

# Speaking Notes

My name is Rosemarie Gates, my husband and I are the owner-occupiers of 31 Emma St, Leichhardt. The comments I make are fairly typical of those who have ~~the~~ <sup>been</sup> ~~misfortune to be~~ impacted by WCX.

**Poor process and lack of consultation have marked the WCX project from the beginning, in particular:**

## **b) The conduct of agencies in acquiring land for (i) land for the Westconnex Project**

### **Changes to route and tunnel depths**

Following completion of the EIS [2017/18] the route was subject to change and suddenly residents who believed themselves unaffected were impacted, they were denied the right to comment. Residents also discovered that the tunnels were shallower than the EIS represented. In parts they are 12m, some 6-8m.

### **WCX information sessions**

During the project stages residents were ostensibly 'consulted'. 'Consultation' implies taking into consideration another party's views or opinions, there has been no 'consultation'.

'Information' sessions were superficial, comprising poster displays and route maps of decisions already taken. At these sessions our legitimate concerns about shallow depths, noise, disruption and subsequent house damage were brushed aside or simply accepted as inevitable.

### **No access to technical information**

Residents <sup>still</sup> are unable to communicate directly with project technicians or engineers regarding technical issues. The only telephone access is through the Community Engagement team, who are unable to answer questions and refer them to the tunnel teams. Responses are then relayed back are inevitably inadequate, with little means to clarify or to engage in meaningful, informative dialogue, and of course, no paper trail.

### **Dilapidation & causation**

We live with the threat of property damage. Residents have to prove causation, and have been forced to pay ongoing costs for independent engineering, property, and satellite imaging reports. The free property inspections offered by WCX are woefully inadequate merely amounting to photographs, our request to carry out checks on door and window openings was flatly refused. I might add that any resident living outside the 'zone of influence' (50m) has no hope of redress.

**d) How government agencies conduct direct negotiations with landholders in relation to purchasing land/properties prior to, or in parallel with, the compulsory acquisition process, and the extent to which such process is fair, unbiased and equitable**

Document tendered by

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Date: 27 / 05 / 2022

Resolved to publish Yes / No





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**Sub-division of land was done without landowners' knowledge or consent.**

We first discovered that the sub-stratum of our property was to be compulsorily acquired via the Interactive Tunnel Tool. Eventually we received official notification, (Proposed Acquisition Notice) from TfNSW confirming the acquisition.

We applied to the TfNSW and the V-G for compensation but of course this was denied under s62 of the Just Terms legislation.

Next, we discovered that TfNSW had subdivided our land into lots of their own creation without our knowledge or consent.

**Then came the 'killer' blow - our title deeds -**

Next, we discovered, indirectly via a neighbour, that it was intended the title deeds of affected properties were to be amended to reflect the existence of tunnelling. Later confirmed formally by the V-G in 2020. This will inevitably have a negative effect on the market value of our property, giving a prospective buyer the necessary leverage to reduce the sale price that a comparative house unaffected by tunnelling would not be subject to.

*in same area*

Like many residents our equity is our home, we have no other assets apart from superannuation and our savings.

Again, in all of this no prior discussion, no consultation, residents have been treated with contempt. And I make the point that the amendment of title deeds **would have been known from the beginning** but that TfNSW chose to inform landholders only when the project was well on the way to completion. It feels like deception.

## **f) The Human Toll**

The human toll of this 24/7 project cannot be underestimated, the mental health of residents has been severely impacted both by tunnelling itself and treatment by the consortium and Govt agencies, all of which could be ameliorated by fair and just compensation.

*Explosives! (2020) Experiment  
Controlled blasting: attempt*

## **In summary**

The WCX Project has demonstrated the inequity arising from public- private partnerships whereby public money is used for the ultimate benefit of private companies. The only conclusion to be drawn is that the project is for the benefit of ~~the toll behemoth~~, Transurban & their investors, at the expense of residents.

In short, the NSW Government has acquired our sub-stratum with the aim of selling it off for the monetary benefit of private enterprise without any compensation to the landholder. It is in effect the privatisation of the sub-stratum of our property.

We believe this is an inequitable and unjust burden for landholders and that the Land Acquisition (Just Terms Compensation) Act 1991 should be amended to allow landholders in such circumstances to be compensated.