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During my giving of evidence to the Upper House Inquiry on the Sydenham-Bankstown Line Conversion, I took two questions on notice.

The first question was from the **Hon. Natalie Ward:**

What evidence do you have that Sydney Metro will give development rights to the MTR?

My answer was: I have no evidence that that will happen.

From the Hon. Wes Fang: You put it in your submissions.

My response: If you look at everything that has been happening that is the conclusion that we draw.

From the Hon. Natalie Ward: This Committee is tasked with looking at evidence before us. There can be conjecture about what may or may not happen, but we have to use an evidence based approach and we are trying to do that. If you would like to take it on notice you are most welcome, about what evidence you have that development rights will be given by Sydney metro to the MTR, because presently that is not the case.

Having taken the question on notice from the Hon. Natalie Ward, my response is as follows:

1/ At no stage have I or EcoTransit stated that Sydney Metro will give property development rights to MTR Corporation. What we have said is that Sydney Metro Corporation has been set up to be privatised, in a similar manner to the privatisation of the Sydney Motorway Corporation.

2/ In the Bill to turn the Sydney Metro into a corporation, the Sydney Metro Corporation have been given extensive powers to:

“development of land in the locality of metro stations, depots and stabling yards, and proposed metro stations and stabling yards.”

“It also may carry out, finance, manage or otherwise participate in development for residential, retail, commercial, industrial, mixed use, community, public open space or recreational purposes on land in the locality of a metro station, depot or stabling yard, or a proposed metro station, depot or stabling yard.”

The Bill created the Sydney Metro Corporation with powers that mirror MTR Corporation's business model.

We believe that it is the Government's intention to privatise the Sydney Metro Corporation by selling it to the MTR, to give MTR at least a controlling interest of Sydney Metro or take it over in its entirety.

I have appended (appendix 1) the following documents that support this assertion:

1/ An article that appeared in the Sydney Morning Herald by Kirsty Needham on February 20, 2016, entitled: NSW issues tender for Hong Kong high-rise at new Sydney Metro train stations. (This document has already been tabled, when I was giving my evidence on November 7. I have included it in my response for clarity.)

2/ An article that appeared in the Sydney Morning Herald by Nicole Frost (writing for Domain) on June 29, 2017, entitled: Developer groups push for Australian cities to become more like Asia.

3/ A copy of an email sent from me to Mehreen Faruqi, the transport spokesperson for the Greens in April 2018. This was in response to a request to review the Bill.

The Committee should seek answers to the following questions:

1/ Why was the Bill to turn Sydney Metro into a corporation, drafted with provisions that mirror MTR's business model?

2/ Which Minister or Minister's of the Government directed that the Bill be drafted with these provisions?

3/ Were public servants from TfNSW involved in the drafting of the Bill and if so, who were they?

4/ Were there any discussions between the management of MTR and Ministers in the Government regarding the drafting of the Bill?

5/ Were there any discussions between the management of MTR and public servants from TfNSW regarding the drafting of the Bill?

The second question was from the **Hon. Wes Fang:**

Mr Schroeder, your submission contains a number of asserted facts and asserted fictions. How many of these asserted facts and asserted fictions can you provide by documentation?

My answer was: I would have to look at that. I will come back to you and take that on notice.

The Hon. Wes Fang: You will take that on notice? Can you please provide for me documented proof to support every single fact and fiction that is addressed in your submission?

My answer was: Okay, that is no problem at all. I will take it on notice.

Having taken the question on notice from the Hon. Wes Fang, my response is as follows:

Fact - Sydney Metro (previously known as **NWRL**) was originally promised to be a full, heavy rail, double deck service connected to what is now called the **Sydney Trains Network**, by the incoming Barry O'Farrell led NSW Government.

EcoTransit attended a meeting with the North West Rail Line (NWRL) Project Team in early 2012 where we were provided with promotional material with graphics clearly showing double deck trains on the NWRL.

I no longer have this promotional material however, a promotional video for the NWRL, showing double deck trains can be viewed at:

Original NWRL video: <https://www.youtube.com/watch?v=leAr4fXB00A>

Fact - All of the Sydney Metro lines announced by governments, both Labor and Liberal, have been headed by **Rodd Staples**.

This assertion is evidenced in EcoTransit's video: Unfit for Purpose, which can be viewed at: <https://www.youtube.com/watch?v=5upD1WkEvBE>

Fact - Rod Staples was put in charge of the **NWRL** in 2011 and set about changing it to a so-called "metro".

This assertion is evidenced in an interview he did with Infrastructure Partnerships Australia. Archive news #08 Rodd Staples – Staples on his rise to NSW Transport Secretary and the power of transport data. It can be listened to by visiting: <https://infrastructure.org.au/podcasts/8-rodd-staples-his-rise-to-nsw-transport-secretary-power-of-data-to-transform-transport-networks/>

Fact - Gladys Berejiklian, NSW Transport Minister in 2011, had vehemently criticised the CBD metro, when still in Opposition.

