



New South Wales

Environmental Planning and Assessment Amendment (Western Harbour Tunnel and Warringah Freeway Upgrade Project) Order 2020

under the

Environmental Planning and Assessment Act 1979

I, the Minister for Planning and Public Spaces, in pursuance of sections 5.12(4) and 5.13 of the *Environmental Planning and Assessment Act 1979*, make the following Order.

Dated, this 9th day of November 2020.

ROBERT STOKES, MP
Minister for Planning and Public Spaces

Explanatory note

The object of this Order is to declare certain development for the purposes of the Western Harbour Tunnel and Warringah Freeway Upgrade project to be State significant infrastructure and critical State significant infrastructure. The relevant development is for the purposes of a new multi-lane road link connecting the M4–M5 Link at Rozelle with the Warringah Freeway at North Sydney and associated works.

This Order is made under sections 5.12(4) and 5.13 of the *Environmental Planning and Assessment Act 1979*.

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1 Name of Order

This Order is the *Environmental Planning and Assessment Amendment (Western Harbour Tunnel and Warringah Freeway Upgrade Project) Order 2020*.

2 Commencement

This Order commences on the day on which it is published on the NSW legislation website.

Schedule 1 Amendment of State Environmental Planning Policy (State and Regional Development) 2011

Schedule 5 Critical State significant infrastructure

Insert at the end of the Schedule, with appropriate clause numbering—

Western Harbour Tunnel and Warringah Freeway Upgrade project

- (1) Development for the purposes of the Western Harbour Tunnel and Warringah Freeway Upgrade project, being a new multi-lane road link connecting the M4–M5 Link at Rozelle with the Warringah Freeway at North Sydney, including—
 - (a) approximately 6.5 kilometres of twin multi-lane tunnels linking Rozelle to North Sydney, and
 - (b) stub tunnels and ramps for connections to the Gore Hill Freeway and proposed Beaches Link tunnels, and
 - (c) connections to stub tunnels at Lilyfield and Rozelle, and
 - (d) connections with existing roads at Rozelle, North Sydney and Cammeray, and
 - (e) associated works to upgrade the surrounding road network, bridges, interchanges and ramps and to provide cycle and pedestrian pathways, and
 - (f) ancillary development, including construction compounds, utilities infrastructure (including adjustments to, or relocation of, existing utilities infrastructure), drainage and treatment works, electronic tolling facilities, signage, ventilation systems, emergency systems, systems for the control and management of roads, and motorway control centre facilities.
- (2) The development is to be carried out on land in the suburbs of Annandale, Artarmon, Balmain, Birchgrove, Cammeray, Crows Nest, Kirribilli, Lilyfield, Milsons Point, Naremburn, Neutral Bay, North Sydney, Rozelle and Waverton.
- (3) In this clause—

development does not include surveys, test drilling, test excavations, geotechnical or contamination investigations or other tests or surveys, sampling or investigation for the purposes of the design or assessment of the project.