

INQUIRY INTO IMPACT OF THE CBD AND SOUTH EAST LIGHT RAIL PROJECT

Organisation: Randwick City Council

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Submission by Randwick City Council

13 July 2018



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1. INTRODUCTION

In December 2012 the NSW Government announced the construction of a light rail system from the Sydney CBD to Randwick and Kingsford. Council, in a press release dated 13 December 2012 expressed its support and noted that Council had strongly advocated for the return of the light rail system to the eastern suburbs. Council has been a supporter of the light rail ever since.

In July 2013 Council signed a MOU with Transport for NSW (TfNSW) for the CBD and South East Light Rail Project with the aim of parties working cooperatively to achieve the best possible outcomes for all stakeholders.

The preliminary project works commenced in December 2014 primarily relating to service relocation. Major project works commenced the following year and continue to this day. Projects works have been ongoing for over 3 years and are likely to continue for the foreseeable future.

The full impact of construction however, on residents and businesses in the vicinity of the light rail route is difficult to gauge. Randwick Council is not the relevant authority to whom the complaints are directed as TfNSW fact sheets, updates, notifications and press releases reference urgent enquiries or complaints be directed to them. Despite this process, Council still receives complaints and these relay high levels of frustration and disappointment with the project and especially time delays.

Council's contact with those seeking financial compensation is usually precursory as queries are directed to TfNSW for resolution. If eligible, the applicant then enters into a confidentiality agreement with TfNSW thereby keeping any monetary resolutions undisclosed. Council is not part of this process and receives no data or follow up information.

The adequacy of the government's response to the impact and diminution in social amenity, however, can be more accurately ascertained as resident and business dissatisfaction expressed in correspondence, and forums is transparent and demonstrable.

Residents' compensation queries appear to be largely centred around access to subsidised alternative accommodation as noise resulting in loss of sleep is a primary focus of frustration. Factors affecting businesses, however, are many as they cope with noise, loss of access, visibility, parking and road closures on a daily basis; all resulting in decreasing foot traffic.

The issue of tree removal as a result of the project has been a significant issue for the community. The concerns expressed relate to the reduction in the amenity of the area as a result of the removals and associated impacts of diminished urban character and flow on impacts to birds and wildlife.

This submission presents examples of correspondence and complaints received from residents on a range of issues. Even though Council's examples of emails and correspondence are not comprehensive, they do provide valuable insights into the experience of residents and businesses with the project and their day to day dealings with TfNSW and the contractors. Therefore, Council can provide a valuable snapshot of issues being faced by those affected by the project.

For the nature of this Inquiry, Council's contribution regarding correspondence and feedback has been obtained from the following sources:

1. Contact with Council's Call Centre, a staff member or Councillor

Council has a number of communication channels from print advertising and newsletters to smartphone apps and social media. Those wishing to have their say can write, email, telephone, use social media and/or visit council.

Light Rail complaints received by Council are passed on to TfNSW's Senior Stakeholder Engagement Officer at the Sydney Coordination Office for investigation and resolution;

2. Let's Chat sessions

A Randwick Council forum where residents are invited to join Council staff and Councillors for a chat about what's going on in their neighbourhood. These forums commenced in 2018;

3. Your Say Randwick

Council's online forum where one can be involved in projects affecting our community by engaging in discussions, giving feedback, or sharing of thoughts and experiences. The local community is consulted about ways to reduce the impact of the construction of light rail in Randwick City.

4. Forums, reference groups and committees

Regular feedback is sought from consultative and advisory committees and chambers of commerce as well as economic development forums with local businesses. Groups formed specifically to assist transition with the light rail include:

- *The Sydney Light Rail Business Reference Group*
Established in June 2014 as a consultative group to make recommendations on initiatives that would support businesses along the alignment through the construction period;
- *Sydney Light Rail Randwick and Kensington/Kingsford Business Forums*
Consultative groups established to provide a formal opportunity through which businesses active in the area of the light rail alignment be informed about the project;
- *Sydney Light Rail Randwick and Kensington/Kingsford Community Forum*
Established as a consultative group to make recommendations on initiatives that would support businesses along the alignment through the construction period;
- *The Community Light Rail Support Plan Committee (CLRSPC)*
A voluntary committee convened by Randwick City Council comprising resident and business representatives from across Randwick City to give constructive feedback on how Council can assist the implementation of the light rail, particularly Council with the Light Rail Support Plan.

5. Community updates

Local residents are updated and opinions sought about Light Rail issues via regular methods such as direct mailouts, flyers, local newspapers, banners, eNews and quarterly community newsletters. Our website, smartphone app and the use of social media sites such as Twitter, Facebook advertising through geo-targeting, segmented email targeting and Youtube also provide updates.