This assertion is evidenced in EcoTransit's video: Unfit for Purpose, which can be viewed at: <https://www.youtube.com/watch?v=5upD1WkEvBE>

Fiction - "Only a metro can provide the capacity and service frequency that is required on the NWRL"

This statement made by the then Minister for Transport, Gladys Berejiklian when it was announced that the NWRL would be built as a metro instead of an integrated heavy rail line was not based on fact. The table included in the first appended document clearly shows that double deck trains have a higher capacity than single deck metro trains. The table also shows that double deck trains have 100% higher seating capacity than single deck metro trains.

I have appended (appendix 2) the following documents that support this assertion:

1/ EcoTransit document: New South Wales Government justifies building "metros" through lies.

2/ EcoTransit document: SUBMISSION ON THE CHANGE OF NORTH WEST RAIL LINE FROM HEAVY RAIL TO METRO.

Fact - The existing Sydney double deck trains can and do run at 2-3 minute intervals through the CBD, in peak hour. The Paris RER has progressively converted all of its lines to double deck trains, running at 2 minute intervals, to increase the capacity of the RER network.

Double deck trains run regularly at 3 minute intervals through Sydney's CBD. This can easily be observed on platform 16 at Central, between 07.00 and 09.00 hours, as well as other stations that serve the CBD. If trains are delayed, the interval between trains can often be reduced to 2 minutes or less.

I have appended (appendix 2) the following documents that support this assertion:

3/ Extract from Sydney's T1 Monday to Friday timetable from 06.50 to 09.36 hours-Emu Plains or Richmond to City. Central times underlined in red.

4/ Extract from Paris' RER Line A Monday to Friday timetable from 06.49 to 09.08 hours-Direction: Boissy-St Leger. Marne-La -Vallee. Gare de Lyon times underlined in red.

Fiction - MTR (Hong Kong) won the operating rights for the Metro Northwest through an open and transparent tender process.

We have no documentary evidence to support this assertion. When the Tender process was taking place, we were provided with information that it was designed to ensure that the consortium controlled by MTR would be awarded the operating contract.

There were two companies short listed for the final round of the tender process, MTR and Serco. The Committee should consider the possibility of a GIPA, to ascertain how many companies submitted a tender in the first round of the tendering process and why they were not included in the short list.

Fact - The tender process was set-up to ensure that the **MTR (Hong Kong)** would win the operating contract. The only other tenderer was Serco, who had no significant experience operating railways. Their presence on the tender list was as a “straw man”, to add a veneer of governance and propriety to the tender process and disguise the fact that the **NSW Government** had already decided to award the operating contract to **MTR (Hong Kong)**.

This is the conclusion that EcoTransit drew after considering the information that we were given, at the time of the tender process. We have no documentation supporting this assertion.

Fiction - **MTR (Hong Kong)** is primarily a rail operator.

MTR Hong Kong gains most of its profits from property development and rental of properties.

I have appended (appendix 2) the following document that supports this assertion:

5/ Extract from Wikipedia - https://en.wikipedia.org/wiki/MTR_Corporation

Fact - **MTR (Hong Kong)** is primarily a **property developer**. They have the development rights around every new station they build, a form of value capture to profit a private company.

MTR Hong Kong uses value capture to finance building metro lines, by constructing large residential and retail developments at the stations.

I have appended (appendix 2) the following document that supports this assertion:

6/ Extract from South China Morning Post.

Fiction - **Sydney Metro** is being built to provide improved public transport to existing suburbs.

Even though improved public transport will be provided to some existing suburbs from Epping to Tallawong, it will be at the expense of over development at the stations.

The Sydenham to Bankstown Line is already served by a high quality rail service and it is our contention that, if the Sydney Metro were being built to provide improved public transport to existing suburbs, it would be built to Miranda via Sans Souci or to Maroubra via Botany.

I have appended (appendix 2) the following documents that support this assertion:

7/An article that appeared in the Sydney Morning Herald by Melanie Kembrey on December 18, 2015, entitled: Hong Kong rail operator MTR Corporation seeks to strengthen presence in Sydney and Melbourne.

Fact - Sydney Metro is being built to enable large tracts of Sydney's suburbs to be turned into mini Hong Kongs.

This is evidenced by the fact that Sydney Metro stations are generally located only where there is potential for development. There was lobbying from the residents of Alexandria to have a station built, to serve the suburb, between Waterloo and Sydenham. One resident received a letter from the minister for Transport clearly stating that there was no reason to include a station at Alexandria, as there were no development sites available and that other rail lines already served the suburb.

Appendix 1, Items 1 and 2 support this assertion:

1/ An article that appeared in the Sydney Morning Herald by Kirsty Needham on February 20, 2016, entitled: NSW issues tender for Hong Kong high-rise at new Sydney Metro train stations. (This document has already been tabled, when I was giving my evidence on November 7. I have included it in my response for clarity.)

2/ An article that appeared in the Sydney Morning Herald by Nicole Frost (writing for Domain) on June 29, 2017, entitled: Developer groups push for Australian cities to become more like Asia.

