in the impact on Berry Street and basically around the traffic.

As you say, it is not so much about people sitting in their cars; it is about the impacts on the amenities for everyone else. Is there a risk that people will divert around Berry Street? Is that something that they could do? Will it create rat runs?

**Mr WALTER:** Yes, so what they have done is by putting the portals at the end of Berry Street, the only way into the tunnel at North Sydney is down this CBD street. As it happens, I worked many years ago in my professional life on the Cross City Tunnel project and the Lane Cove Tunnel, so I have had exposure to these things. The Cross City Tunnel was all about getting traffic off the surface of the CBD, which has made possible all of the improvements that we have seen over the past 10 years in that CBD. This is going to condemn North Sydney to having a major traffic artery right through the heart of the CBD in perpetuity. Connecting a motorway to a part of the city is like trying to get a sip from a fire hose: It is a very hard thing to pull off. The more you can distribute it, the better. The more carefully you handle it, the better. We are seeing multiple closures of connections and additional traffic drains put where they should not be. It will compromise this whole part of the city. It is breathtaking.

**Ms ABIGAIL BOYD:** Are there specific changes they could make to the design of this particular project to alleviate those concerns or do they really need to do something different?

**Mr WALTER:** I am not inside the project so I do not know exactly what the answers here are, but it seems to me that connecting a motorway to a major road rather than a CBD street would be a good idea. There are about two hectares of parkland being taken from Cammeray Park as part of this project and replaced with industrial sheds and layover areas for trucks permanently in an area with so limited open space. Green grid types of concepts are terrific ideas, but what we are doing here is actually severing important green connections that now will never be made because of this, and we are also going into very sensitive catchments.

The Flat Rock Creek catchment above Tunks Park has eels that traverse the South Pacific and travel up that creek. There is a rubbish tip at the head of that creek where the dive site is. I mean, it is amazing. There is Aboriginal art in the caves in that valley. It is amazing that this has not been understood or thought about properly. The other major catchment is the Willoughby Falls catchment. Cammeray Park and golf club is the head of that catchment, which has had decades of lead spilt onto it from the passing cars before unleaded petrol and which is now all across that land that is now going to be dug up. So we are losing the space and we are sending pollutants down into these important watercourses. So it seems like such a twentieth century project to me; it is completely wrongheaded. Times have changed.

**Mr GREY:** Could I add a very quick answer to that?

**Ms ABIGAIL BOYD:** [Disorder] some questions from one or other of the Government members saying that people who are opposed to this project are just anti-progress. How would you respond to that—

**The Hon. SHAYNE MALLARD:** I could take a point of order but I won't.

**Ms ABIGAIL BOYD:** —and what are the alternatives that we could have in our twenty-first century city that would be something other than more roads?

**Mr WALTER:** Look, I understand that a metro link between Chatswood and Dee Why would make an enormous difference to access to the northern beaches. As Mr Grey has said, North Sydney is already connected to the inner west without traffic lights. It seems like it is just trying to enlarge a pipeline to deal with a motorway system that really should not be what is compromising our city. The purpose of going somewhere is because you want to be there when you get there. The reason you get in your car is because you want to go somewhere, and the somewhere is the village centre, it is the CBD of North Sydney, it is this parkland. Those somewheres are being compromised by traffic. It is completely wrongheaded. Obviously, public transport would be a good idea and other initiatives. If there needs to be a tunnel to the northern beaches that connects to the inner west it does not need to stop at North Sydney because North Sydney is already connected.

**Mr GREY:** Could I add to that one just slightly if that is okay?

**Ms ABIGAIL BOYD:** Please do.

**Mr GREY:** It is just part of the same answer, but all the people we have talked to who are traffic engineers or have a background in this planning area tell us that in a sense we are blessed because we have arterial roads on either side of our CBD: the Pacific Highway and the Warringah Expressway. The whole idea of arterial roads is they carry the traffic through an artery that does not want to be there. The trick, as many of us have seen if we are on a freeway and you think about it, when you join a freeway you join it from above the freeway and you go down onto the bit you are going on to. But that is the actual option here instead of routing everything through Berry Street. That is the most convenient option. The other option would be some sort of tunnel, which is probably too expensive. It is a great idea—it is like the Cross City Tunnel—because it frees up all the surface

to be lovely and friendly and open and green. But if we cannot afford that one we have arterial roads there. They are on either side of this CBD. Use them.

**Ms ABIGAIL BOYD:** Mr Miles, just on that point about tunnels and the emissions, what response have you had so far, if any, in relation to concerns raised on the air pollution in those tunnels?

