

10.4. Western Harbour Tunnel Modification 2 Submission

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ENDORSED BY	Marcelo Occhiuzzi, Director Community Planning and Environment
ATTACHMENTS	1. WFU and Western Harbour Tunnel Ltr Aug 2023 [10.4.1 - 4 pages]
CSP LINK	<ol style="list-style-type: none">1. Our Living Environment<ol style="list-style-type: none">1.2 Environmentally sustainable community1.3 Clean and green places2. Our Built Infrastructure<ol style="list-style-type: none">2.1 Infrastructure and assets meet diverse community needs2.3 Prioritise sustainable and active transport2.4 Efficient traffic mobility and parking3. Our Innovative City<ol style="list-style-type: none">3.1 Our commercial centres are prosperous and vibrant4. Our Social Vitality<ol style="list-style-type: none">4.1 North Sydney is connected, inclusive, healthy and safe5. Our Civic Leadership<ol style="list-style-type: none">5.1 Lead North Sydney's strategic direction

PURPOSE:

The purpose of this report is to advise Council of the submission to Modification 2 of the Western Harbour Tunnel (WHT) application as resolved by Council on 24 July 2023.

EXECUTIVE SUMMARY:

- At its meeting of 24 July 2023, Council resolved to prepare a detailed submission on the Modification Report relating to the proposed modification of the approval of the Western Harbour Tunnel, Warringah Freeway Upgrade State Significant Infrastructure project (WHT SSI project) to address the impacts on North Sydney and advocate for further amendments and/or conditions of consent to ameliorate the impacts of the project on open space, local roads, and the environment.
- Modification 2 of the WHT SSI project seeks consent for the proposed change to tunnel methodology from submerged tunnel sections to continuous boring via a tunnel boring machine. This change will result in a deeper tunnel through sandstone strata below the bottom of the harbour. This method will negate the need for dredging the tunnel route and the need for two coffer dams including one at Balls Head, southwest of the Coal Loader.
- The submission was required to be made by the General Manager ahead of the Council meeting of 28 August 2023, having regard to the Department of Planning and Environment's consultation deadline of 15 August 2023.

- The submission raises concerns regarding adverse environmental, community, and infrastructure impacts arising from the WHT SSI project. A copy of the submission is attached to this report.
- Despite some environmental benefits there are still significant community, traffic, and environmental impacts that have not been addressed in the modification.
- Key issues omitted from the modification application include:
 - o loss of approximately two hectares of open space for the WHT operations centre at Cammeray;
 - o failure to underground the operations building for the WHT at Cammeray;
 - o the continued reliance on using Berry Street to funnel vehicles through the middle of the North Sydney CBD to the WHT, cutting the CBD in half;
 - o failure of the WHT project to be aligned with the North Sydney Integrated Transport Plan or the Metro project with respect of impacts on the local road network;
 - o failure to adequately address the lack of viable active and sustainable transport within the corridor and North Sydney; and
 - o reconsideration of the proposed route in response to the changed construction methodology.

RECOMMENDATION:

- 1. THAT** Council note that the submission was required to be made by the General Manager ahead of the Council meeting of 28 August 2023, having regard to the Department of Planning and Environment's consultation deadline of 15 August 2023.
- 2. THAT** Council endorse the submission already made as attached and in accordance with this report.

Background

The Western Harbour Tunnel SSI (WHT) project is one of three related road projects affecting North Sydney alongside the Warringah Freeway Upgrade and the Beaches Link (currently on hold).

The modification as described in the Modification Report is as follows:

The modification is seeking to amend the approved Western Harbour Tunnel project which was granted planning approval in January 2021.

The Modification is proposing changes to how we will cross Sydney Harbour between Birchgrove and Waverton by changing the construction methodology from the approved Immersed Tube Tunnel (IMT) method to Tunnel Boring Machines (TBMs).

The proposed change in the Modification Report will reduce construction impacts on the community by:

- *no dredging of Sydney Harbour*
- *reducing the overall number of construction support sites from five to three -*
- *no construction supports sites required at Yurulbin Point, Berrys Bay, White Bay North or Victoria Road*
- *cofferdams no longer required at Birchgrove and Balls head in Sydney Harbour*
- *no impacts to Birchgrove Ferry Wharf and ferry services*
- *reduced impacts to ferries and boats on Sydney Harbour*
- *using the latest technology in tunnelling (TBM)*

The Modification is also proposing a new construction support site at Emu Plains along with some changes at existing support sites at the Rozelle Rail Yards, Glebe Island and Ridge Street, North Sydney.

It is important to note that the Warringah Freeway Upgrade and the Western Harbour Tunnel projects are approved under a single planning SSI approval. Therefore, any amendment can apply equally to both projects covered by this single approval (e.g., *it is one project*). This report addresses the outstanding negative impacts relating to the entire project.