6. Media releases, articles, editorials, commentary and reports

Articles and photographs from The *Southern Courier*

2. REPORT STRUCTURE

This submission has been structured to present:

1. In accordance with the terms of reference for the Inquiry, the impact of the Project on residents in the Randwick Local Government Area (see Section 3);
and,

2. The impact of the Project on businesses in Kingsford and Kensington town centres (see Section 4).

3. RESIDENTIAL

3.1 Pollution – Noise, Dust, Vibration and Light Spillage

As light rail construction continues day and night the most frequent complaints to Council involve pollution. Excessive noise, in particular, make a substantive contribution to this submission as sleep deprivation and a resulting increase in stress take their toll on those affected by the Project.

Noise mitigation efforts by TfNSW include the offer of subsidised alternative accommodation, window glazing and noise cancelling headphones; all have been taken up with varying degrees of satisfaction.

Below is an exchange of emails between a Kensington resident, Council and TfNSW as an example of attempting to navigate the system of applying for noise mitigation measures.

7/11/17

From:

TfNSW

To:

Subject: Regarding Alternate Accommodation – April 2017

Good Afternoon [REDACTED],

I am taking the opportunity to write to you regarding the alternate accommodation that you took earlier this year in April 2017.

There appears to have been some miscommunication regarding this and the situation has also caused you a level of concern.

As a gesture of good will TfNSW would like to reimburse you, up to the amount of \$200 for the alternative accommodation availed in April. This is separate to any future arrangement that Acciona may offer.

To allow me to progress this, could I ask that you provide me with the receipts relevant to the accommodation please.

May I also ask that you provide your preferred method of reimbursement, and should this be via direct deposit, could I ask that you provide the details of your nominated bank account.

Upon receipt of these details, I will provide you with time frames in relation to reimbursement.

Should you have any queries please do not hesitate to contact me.

Regards

10/11/17

From:

To:

TfNSW

Subject: Regarding Alternate Accommodation – April 2017

Hi

My bank account details are:

BSB:

Account Number:

Name: [REDACTED]

Bank:

I have attached a photo of the receipt from the "[REDACTED]" alternate accommodation for your records.

Could you please clarify for me who exactly is normally responsible for deciding when respite accommodation is warranted and secondly who is responsible for paying for it?

Kind regards

[REDACTED]

7/12/17 2:37PM

From:

Sydney Light Rail Project, Acciona

To: [REDACTED]

Hi [REDACTED]. I tried to reach you a few times this morning in response to your concerns last night. I did send you our courtesy upcoming works email on Friday. I hope you received it.

I apologise for the high noise disruption last evening. The noise was a result of utility footpath works. Tonight's works (from about your location and extending south to about Goodwood Street) involve a concrete pour by the rail team. I apologise in advance for the presence of the cement trucks that will be in the vicinity to support this work.

I hope you and your daughter received your noise cancelling headphones alright. Don't forget to insert the triple-A battery in the right ear piece. I find they are quite effective when they are turned on and playing music.

On another matter, I have spoken with the property team regarding the alternative designs for your power connection. I understand they are now incorporating the telco connections (optus, etc) and will provide you and your neighbours and strata manager with the revised designs on Monday.

Every good wish,

7/12/17 7:13PM

From: [REDACTED]

To: [REDACTED] cciona

Hi

I see you contacted me twice today not a few times. I had my phone on silent given I was attending my daughter's school presentation da. I've managed to locate your email sent to me on Friday 1 December. While I'll acknowledge you sent the courtesy notification, it's very generalised, as it doesn't outline any detailed understandings. 'We will be working in close proximity to your property on **Wednesday and Thursday** next week' No mention of what activities and utility equipment will be intended to be used, only sketchy utility and footpath work was mentioned. There was no footpath work taking place last night. It was the cement pouring with the noisy cement mixer in the middle of Anzac Parade where the massive pothole was in need of repair. I believe [REDACTED] lodged a complaint with the 1800 number at around 7:00 pm and at around 7:45 pm Goran rang him back. The actual repair work didn't commence until after the midnight curfew. Given this pothole was an emergency priority and Andrew first lodged his concerns

at 7:00 pm, why did the work commence five hours later Surely as a gesture of courtesy to residents and given it's a repair of grave urgency, the work should have commenced earlier, well before midnight. Where is the review of curfews in zone 28 as promised in Andrew Constance's letter?

Thanks for the headphones but what use are they on nights like last night? Utterly useless; given you can't sleep with them. Unless one experiences how one feels after chronic sleep deprivation for this past ten months and continuing well into May 2018, how torturous it is to function on a sleep deficit, the inability to sleep given the unbearable noise, please don't give me fluff and sweeteners like highlighting the magnificence of the headphones that are useless to me at night anyway and that Acciona are doing me a huge favour in supplying them. The long term health effects of insomnia on the human body are alarming to say the least. What will it's effects be on my body years from now. Who knows? God help us all!! We certainly need it!!!

Regards



Noise from the new Randwick Stabling Yard (located behind Doncaster Avenue residential properties) has also been a concern for local residents. A new acoustic wall, has since been implemented however resident concerns are ongoing. The following is an article in the local 'Southern Courier'.

