**Case Study 16: Habour Tunnel EIS**

In 1985 an engineering firm, approached construction company Transfield with an idea for a car tunnel to cross Sydney Harbour. The Sydney Harbour Bridge suffered traffic congestion at peak hours and the Tunnel would provide an alternative route between North Sydney and the City Business District (CBD). Transfield joined with the Japanese firm Kumagai Gumi to form a consortium that then sold the idea of a toll-financed tunnel, which they would build, to the Department of Main Roads. The Minister for Main Roads was particularly keen on the idea.

Before approval could be given to the Tunnel an environmental impact statement (EIS) had to be prepared. An EIS, which is required by law in New South Wales (NSW) for major road proposals, is supposed to provide a justification for the project, a detailed assessment of the potential environmental effects of the project and consider other alternatives. The aim of an EIS is to ensure that development decisions take account of and where possible mitigate environmental impacts. Transfield-Kumagai hired engineering consultants Cameron McNamarra to prepare the EIS on their behalf.

The Harbour Tunnel EIS supported the project and argued that there would be no adverse environmental effects. However in this case the consultants were accused of breaching the Engineering Code of Ethics, by North Sydney Municipal Council and the Society for Social Responsibility in Engineering, for not putting the public interest first. These organisations made representations to the Institution of Engineers, Australia (IEAust) alleging that the consultants had overestimated the benefits and underestimated the environmental costs of the Tunnel project. John Gerofi, an engineer who conducted an inquiry into the tunnel proposal for the Council, stated that; "The inquiry can find no rational explanation as to why competent and respected consultants employing professional engineers and other qualified staff would have produced an EIS with so many questionable assumptions which favoured the project, and with so many deficiencies."

The Institution never proceeded with an investigation of the engineering consultants who authored the Harbour Tunnel EIS. Bill Rourke, the Institution's chief executive at the time, said that it had not been given evidence that constituted a prima facie case against any individual member of the Institution. The North Sydney Council decided not to assemble a case against individuals. Gerofi later stated in a letter to *Engineers Australia*, that "the defamation laws, plus a lack of resources and a reluctance to accuse individuals will prevent all but the most blatant ethical transgressions from being raised" if the Institution continues to confine its attention to individuals.

Questions:

1. Does a favourable interpretation of the data consist of unethical conduct?

2. Is it fair to single out individual engineers who are doing the job as their employers require them to and who are not acting very differently from other engineers in similar positions?

3. Can the environment be protected by ethical conduct?