Report

It is noted that the abandonment of the IMT method of construction has considerable benefits for the Waverton Peninsula including the potential early transfer of foreshore land at Berrys Bay and a significant reduction in potential environmental and amenity impacts to the Harbour and the Waverton Peninsular. These improvements must be applauded but significant concerns remain for the North Sydney community.

The amendment report has been reviewed in some detail and the following issues have been identified as remaining relevant to both Council and the community.

Continued Loss of Open Space at Cammeray

The project at present maintains control over 16,000sqm of Cammeray Reserve. This land is occupied by the operations building for the WHT and a potential future operations building for the Beaches Link. This land is further alienated from the accessible open space of Cammeray Reserve.

This lost open space should be restored to public use by putting the operations building underground and by removing the roadway connecting the operations area to Ernest Street, instead utilising the proposed entry/exit directly to/from the Warringah Freeway.

The restoration of this significant open space to public use will assist in meeting the requirement that there be no net loss of open space (SSI 8863, Condition E184).

This issue is not addressed by the current modification application.

Impacts on the North Sydney CBD Relating to Berry Street

The Western Harbour Bridge continues to rely on Berry Street to funnel cars into the WHT. This will increase traffic flow along this congested road and will include removal of curb blisters and delivery zones for adjacent office towers.

The proposed use of Berry Street to deliver traffic into the tunnel will effectively cut North Sydney in half and is incompatible with the aims and intentions of the Victoria Cross Metro project and with the North Sydney Integrated Transport Program (NSITP). These projects provide very significant benefits to the functionality and amenity of the North Sydney CBD.

The essential Placemaking objectives will be undermined by the WHT use of Berry Street.

The Project should be amended to provide for traffic entering the WHT to go around the CBD by using the Pacific Highway and Arthur Street. This would allow for the delivery of the WHT and the Metro and NSITP projects, with optimal public benefit for both North Sydney CBD and the road network. This has been a key feature of the Government's NSITP project.

This issue remains unaddressed by the current modification application.

Impacts on local traffic and road network

Traffic congestion has noticeably increased throughout the local road network including on Miller and Berry Streets. Severe disruption is being experienced by residents using the local road network around Alfred Street North, Ernest Street, and Arthur Street.

The works have resulted in the loss of more than 250 parking spaces, with approximately half of these being permanent losses. Despite the requirements of the planning approval to mitigate lost parking, there have been no tangible relief measures introduced. This degree of impact in affected areas is untenable and should be rectified in the amended planning approval.

North Sydney Council is prioritising other modes of transport such as public transport, walking, and cycling throughout the urban renewal areas to encourage a mode-shift away from private vehicle transport. The road project should be responsible for providing infrastructure and resources to facilitate mode-shift, and other measures to alleviate transport pressures.

The current modification application does not address this concern.

Failure to Adequately Address Active Transport

A commitment to expanding the Active Transport network has been absent from the planning and implementation of the Warringah Freeway Upgrade and the Western Harbour Tunnel projects. Replacing existing active transport infrastructure with marginally improved facilities is an inadequate intervention and will not encourage more walking or cycling.

Active transport is an essential tool for transitioning to more sustainable transport options, mitigating the impacts of climate change, and improving the health and wellbeing of our communities. Walking and cycling also have clear benefits for young people and safer routes to and from schools will instil healthy habits, reduce sedentary lifestyles, and provide an alternative to dependence on private vehicle travel. Delivering active transport infrastructure also supports the delivery of [NSW Health](#)'s aim to increase children travelling to school by active transport to reduce obesity and chronic disease rates in our children. It also partially addresses the major short- and long-term negative impacts of these major projects, however the current mitigation measures are failing to adequately address community and Council concerns.

Transport for NSW (TfNSW) recently released an Active Transport Strategy, which has clear actions to encourage walking and cycling, including delivering a continuous and connected cycling network and encouraging a shift to walking and cycling through improved infrastructure. TfNSW has also identified Sydney CBD to Chatswood as a strategic priority outlined in its *Strategic Cycleways Corridors: Eastern Harbour City Overview*. Council's Integrated Cycling Strategy is aligned with these documents, identifying a fully separated cycleway along the Pacific Highway, between West Street and Arthur Street.

State and Council strategy and policy suggest this link would be an essential project to deliver and is an obvious connection to be delivered as part of SSI8863 – Warringah Freeway Upgrade and Western Harbour Tunnel.