*October 12, 2015
Laura Ausbusson, Southern Courier*

Randwick Council calls on State Government to soundproof homes near Sydney Light Rail stabling yard

Residents living behind the planned light rail stabling yard at Randwick have called for the State Government to fund noise reduction measures at the homes.

A stabling yard – where light rail vehicles will be cleaned and maintained between 4am and 1am every day – will operate just four metres from the backyards of Doncaster Ave residents.

A 5m high concrete wall will be built as a buffer between the residents back fences and the yard holding 13 rows of 68m long trams.

Randwick Council voted at its September meeting to lobby the State Government to cover the cost of soundproofing – such as more tree planting and double-glazed windows – at the homes affected by construction and operation of the yard.

"I do have concerns about the effect noise will have on the amenity and lifestyle of people who live in Doncaster Ave," Randwick Liberal councillor Harry Stavrinos said. Cr Stavrinos lives near a busy and noisy bus stop and installed double-glazing windows which improved his quality of life "by 100 per cent".

"Although the stabling yard is not built yet we want to have quality of life from the start," he said.

Transport for NSW will plant trees between residents homes and further noise assessments will identify any additional noise buffering needs.

Work will begin to prepare the Randwick stabling yard site for construction in the next two weeks.

Residents affected by freight train noise in NSW were told in August they could share in \$50 million of government funding, over 10 years, to soundproof their homes against noise.

In response to concerns raised by residents regarding the adequacy of the acoustic wall, the height of the light towers and resulting light spillage into rear yards and rooms, Council organised a meeting of Doncaster Avenue residents in April 2018, also attended by the Mayor and ward Councillors, to hear the issues being faced by residents. The following is a summary of the issues raised:

- Meeting of Doncaster Avenue Residents on 26 April 2018
Most often and most passionately raised issues were:
 - Planting in the corridor behind properties. Inadequate and dead planting.
 - Requested use of bamboo to provide screening from light spillage.
 - Lights in stabling facility and impacts on residents at night. Request mitigation measures be installed, such as blinds to properties and glare shields to lights. Lighting audit required.
 - Additional mitigation measures for properties, requesting same treatment as Devonshire Street properties (i.e. double glazing and air conditioning) rather than ventilation units currently provided.
 - Access to culvert space under the stabling facility and use by vermin.
 - Lack of transparency in dealing with TfNSW and confidentiality agreements with residents who receive mitigation - results in inequity and mistrust.
 - Poor resident access to vibration reports and other information associated with the project.
 - Damage to properties by Light Rail construction, example of No. 22 that has suffered from subsidence and roller chair now moves across the room on its own.
 - Parking management on Doncaster Avenue, all day use by Acciona workers and on race days by patrons.
 - Slow growth rate of the proposed plant species which are to form a proper visual and noise barrier between the boundary of residents' properties and the noise wall to the stabling yard. The residents have requested to the Department of Planning and Environment a change to the plant species to introduce *Bamboo textilis* var. *gracilis* and *Bambusa Oldhamii* which are fast growing plants that in a short time will reach a height that will provide the buffer to their properties
 - Frustration in way Acciona dealt with issues regarding property damage – “prove it” attitude and excessive time frame when addressing problems.

The following emails are a range of examples of correspondence Randwick Council has received from residents unsettled with the frequency and intensity of recurring noise. The impact of night works on sleep patterns and the ability to function during the day as a result of loss of sleep are recurring themes.

6/3/17

From: [REDACTED]
To: Randwick Council
Subject: Noise – Contact Us, Ticket number 200134

Hi, I live [REDACTED], Anzac Parade. These days the continuing noise from the light rail construction site drives me and my roommates crazy. For me, because of the incredible disturbing din, I could hardly fall asleep until 2 or 3 am every day. I do not understand why the construction is carried out every night when people intend to sleep? Why not do the work during the daytime? I am a student in UNSW and the new semester is coming soon. I really worry about that this situation would significantly influence my mental condition and therefore

deteriorate my health and study condition. May I enquire how long it will take to finish the construction and would it be possible to adjust the time of construction in a day? I do think it is a very serious problem for all the citizens who live around this area. Hope I can get a responsible reply from you by email. Thank you

8/3/17

From: [REDACTED]
To: Randwick City Council
Subject: Complaint

Hi,

I am a resident on Anzac Parade Kensington and am filing a complaint about the roadworks.

I got woken up at 12.45am with roadworks going on. We got a letter saying 6am-6pm. NOT 1245am!!

I am furious as some of us hVe to be up at 5am and been worked up with roadworks. My apartment faces Anzac Parade so I can hear EVERYTHING!

Please look into this as I don't want to send another email about the noise complaint. You send us letter with time frames, stick to the bloody time frames please.