Fiction - It is necessary to compulsory purchase numerous CBD buildings to enable **Sydney Metro** to be built through the City.

We do not claim that there was no requirement to purchase properties in the CBD for the construction of the metro however, compulsory acquisition of buildings on the scale that has occurred could only be driven by the need to profit from the development from the sites.

I have appended (appendix 2) the following document that support this assertion:

8/ An article that appeared in the Financial Review by Mercedes Ruehl on Sep 27, 2016, entitled: Sydney Metro buys towers for stations in a rising CBD market.

Fact - The railways that run through the CBD by Bradfield were built without the need to compulsory acquire the number of buildings that were bought for the **Sydney Metro**. Is **MTR (Hong Kong)** be handed the development rights to these building sites?

All of the stations in the CBD designed by Bradfield were constructed either under parks or roadways. There were only a few structures that were affected, including the Town Hall, which had the entry remodelled to make space for Town Hall Station. There are many photographs available online, of the construction of the CBD stations.

Martin Place Station, which was completed in the late 1970s was also built under a roadway.

Fiction - Sydney Metro has to take over the Bankstown Line from Sydenham to get to Bankstown.

This is self evident, as the line could have been taken any route from Central to Bankstown. In fact, there were two routes considered between Central and Sydenham, the one being built via Waterloo and the alternative via Sydney University.

The route via Waterloo was chosen due to the development opportunities at the Waterloo Station site and the surrounding Department of Housing Estate. This indicates that development is the main driver of Sydney Metro, as Sydney University and the adjoining RPA Hospital is one of the largest trip generators in Sydney and would have been more logical in terms of improving public transport.

Fact - Sydney Metro could have taken a different route via RPA Hospital in Camperdown, Enmore, Arlington, Canterbury, Campsie and then run alongside of the Bankstown line to Bankstown (above ground) and then in tunnel to Liverpool via Condell Park.

The route via Camperdown, Enmore and Arlington would have provided rail transport to suburbs that are currently poorly serviced by by privatised buses (with the exception of Arlington which is also service by the Inner West Light Rail).

Alternative routes were not considered, as there were no development opportunities when compared with Waterloo to Bankstown, which has potential development sites at every station.

Fact - The only reason to take over the **T3 Bankstown Line** is give the development rights at each station to **MTR (Hong Kong)** and to further fragment the existing **Sydney Trains Network**.

The Bill that created the Sydney Metro Corporation mirrors MTR Corporation's business model.

Appendix 1, Item 3 supports this assertion:

3/ A copy of an email sent from me to Mehreen Faruqi, the transport spokesperson for the Greens in April 2018. This was in response to a request to review the Bill.

Fact - The distance between Epping Station and the new Cherrybrook Station is 6 kilometres with no way to evacuate trains in case of an emergency, other than detraining passengers via a ladder at the front and back of the train and walking them to the closest station.

This fact was based on information provided to me, by a representative of Sydney Metro during a telephone conversation. We also had confirmation of this in writing but we no longer have the letter on file. We believe that this was either misinformation or the design was changed at a latter date.

One of our members has travelled along the metro from Epping to Tallawong and reports that there are walkways throughout the tunnels. The Committee should ask questions regarding the suitability of these walkways for evacuation purposes, e.g. 1/ are the walkways built to code for disability access? 2/ are the walkways level to the train floors?

Fact - The existing Epping to Chatswood line has a 800mm walkway throughout the length of each tunnel, which allows easy evacuation of a train in approximately 15 minutes, including people with mobility issues.

This existence of these walkways is self evident if you travel through these tunnels. The time for evacuation is based on an estimate of detraining passengers at a rate of 75 passengers per minute.

Fiction - The lack of a safety walkway for evacuation in the very long tunnels is not a safety concern, even though it could take up to **5 hours** to detrain 900 passengers.

This is irrelevant, if the safety walkways that have been installed are built to code. The 5 hours to detrain 900 passengers was based on viewing a video of detraining passengers from a failed London tube train. It took 20 seconds to detrain each passenger, down a set of steps from a door to track level.

Fact - True "metros" have very short distances between stations. The average distance between stations on the Paris Metro is **582 metres**.

In Paris it is not uncommon to be standing on the platform of one metro station and be able to see the next station through the tunnel. True metro serves high to medium density urban areas with close together stations and operate at very moderate speeds.

I have appended (appendix 2) the following document that supports this assertion:

9/ Extract from Wikipedia: https://en.wikipedia.org/wiki/Paris_M%C3%A9tro

Fiction - The “**Sydney Metro**” is a metro. The average distance between stations will be around **3.5 kilometres**, making it a suburban railway, with no way of increasing capacity with double deck trains, due to the restrictive tunnel diameter.

The so called Sydney Metro serves low density urban area, up to 45kms from the CBD, has stations kilometres apart, and operates at higher speeds.

I have appended (appendix 2) the following document that supports this assertion:

10/ Extract from wikipedia: https://en.wikipedia.org/wiki/Sydney_Metro

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