**Mr MILES:** Everybody is saying we are not going to filter the smokestack. The best reason I had for that—well, there are two reasons. One is that it takes more power and therefore more cost to filter it and, two, there is a worry that the poisonous gases will not travel as far as they are slowed down by filtration and then pumped out again. The modelling shows there will be worse health outcomes for our area. Overall in Sydney there will be a total of better health outcomes but this is a horrible win/lose game when someone gains something and someone else loses something. Originally, one of the smokestacks was near Wenona high school; it was moved a couple of hundred metres down the road next to where my granddaughter goes to school at Anzac Park Public School. So there has just been no progress.

**Ms ABIGAIL BOYD:** So in your opinion do you see the environmental and health risks of this particular project and the impacts on the community as outweighing any potential benefit from this project?

**Mr MILES:** Yes, but the issue is that the risks can be mitigated to a large extent. The attitude seems to be when we build a freeway, we are going to destroy a suburb and now it is your turn. But as Mr Grey and Mr Walter have explained, there are ways to mitigate the risks that are there. A lot of our people recognise the fact that something needs to be done for the northern beaches. I used to live there myself. But the biggest problem for the northern beaches is distance. Mona Vale is level with Hornsby, and Newport, where I lived, is level with Berowra. It is just a long way away and it is always going to take a long time to get to the city.

**Ms ABIGAIL BOYD:** So if the recommendations were followed and the project was done properly—we had filters on the stacks, we had proper due diligence taken around the contamination at various sites and we had a more sensible direction of the traffic—would that assurance address your concerns?

**Mr MILES:** It would. I still will not use the northern beaches tunnel because I get to The Spit in 10 minutes. I am not going to pay \$10 to get to The Spit in 15.

**Mr WALTER:** If I can engage that question, we are talking about a very complex question that has implications for the whole city. We are talking about what I understand is to be a \$20 billion project and I really think that an important consideration here is the opportunity cost of what you could do with \$20 billion. Is this the best outcome? The part that we know very well is the part where we live and we can see a lot of really significant costs and, frankly, no benefit to this part of the city. Looking more broadly, I would be very surprised if this was the best way to solve the specific problem that it is trying to solve.

I have a strong feeling that what has happened here is that someone has had an idea many years ago and then at each point it has been too late to change their mind. That is the way it moves. We have been organising and communicating and saying this as loud and as clear as we could for years now, and here we are with an unchanged dinosaur about to come into our neighbourhoods. It is quite hard to understand how we could be here. It is probably to do with COVID and all sorts of other variables, but it seems like a terrible waste of the economic power of our economy, which could be doing all sorts of things. For so much value to be chewed up in tolls and public money and the loss of public space—we are losing 1½ hectares of green space.

**Ms ABIGAIL BOYD:** The cost-benefit analysis just does not stack up.

**Mr WALTER:** No, not at all.

**The CHAIR:** We will now move to Government questioning.

**The Hon. SHAYNE MALLARD:** Thank you to the community leaders for coming and presenting today and your submissions. Contrary to Ms Boyd verballing the Government, we do not think you are anti-progress; we think you are doing the right thing articulating views around your community and some constructive feedback in regards to the project. Thank you for that. I worked in the North Sydney CBD—and I use the term "CBD" deliberately because it was until recently viewed as the second CBD of Sydney; I think it has been eclipsed by Parramatta now. Not a lot of people live in the heart of it. They live in the wonderful streets and villages around it. I agree with your view that it would be better for it to be put underground. That is on the wish list, isn't it? Berry Street has always been for all my life—certainly in the nineties when I worked up there in advertising agencies—a major artery road between the Pacific Highway and the freeways. I just looked it up on the map and it is marked as an artery road, so it is a serious, major road that links the two. When I used to work in North Sydney you would go up I think Miller Street and then turn right to go back down Berry to get back into the city. So it is not really reasonable for you to say—I think it was maybe Mr Walter who said this—that Berry Street is a suburban road. It has always been a major arterial road. Would you not agree with that?

**Mr GREY:** No.

**Mr WALTER:** It is a city CBD Road. The way I think about it is this—

**The Hon. SHAYNE MALLARD:** Like Goulburn Street in the city is?

**Mr WALTER:** Yes, they are good analogies actually. When we are looking at the Cross City Tunnel project, when I first became involved, the portal for the eastern side of that tunnel was actually outside the Australian Museum.