Cheers,
[REDACTED]

12/4/17

From: [REDACTED]
To: Randwick Council
Subject: Contact Us, Ticket number: 189295

Hi There, I live adjacent to Randwick Racecourse on Doncaster Avenue, Kensington. There are significant earthworks and building works going on within the racecourse which is causing large amounts of dust and grit to float through the air and into our property and neighbouring properties. The dust and grit is covering our garden, plants, external decking, walls, windows and is spreading throughout our house leaving a film of visible dust on our furniture, floors, throughout our kitchen benches, cupboards, window sills, skirting boards and every other surface it can settle on, ie we can no longer hang washing outside. Can you tell us what the dust mitigation requirements are for these developments in Randwick racecourse. Can you tell us when they were most recently assessed, who did the assessment, and who is looking after the health and safety needs of the Kensington community? We are concerned about the level of dust in the air and its health implications to residents.

Where was the problem: [REDACTED] Doncaster Avenue Kensington

When was the problem? Increasingly over the last 3 weeks, so from around Christmas 2016 up till now and seemingly ongoing.

19/4/17

From: [REDACTED]
To: Randwick Council
Subject:

Dear Randwick Council,

I live close to the intersection of Alison rd with Doncaster avenue. It's been more than a month that I can't sleep properly because of the noise due to the construction of the light rail. I tried to call the police but they said the workers have authorisation to work during the night. All the time they start at 21 or even

later, sometimes at 3 am they still making a lot of noise. I'm having big problems in my life due to the stress of nights awake.

I hope you can do something to minimise all this inconvenience, I don't know who else can help me.

Best regards,

■

14/5/17

From: ■

To:

Subject: *light rail project complaint*

Hi

I have attached a letter I have composed and intend to send to our State Member and Gladys Berejiklian.

The totally inept management and disregard for local residents in regard to the light rail project is unforgiveable. I accept we have to deal with disruptions but this is displaying a careless disregard for residents basic rights of noise management and much more.

Any input, response or help from you would be greatly appreciated. I acknowledge your efforts and genuine concern for our community in many different ways (which so many now do NOT) and it is greatly appreciated.

Thank You

■

28/6/17

From: ■

To:

Subject:

Dear

I hope you've been well.

I'm writing to you about the noise from night works on Anzac Parade. It's becoming quite unbearable as my wife and I have our bedroom window facing directly towards the construction.

We can see this going on for a long time. See note below from ALTRAC.

I note you were quoted in a recent article talking about these residents issues

Can you please advise what we can do to get double glazed windows installed to sound proof our home. The noise is impacting our sleep and overall quality of life at home.

Regards

■

27/7/17

From: ■

To:

Subject: *Tortuous noise levels from Altrac night work in Kensington*

Dear

I attach an email chain with correspondence between myself and Altrac representatives as well as with the NSW Minister for Planning about the extreme loss of amenity being suffered by residents of Kensington due to the excessive night work being carried out in the area.

My pleas for some consideration for residents have been ignored and I am hoping that you can do something to help arrange a compromise solution that would benefit residents of Kensington who are suffering through this extremely disruptive time.

What is going on along Anzac Parade is nothing short of government sanctioned torture.

Critical infrastructure or not, it simply cannot be legal to subject residents to extreme levels of noise and consequently deprive them of sleep 4 to 5 nights a week for months on end.

Any help you can provide would be greatly appreciated.

Thank you
[REDACTED]

3/6/17

From: [REDACTED]
To: City of Sydney (forwarded to Randwick City Council)
Subject: construction noise after midnight around UNSW

Dear officer,

I am a unsw postgraduate student. I live just beside a main road-Anzac parade. The construction for new train line has been carried out since last year. What is really disturbing is that it is always hard to fall asleep after midnight, because the construction work is making extremely loud noise after midnight. Recently, it is an important period for us before final exams. We really need good sleep to prepare for exams. So, is there any possibility to suspend the work until the end of final exams period? Or else all I feel is desperation !

Thank you for reading!

5/6/17

From: [REDACTED]
To: Randwick City Council
Subject: Contact Us, Ticket number: 198350 ([REDACTED])

Hi, I live in Kingsford. The noise of construction is toooooooo big. My friends and I cannot work and sleep at all at night. Could you please help us solve the problem? Something like won't make that noise after 12am. The final is approaching students need a good environment. At the same time, I am sure there are some old men and children would be unhealthy because of that. Please give us some help! Thank you!!!

19/6/17

From: [REDACTED]
To:
Subject: Cnr Anzac Parade / Carlton St Kensington

To

Good afternoon

I'm hoping you can help us poor residents living in a construction site.

I am writing on behalf of a group of residents that live at close proximity to the Carlton Street Kensington light rail stop. In the last few months we have experienced extensive construction works that commence at 10pm and go through to approx 5am.

The works are directly outside / in close proximity to resident bedroom windows and include the use of jackhammers, saw cutting, removal of existing pavements, excavation, removal of overhead wires and poles and installing new poles.