North Sydney Council recently provided a submission to the Warringah Freeway Upgrade – Active Transport Network Review (ATNR). The ATNR identified a need to connect cyclists through the North Sydney CBD through either Pacific Highway or Walker Street and suggests that these two proposed cycling options are cost-prohibitive and pose serious constructability/technical issues. If these two routes cannot be delivered within a period commensurate with the strategic importance of the link, then another link needs to be considered, an option being a cycleway between Pacific Highway and Ridge Street, travelling along Walker Street, Berry Street, and Miller Street.

A modification to the SSI conditions of consent is required to adapt to changing State Government, Council, and community priorities for tangible improvements in sustainable transport options and travel mode shift. There have been inadequate measures to address the specific needs and preferences of North Sydney residents. This is a departure from the NSW Government's strategic documents and a commitment in 2021 to continue working with NSW councils to support the delivery of new and improved bike riding infrastructure.

The proponents should be encouraged to address this ongoing concern.

Environmental Impacts

The modification report states that the proposed change in methodology will reduce the required recording and monitoring of marine environments. Concern is raised that the depth of the tunnel will only be approximately 10 – 12 m below seabed in Berrys Bay and the Coal Loader wharf seawall. This raises a heightened chance of damage to the Coal Loaders infrastructure and increased danger of disturbing contaminated silts in Berrys Bay. This was a clear concern in the IMT design but has not been fully addressed in the revised scheme.

The issue of pollution from ventilation stacks has not yet been satisfactorily addressed. Concern remains regarding particulate emissions being vented at Cammeray without being filtered to best practice standards. It is requested that the vent exhaust be filtered.

It appears that despite the change in methodology, from the information provided thus far, the tunnelling remains close beneath the foundations of the Coal Loader Platform. Council continues to have strong concerns with the potential vibrational and settlement impacts on the Coal Loader platform complex, which is a fragile heritage structure (non-reinforced concrete and sandstone masonry, over 100 years old). Thus, Council objects to any removal or weakening of the existing conditions of approval related to undertaking pre-construction surveying and recording; assessment and monitoring of the impacts; negating and /or rectifying the consequences of these impacts to the Coal Loader.

Works are proposed under the Berrys Bay Masterplan to the marine environment of Berrys Bay, including sea-wall upgrades and a new wharf / jetty structure. As this may impact on aquatic flora and fauna, Council objects to any removal or weakening of the existing conditions of approval related to undertaking pre-construction surveying and recording; assessment and monitoring of the impacts; negating and /or rectifying the consequences of these impacts to the marine environment of Berrys Bay.

As both the Coal Loader and the Berrys Bay sites are of high heritage significance and of immense value to the community, Council objects to any removal or weakening of any of the Heritage-related existing conditions of approval for these sites.

The proposed burial chamber for the Tunnel Boring Machine under the Waverton Peninsula appears to be close (at the eastern end of the chamber) beneath the lower flat section of the former BP oil storage depot (working waterfront) site. As this site may have remnant contamination within the bedrock strata to be excavated, and the location of the chamber

appears to be within the ground-water zone, Council objects to any removal or weakening of any of the existing conditions of approval for this site related to assessing and monitoring the nature of the contamination, potential impacts to groundwater quality, and associated impacts to the waters of Berrys Bay through the groundwater. In addition, as the chamber is a newly proposed component of the project, suitable additional conditions should be considered that deal with its specific impacts.

The proposed burial chamber for the TBM under the Waverton Peninsula appears to be run beneath the Aboriginal whale engraving site (at the western end of the chamber). Whilst the top of the chamber excavation is a considerable depth beneath the engraving rock, Council is concerned that, given the expected settlement and vibration impacts, the excavation of the chamber may cause damage to the engraving site. Appropriate conditions of approval need to be included that address these potential impacts. Furthermore, the conditions of consent need to require that the proponent consult with representatives of the Aboriginal community (including but not limited to the Aboriginal Heritage Office and the Metropolitan Local Aboriginal Land Council) as to any concerns they may have with excavation beneath the engraving rock and the proposal to leave parts of the TBM beneath the engraving rock in perpetuity.

Consultation requirements

Community engagement is not required.

Financial/Resource Implications

The recommendations contained in this report do not have any direct financial or resource implications for North Sydney Council.



NORTH SYDNEY COUNCIL

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Department of Planning Industry
and Environment
Locked Bag 5022
PARRAMATTA NSW 2124

GHM (CIS)

Via email - ingrid.berzins@planning.nsw.gov.au

Dear Ms Berzins

RE: NORTH SYDNEY COUNCIL SUBMISSION TO MOD 2 OF WESTERN HARBOUR TUNNEL (SSI 8863)

Please find below submissions from North Sydney Council regarding the modification report for the Warringah Freeway Upgrade/Western Harbour Tunnel (Mod. 2).