**The Hon. SHAYNE MALLARD:** I know, I was involved in it.

**Mr WALTER:** Right, and it migrated east gradually over the course of the year and a half through design improvements and plugged into the Kings Cross Tunnel. Sussex Street was to be severed by that infrastructure as well, but the decisions were made to say, no, we have to protect the amenity of the city and improve it, not make it worse. So to me it is really a case that they were bad decisions, I would say, to put the motorway connections where they are on Berry Street. But this is really good money after bad; it is making a bad situation worse.

**The Hon. SHAYNE MALLARD:** You really did not expand or I did not get the articulation clear when Ms Boyd asked the question I was going to ask following this one, which was: How would you redesign it? You have made the point that you were not involved inside the tent in this one. Would you be proposing a portal aligned with the Pacific Highway, way over that side and underneath Berry, somehow connecting into the infrastructure underground?

**Mr WALTER:** Yes, because the highway is a highway environment and has been for decades, so it is equipped to be able to deal with those types of intensity of traffic function. The Lane Cove Tunnel is entered from the centre of the Pacific Highway and the Cross City Tunnel is entered from the centre of Harbour Street, which is also a highway-type environment, so it is about picking places that are not where you want to have amenity and making the connections there.

**The Hon. SHAYNE MALLARD:** In your wish list of changes to the project—accepting that the project will proceed—would undergrounding the portal under Berry Street be a community outcome that you think would be acceptable?

**Mr WALTER:** As I said before, I am sceptical about the need for a connection to the North Sydney CBD at all to the beaches link. It does not seem to be necessary.

**The Hon. SHAYNE MALLARD:** This is connection back across the harbour again.

**Mr WALTER:** Or the western harbour tunnel, yes.

**Mr GREY:** Could I add to that?

**The Hon. SHAYNE MALLARD:** I will come back to you Mr Grey; I will not ignore you. I asked this question of the Inner West Council presenters earlier: Do you accept that there is need for another harbour crossing?

**Mr WALTER:** Well, if it was serving public transport, I think it would.

**The Hon. SHAYNE MALLARD:** It is serving public transport. There is a rail connection, too, underneath.

**Mr WALTER:** It is a separate project.

**The Hon. SHAYNE MALLARD:** Yes, but we are doing a rail connection.

**Mr WALTER:** Yes, and putting a new station next to the new traffic that is going to be pulled into the tunnel—Victoria Cross Station. The buses will be sitting in traffic behind the cars trying to get into the tunnel.

**The Hon. SHAYNE MALLARD:** That is your view. Mr Grey, sorry, I did not mean to cut you off.

**Mr GREY:** That is okay, no problem at all. We made it very clear, I thought, in our opening remarks that we are not opposed to the project. We might be mystified by it; we are certainly deeply irritated by the collateral damage on the face of it to the North Sydney CBD and across the North Sydney municipality. But we are not opposed to it in principle. We actually think there are changes that can be made. The comment about the arterial roads was that the linkages should be back where the crossing points are and you realign those. You do not do it by—Berry Street was a bad call, I would have thought, 20 years ago and it is just going to be an atrocious mess when it all goes to gridlock if this one goes ahead. We can see that that is the result so why on earth would

we not try to find alternatives to it? I just want to make that as clear as we can that we are not after a link from Cammeray to Rozelle because it is just not a problem at all for anybody in North Sydney to go there at the moment.

It is doing nothing for us and, by implication, it is doing nothing for anybody else either because they are coming to, for arguments sake, Cammeray to Rozelle, and they do the same thing we do and it takes 10 to 15 minutes without a single traffic light. So it is really, really strange. It only starts to make sense when you talk about the northern beaches link as it is proposed and then you start to realise why the road comes up where it does because you would never design it that way if it was just the link we are talking about. It only makes any kind of sense if it is linking into another one that goes up to the Seaforth-Balgowlah area. So there are just these things where we think we have made it as clear as we can—and we hope we are making it really clear to you today—that there are inherent, ongoing, permanent problems for North Sydney by the way this is being proposed when there seem to be really sensible alternatives that people just do not want to pick up, it seems.

**Mr WALTER:** I really appreciate that this Committee is asking about what alternative designs should be considered because, in fact, the northern beaches link portals are actually in the wide part of the Warringah Expressway anyway. That seems to me like a reasonable place to put a portal because it is in the middle of a motorway. But I return to the point that more than 1½ hectares of green space is to be removed in a community that is already lacking green space on the ridge close to the bus stops, close to Neutral Bay and Cammeray Park. The equivalent amount of industrial land in Artarmon would cost about \$75 million, so 0.4 per cent of the value of the project is what is being borne by the loss of this public estate land—this Crown land that is part of the public estate and part of the green space.