The vibration, extreme noise and construction arc lights and flashing amber lights on construction vehicles prevent us from sleeping. We have had to go out in the middle of the night and ask traffic control to turn off flashing lights from trucks that are just parked in our street and have no relevance to OH&S as the works are either across the road or around the corner.

We have on many occasions had to phone the 24-hr Construction Response Line to voice our concerns but we are told on every occasion that the Government (Transport for NSW) issues permits only for these works during the night. The contractors would prefer to do these works during the day for obvious reasons. We live adjacent to the Town Centre and these works would not impact the local businesses from trading during the day.

The local residents feel like we don't matter and that our health and well being is not important nor considered. The majority of us have lived here for many years, have full time jobs, look after children or seniors and are in desperate need to sleep so we can function the next day like so many other humans do.

It would be appreciated if Council could add some weight to our concerns which to date have gone unheeded.

I'm available to discuss this matter further or arrange a meeting with the other residents that are impacted.

Thanking you in advance.

Kind regards
[REDACTED]

14/8/17

From: [REDACTED]

To:

Subject: Tortuous noise from night work along Anzac Parade, Kensington

Mr

Are you really going to just sit by while your constituents are subjected to this torture !!??

From Acciona:

I'm sorry for the disruption. These are out of hours utilities works, and may be disruptive. We will provide whatever noise minimisation tools we can. Would you please pass this information on to your tenants.

14 August - High Noise at Anzac Parade at Goodwood

15 August – High Noise at Anzac Parade at Carleton

16 August – High Noise at Anzac Parade at Goodwood

17 August – High Noise at Anzac Parade at Goodwood

18 August – High Noise at Anzac Parade at Carleton

Again, this is in addition to Sunday 13th August.

So six nights of intensive, high noise, night work in a 120 m section of Anzac between goodwood and carlton streets.

It just cannot be legal.

25/9/17

From: [REDACTED]
To: Randwick Council
Subject: Light rail noise pollution

Dear sir/madam,

I wish to make a complaint regarding the high levels of noise on high st last night as a result of the light rail construction. I am a resident of [REDACTED] botany st therefore my apartment is in extremely close proximity to high st. The drilling and banging from the construction work on top of the shouting of the workers left for a sleepless night for myself and my partner. This is unfortunately not the first night we have encountered this noise level.

I am aware of your offer to reimburse residents for accomadation on every Tuesday for the fore coming weeks in order to limit louder construction to this night. However this does not appear to be the case as Extremely loud works are being performed during other nights resulting in sleepless nights and therefore hampering our abilities to preform well at work.

I would appreciate a response on this matter at your earliest convenience.

Yours Faithfully
[REDACTED]

3/10/17

From: [REDACTED]
To: Randwick Council
Subject: Complaint against Noise for Light Rail in Randwick at night

Dear Sir

I am an owner and on the body corporate committee for [REDACTED] Alison Road, Randwick and face the road where the light rail construction is taking place.

Last Wednesday 20 September, heavy night work commenced at 10 pm and finished at 4.30 pm, then on Thursday 21 September night the night work commenced again at 10 pm and finished at 2.30 pm. A number of people in our unit block contacted the 24 hour construction response line to lodge a complaint on the level of noise we have to endure for these two nights. There was no notification of this work taking place.

During that phone call I was advised that a 56 hour night and day work would start on Friday night 22 September and finish on Sunday morning by 5 am. They also explained that we were notified, therefore implying that is all that they have to do and there was nothing they could do.

We were also provided with notice that night work would commence Monday 25 September to 25 October starting from 7 pm to 6 am, with no work on Friday night.

It is now Monday night 25 September and the heavy machinery night work has commenced at 10.30 pm There is constant drilling and noise vibration.

For the records, we have had night work on Wednesday, Thursday, Friday, Saturday, Sunday and now Monday. THAT IS 6 NIGHTS IN A ROW WITH NO RESPITE. It this legal to have continue night disturbance and expect to accept this as it is growth for Sydney?

This disturbance is putting my health at risk. If someone had a loud party you could ring the police and they would shut them down, here we have continue disturbed sleep and no one is taking any responsibility.

I believe it is not for me to have to move to get sleep. We need Council to represent its rate paying and support us in a very difficult time. I don't want to go and lodge stress claims or lose my job because I can't function, someone has to take ownership for the residence as our pleas for help are falling on death ears.

I would really appreciate someone contacting me with advice on what can be done, because my health and work are now at risk and I shouldn't have to move out to retain my health and stress levels.

I have taken photos of the types of heavy machinery being used, but Council can drive down at any time at night and see the amount of work and experience the noise levels that residences are suffering from. I am sure they are not allowed to do night work in the city, so how is Randwick Council allowing this to occur in Randwick.

I urgency and respectfully ask you to help and response.

My contact details are [REDACTED].

Regards
[REDACTED]

Committee Member of [REDACTED] Alison Road, Randwick

16/10/17

*From: [REDACTED]
To: Randwick Council
Subject:*

Hello,

I live at [REDACTED] High St Randwick. The noise from the light rail construction at night is unbearable, even with earplugs in. There are load drilling sounds and vibration and I cannot sleep. It is currently midnight. Can they please do these loud tasks during the day? I am at the same address during the day and it is not so noisy then!