Background

It is important to note that the Warringah Freeway Upgrade and the Western Harbour Tunnel projects are approved under a single planning SSI (State Significant Infrastructure) approval. Therefore, any amendment applies equally to both projects covered by this single approval (e.g., *it is one project*). This submission addresses outstanding concerns regarding negative impacts stemming from the project.

The following issues have been identified as being relevant to the North Sydney Community and North Sydney Council.

The Continued Loss of Open Space at Cammeray

The project at present maintains control over 16,000 m² of Cammeray Reserve. This land is occupied by the operations building for the WHT (Western Harbour Tunnel) and a potential future operations building for the Beaches Link. This land is further alienated from the accessible open space of Cammeray Reserve.

This lost open space should be restored to public use by putting the operations building underground and by removing the roadway connecting the operations area to Ernest Street and instead utilising the proposed entry/exit directly to/from the Warringah Freeway.

The restoration of this significant open space to public use will assist in meeting the requirement that there be no net loss of open space (SSI 8863, Condition E184).

Impacts on the North Sydney CBD with respect of the use of Berry Street

The Western Harbour Bridge continues to rely on Berry Street to funnel cars into the WHT. This will increase traffic flow along this congested road and will include removal of curb blisters and delivery zones for adjacent office towers.

The proposed use of Berry Street to deliver traffic into the tunnel is incompatible with the aims and intentions of the Metro Vic Cross plans and with the North Sydney Integrated Transport Plan (NSITP). These projects provide very significant benefits to the functionality and amenity of the North Sydney CBD which will be degraded by the WHT use of Berry Street. It is noted that the development of the Ward Street precincts north of Berry Street will add approximately 100,000 m² of office space over the next ten years. The use of Berry Street will undermine the benefits inherent in the Metro project and NSITP. The Project should be amended to provide for traffic entering the WHT to go around the CBD by using the Pacific Highway and Arthur Street. This would allow optimal public benefit for both North Sydney CBD and the road network.

Impacts on Local Traffic and Road Network

Traffic congestion has noticeably increased throughout the local road network including on Miller and Berry Streets. Severe disruption is being experienced by residents using the local road network around Alfred Street North, Ernest Street, Arthur Street and elsewhere.

The works have resulted in the loss of more than 250 parking spaces. Approximately half of these are permanent losses. Despite the requirements of the planning approval to mitigate lost parking there have been no tangible relief measures introduced. This degree of impact in affected areas is untenable and should be rectified in the amended planning approval.

North Sydney Council is prioritising other modes of transport like public transport, walking, and cycling throughout the urban renewal areas to encourage a mode shift away from private vehicle transport. The road project should be responsible for providing infrastructure and resources to facilitate mode shift and other measures to alleviate transport pressures.

Failure to adequately address active Transport

A commitment to expanding the Active Transport network has been absent from the planning and implementation of the Warringah Freeway Upgrade and the Western Harbour Tunnel projects. Replacing existing active transport infrastructure with marginally improved facilities is an inadequate intervention and will not encourage more walking and cycling.

Active transport is an essential tool for transitioning to more sustainable transport options, mitigating the impacts of Climate Change, and improving the health and wellbeing of our communities. Walking and cycling also has clear benefits for young people and safer routes to and from schools will instil healthy habits, reduce sedentary lifestyles, and provide an alternative to dependence on private vehicle travel. Delivering active transport infrastructure also supports the delivery of NSW Health's aim to increase children travelling to school by active transport to reduce obesity and chronic disease rates in our children. It also partially addresses the major short- and long-term negative impacts of these major projects, however the current mitigation measures are failing to adequately address community and council concerns.

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A modification to the SSI conditions of consent is clearly required to adapt to changing State Government, Council, and community priorities for tangible improvements in sustainable transport options and travel mode shift. There have been inadequate measures to address the specific needs and preferences of North Sydney residents. This is a departure from the NSW Governments strategic documents and a commitment in 2021 to continue working with NSW councils to support the delivery of new and improved bike riding infrastructure.

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It appears that despite the change in methodology, from the information provided thus far, the tunnelling remains close beneath the foundations of the Coal Loader Platform. Council thus continues to have strong concerns with the potential vibrational and settlement impacts on the Coal Loader platform complex, which is a fragile heritage structure (non-reinforced concrete and sandstone masonry, over 100 years old). Thus, Council objects to any removal or weakening of the existing conditions of approval related to undertaking pre-construction surveying and recording; assessment and monitoring of the impacts; negating and/or rectifying the consequences of these impacts to the Coal Loader.

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North Sydney Council appreciates the opportunity to comment on the proposed amendments to the project.

If you have any questions regarding this submission please contact Councils Public Project Interface Manager, Gavin McConnell at gavin.mcconnell@northsydney.nsw.gov.au.

Regards

Therese Manns
GENERAL MANAGER
NORTH SYDNEY COUNCIL