The fact that these uses are not either moved into an industrial area, which is where they should be, or put underground with park over the top—I do not understand why that is not happening. Tunnels are built by—you either bore tunnels or cut and cover. There is already a cut there because where Ernest Street goes across—the motorway cuts through the ridge so you are already below the level of the surrounding ground between the surrounding streets. That area could be covered and you could make pedestrian connections, bicycle connections and green connections and do the green grid here, but it seems to have been missed. They are improvements that would immediately change the face of it, certainly in terms of green space and these important green linkages in our city.

**The Hon. SHAYNE MALLARD:** We might pick up on those ideas in our report. Mr Miles, did you want to add anything to that conversation from your perspective?

**Mr MILES:** I would emphasise the fact that these buildings to service the motorway can easily go underground or at least be buried in part because it is a slopy site. But, really, the big issue is filtration and just making a mess of everything when it does not need to be made a mess. Using the existing road structure would get the traffic off the road, but it is just going to become worse for us. We want to see a good solution. As Mr Grey says, it does not need to be North Sydney people who want another harbour crossing. We see that maybe northern beaches do but there are better ways of handling that than the design they currently have.

**The Hon. SHAYNE MALLARD:** I want to pick up on the filtration issue. In the early 2000s when I was a councillor on south Sydney council and city council, I campaigned on the issue as our Labor colleagues built tunnels without filtrated stacks. I campaigned on those issues. Now in Government I have been briefed many a time on the current science on filtration and there is a document I was supplied with the other day to look at. One of the things that is reassuring—we had this in the WestConnex inquiry—is that emissions from vehicles are a lot less even than they were in the nineties because as the fleet gets newer the emission controls are better on newer vehicles and trucks. That is the first thing.

The second thing was that the tunnels that have been built by this Government have a licence attachment which measures the emissions to maintain it to the ambient emissions in the area. The NSW Environment Protection Authority [EPA] can revoke it, so it is a very strong safeguard in terms of emissions. The operator, which would be at the moment the Government for this one but in the future might be someone else, has got an imperative because it shuts down the infrastructure if the emissions licence is suspended or queried. Are you aware of that condition on tunnels that are being built now?

**Mr MILES:** I am. I am also aware that the compliance is very light touch. The Department of Planning, Industry and Environment is under-resourced and the western harbour tunnel contract team is really on the side of the contractor. I asked the contract team, "What will happen if the pollution goes too high in the tunnel?" and they said, "We will just blow the fans hard." No-one is going to withdraw a contract. It is a captive situation [disorder]—

**The Hon. SHAYNE MALLARD:** But the EPA, the independent authority—

**The CHAIR:** Mr Mallard, I think we have to—

**Mr MILES:** It is not independent; it has to be properly resourced. There are not enough resources. They say they can only inspect twice a year so if you want them to police it, you give them the money.

**The Hon. SHAYNE MALLARD:** So you would like us to see us [disorder] more resourcing to the tunnel monitoring. I would support that. [Disorder].

**Mr MILES:** Yes, but independent monitoring.

**The CHAIR:** Your time expired a couple of minutes ago, Mr Mallard.

**The Hon. SHAYNE MALLARD:** I would check your watch because it seems to me that we get half the time that the Opposition gets.

**The CHAIR:** I am relying on the timing that is being provided by the secretariat, Mr Mallard. If you wish to reflect on them, you are welcome to.

**The Hon. SHAYNE MALLARD:** No reflection on the secretariat, thank you.

**Mr WALTER:** Can I just add one point, please—a very quick one. I know that there is all sorts of monitoring and standards going on around the emissions but the reality is that we have two of the longest tunnels in Australia both being pulled to one location. The beaches link tunnel and the western harbour tunnel both expel all their exhaust for a whole length of the tunnel in one location, which is Cammeray. Whatever the numbers are, this is absolutely pushing the limit in terms of—

**The Hon. SHAYNE MALLARD:** It is a valid point that we should [disorder].

**The CHAIR:** Thank you, we will now bring today's hearings to a close. We thank this panel of witnesses for the thoroughness of your submissions and the time you have spent with us. I believe that there may have been some questions that you have taken on notice, for which you will have 21 days to provide an answer from the date of receipt from the secretariat. Thank you again. The witnesses are now excused.

**(The witnesses withdrew.)**

**The Committee adjourned at 13.45.**