Thank you for your concern,
[REDACTED]

30/10/17

*From: [REDACTED]
To: City of Sydney (redirected to RCC)
Subject: complaint the crazy noise*

Hi officer

It is 12am now. However, I can not sleep at all because the noise of the construction is so loud.my address is [REDACTED] Kingsford 2032.

I know the noise is inevitable during construction, but it is 12am now and the loudest noise is just made by some special machines during my sleep time. I can not understand it.

Looking forward to your reply

Kind regards
[REDACTED]

5/1/18

*From: [REDACTED]
To:
Cc:*

Subject: Update on Light Rail work in Zone 26

Why can't you work 6am-12pm?? No one can use HIGH street anyway? I just don't get it? Your notification suggests we wil be impacted every night in this January period?? WE NEED SLEEP!! We all have jobs to go to?

Enough is enough!!!

Apart from sending out these notices maybe you could actually take notice!!

Its so unreasonable to expect us to be OK with this. This has been going on for a year now – we have been living in your construction site for a year now. As yourself how you would feel?

██████████

Eurimbla Ave resident

It would be nice to actually enjoy the time we have left in our street before the state government takes it??!!

I have forwarded this to local and state members as I really feel like I have had enough

Please cant someone insist these guys be reasonable?

The following emails between Kensington resident and TfNSW involve frustration with alleged breaches of contract and excessive after hours noise:

11/1/18 10:01AM

From: ██████████

To: ██████████ TfNSW

Subject: 10/1 Light Rail OOWH breaches

First night work of the year an worker immediately breach OOHW condition

Breach

No prior notification provided as per contract to impacted receivers

Requires 48hr notice for low, medium and high noise OOHW

Section 12.4 Notifications

Thus they were working illegally as not all of the OOHW requirements had been met.

Workers started setting up at 11.30pm

Goran had no details which makes me think there was no approval for road closure given for Southbound ANZAC parade south of Carlton St.

It would not surprise me if they operated illegally.

Noise levels after midnight were over the limit of 54db post midnight

Note during the last 3 weeks no work has been done and noise levels are below 40db.

All the noise comes from construction vehicles and workers.

Previously Michael stated they needed to work nights in the closed off zone because they were so far behind yet there was no work done for 3 weeks. No day work occurred either.

If so far behind there should have been no time off.

Action

As Altrac refuses to abide by the conditions of the contract they should be forced to pay for an independent monitor at all time in all zones where OOHW is done to enforce the conditions the directors have agreed to meet.

Before Xmas OOHW did not comply with dates provided as they just did not turn up on nights they said. How can residents plan?

Makes any offer of alternative accommodation a nonsense.

Quality of Work

Previously raised the quality of the work is appalling. Look at the state of Anzac parade and the huge pothole. Other poor quality work can be seen on the south side of Centennial Park along the footpath on Alison Rd. The new footpath installed is shocking with the concrete containing numerous large vesicles.

This work needs to be rejected and redone by the contractor at their expense otherwise you are stuck with shoddy work.

Anzac parade needs to have speeds reduced to 30kph due to the shocking condition south of Alison Rd in both directions

As the government you have a duty of care for residents of NSW. Failure to take action can and will expose this government to further action and negligence.

As the Sheriff in town refuses to take action perhaps we need to call in Manco for a few dollars more?

*I did like the rail teams xmas card and I did get a new jar of concentrated sarcasm for Christmas.
It should last me all year.*

This project was meant to take 3 weeks as per the contract, now we enter a second year of work. Someone from the government needs to be held accountable for this.

██████████

11/1/18 5:13PM

From: ██████████
To: ██████████, TfNSW
Subject: 10/1 Light Rail OOWH breaches

Thank ██████████ for the information. This information is illuminating.

I am interested to know how 7.55am has become 8.05am. Did time just skip? Darn chronitons. ABC news clock on the TV said 7.55am when the jackhammer started at Abbotsford st today. While I am gifted at maths I struggle to see how this is after 8am. Did I forget to carry the 1?

It seems they live in the alternative facts world with someone else. This is exactly why independent monitors need to be present at all times so that the workers cannot live in fantasy land.

This should be at Accionas expense due to their appalling track record. Let's just hope they get the gauge or clearances right. Not good if it is an inch too narrow or wide. Won't look good.

Last night they were still in breach as no notification was received for the OOHWH as their crane is very noisy and constant.

They only started setting up at 11.30 when I called.

Work did not start until 11.45pm and continued well past 1am. Yes I was awake.

Seems like they are fabricating work times to make it look like they are meeting the contract. Please do not swallow the bait.

I ask you to openly challenge these times as I was on record with Goran when they started as I was talking to him from 11.45 to midnight. I called your line at 11.30 as they set up.

Do I need to provide phone records so as to prove they are lying?

Tell them they are dreaming with the times they have quoted.

This is the sort of contempt we have had to endure as residents living in their work area and why we are so angry.

██████████

11/1/18 4:23PM

From: TfNSW
To: [REDACTED]
Subject: 10/1 Light Rail OOWH breaches

Hello [REDACTED], I hope you had a nice Christmas and New Year.

The activity that occurred last night between 10.30pm and 11.30pm, near your premises involved rail deliveries at Tay and Abbotford Street. It was necessary for this work to occur at this time, due to the truck and loader crane requiring site access via the pedestrian crossing at Goodwood Street. This area is highly pedestrianised during the day, therefore it was safer for this work to occur after hours.

In relation to your concern that rock breaking within zone 28 commenced prior to 8am, our contractors have consulted with their Site Engineers and Supervisors and have advised that one excavator commenced this activity at 8.05am, and later at 11am. You may be pleased to know that following your concern, the Site Engineer will be organising a pre-start information session tomorrow morning to reinforce the importance of rules within this area and the sensitivities of our stakeholders within this area. I have attached the notification relevant to this work for your information. This notification was emailed and letter box dropped on the 3 January 2018. I am currently in the process of consulting with Acciona in relation to the projected program of work within your area and will touch base with you again to discuss this and how TfNSW can support you during any disruption you may experience to assist in mitigating the impacts and distress you are feeling.

In the interim please note the following work activities that will occur within your area:

16/1/18 11:46AM

From: [REDACTED]
To: TfNSW
Subject: 16/1 Light Rail breaches

Hi

Workers again breached their start time today.

Loading of rock debris into dump trucks started at precisely 6.57am, as per ABC 24 TV News time.

Location next to Abbotsford St in the closed off section of ANZAC parade
This is extremely loud and disturbing for all in the area.

How did your investigation go with my phone records? Did they confirm the Altrac version of events?

I think not.

I hope you can now see the contemptuous attitude that they have for anyone and everyone in their way.

They lied to you to cover themselves. How does this make you feel?

This is why I want an independent inquiry held into their actions or lack of it. Independent monitors at all times work is scheduled at Altracs expense.

If no monitor, then no work is permitted. \$50,000 fine per instance. 2 sites breaching in a zone would be 2 times 50,000. Not just per zone.

This should be enough to dissuade them. Then it should be used as compensation for residents.

Win-Win situation for TfNSW and the residents.

Note that it is Altrac who has knowingly and willingly breached the contract thus you are legally entitled to introduce new clauses to it to ensure the conditions are met at all times.

Also all of the countless safety issues they have caused. The list is very long as you know.

We are watching them like hawks in zone 28 so anything out of line will be raised as you know. I have personally told them this but they keep offending.

██████████

4/5/18 9:59AM

From: ██████████
To: TfNSW
Subject: OOHW 3rd May

Issue 1

Again all work conducted could have been done during the day and it was not critical or emergency work

Work conducted 9pm to 5am.

Beached noise limits.

Woken by noise at 3.40am

Same work being done near Abbotsford st this morning proving my point.

I feel they deliberately schedule night work directly outside my home.

Who approves the OOHW as someone must or do they do as they please?

Seeing that they have scheduled tonight and tomorrow making 3 nights in a row perhaps it is time TfNSW comes out and monitors the work for themselves in zone 28?

I have yet to see anyone monitoring their OOHW myself.

Happy for them to watch from my balcony to get an impression.

Issue 2

Emergency work not done

Broken water main on ANZAC parade south bound at Goodwood st has been plated over by acciona people as I personally saw three of them wearing acciona shirts looking at it a few weeks ago and the plate appeared the next day.

Crater size pothole not fixed and water continuing to stream out further damaging the already deplorable state of the road and splashes pedestrians on the footpath badly.

Anzac parade has been signed over to TfNSW as a transit way for this project as you advised unless I am mistaken.

When was the last time TfNSW did a site visit for zone 28 to see the shocking conditions for themselves?

Issue 3

Workers continue to urinate on my building and it stinks.

This is a crime. 2 obvious places they regularly use.

Happy to show TfNSW representative tonight or on the weekend

Organise a time with me

██████████

2/2/18

From: ██████████
To: Randwick Council
Subject: Noise complaint - ██████ Botany St Randwick

I live on ██████ Botany st, Randwick and the amount of noise late at night from the construction works it's disgraceful. It's 10pm and they are drilling, reversing loud trucks and smashing stuff up - the noise is so loud it had kept me up

*throughout the week at night time and it goes on until stupid hours in the night!
There is no way they should be allowed to work with this machinery that's
creates this much noise at this time!!*

Regards

■

27/3/18

*From: ■
To: Randwick City Council
Subject:*

Dear Councillors

I wanted to raise the issue of the Light Rail Stabling Yard (LRS) construction and seek your assistance in our ongoing discussions with Acciona, TfNSW and DPOE. The residents of Doncaster Ave have been trying to engage with Acciona and TfNSW for the last 3 years. Our community has been greatly affected by the LRS yard (24hrs) construction resulting in damage to our homes and our way of life. Last week the Doncaster residents raised our concerns via the media with a Channel 10 report reporting on the effects of the construction. Residents are not being heard by TfNSW and are being 'managed' and mislead by Acciona. We kindly request a meeting with our Councillors to raise our issues and refer to Councillor Stavrinou motion NM46/15 (passed).

19/4/18

*From: ■
To: Council
Subject: Contact Us, Ticket number: 220530
Anzac Parade cnr Duke St, Kensington*

Hi. I live on Duke St facing Anzac Pde and everynight I cannot sleep due to the noise from the people working on the lightrail. It is extremely loud with their heavy machinery and tools. This is ridiculous. They start work at 10pm at night and go until 6am. It is driving me insane. It is literally outside my window and is extremely loud.

9/6/18

*From: YourSayRandwick
To:
Subject:*

Hi Randwick,

Are you freaking serious, my children's bed time is 8.30, I normally give them a grace period of half an hour to get there. This seems to be the start up time for when the jack hammers start outside their window. It's not the last two days, it's been happening for months. Recently is particularly bad as according to the woman downstairs (staff) apparently the jack hammers turns off at 12" legally. But, this does not seem to be the end of the sound trauma .. I haven't kept logs unfortunately. But, the scraping, banging, lifting of cranes and concrete has meant damage. Not using my kids as fodder, but they ... and I are now traumatised.

3.2 Alternative Accommodation

Residents subject to substantial periods of construction exposure may be offered alternative accommodation by TfNSW. Council is advised that ALTRAC also offer an alternative accommodation program. This process is between TfNSW and residents and between ALTRAC and residents. Council is not involved in promoting the program or in processing the requests.

On 7 December 2017, following a Council resolution, Council officers contacted TfNSW requesting details about their respite accommodation package available for residents affected by noise from out of hours construction works for the CSELR project:

7/12/17

From: Randwick Council

To: TfNSW

Subject: Request for information RE: TfNSW's additional respite accommodation package

Hi

Please refer to the attached resolution by Council from its meeting held on 28 November 2017 in relation to the Minister of Transport announcement for additional respite accommodation package for residents affected by noise from out of hours construction works for the CSELR project.

We are required to write a report back to Council early next year providing an update on the points listed below and it would assist greatly if you could provide some information.

- details of the review of works*
- budget allocated for the package*
- process and timeline by which residents can access the respite accommodation*

Happy to discuss further over the phone if required.

Thank you for your assistance with this.

As previously stated, Randwick Council is not directly involved in this process and is not aware of the total number of offers of accommodation that have been made at the time of writing this submission. On 10 May 2018, Council's officers contacted Ms TfNSW requesting contact information to pass on to residents.

Below is Ms TfNSW's reply:

29/5/18

From:

TfNSW

To:

Subject: Contact Us, Ticket number: 222409

Transport for NSW is managing an additional respite accommodation program designed to go above and beyond any offers that may be made by ALTRAC in line with conditions of approval.

Additional alternative accommodation is offered to residents where intensive out of hours works programs are identified and considered within noise modelling guidelines. There may be other instances where consideration is given to particular circumstances of identified residents on a case-by-case basis.

This case by case assessment complements what may already be offered by ALTRAC and includes a review against the intensity of proposed works in the respective zone.

Typically each Friday, TfNSW reviews the construction works program provided by the contractor for the week ahead in conjunction with ALTRAC's requirements to provide respite accommodation. Those residents identified as impacted will receive a letterbox drop and/or an email (where we have their contact details) with this offer of alternate accommodation. Please see attached the template for the letter of offer received by residents. Should they take up the offer, residents are reimbursed up to \$200/occupied room per night.

Since it was introduced on 22nd November 2017, the offer has been made to approximately 800 people and 30 people have accepted the offer.

TfNSW is also working with ALTRAC to review the works programs to endeavour to undertake more high intensity works during daytime or very early evening where possible.

9/12/17 10:36AM

From:
To: [REDACTED]
Subject: Follow up re your concerns

Dear [REDACTED],

Have you and the other residents been offered alternative accommodation during the night works yet?

Regards,

9/12/17 3:54PM

From: [REDACTED]
To:
Cc: [REDACTED]; [REDACTED]
Subject: Re: Follow up re your concerns

Thanks Philipa for asking. TfNSW has offered me accommodation, though the times they offer they don't give much notice, either the day before or on the day of the night they're working, which make it near impossible to find and book a hotel room. I tried one time later in the day with the Crown Plaza Coogee but the few rooms left were \$500 per night. TfNSW still haven't reimbursed me \$200 for a 50% off room I found in April, so I'm very reluctant to pay up front again and wait for the reimbursement. [REDACTED], [REDACTED] and I still don't know what review of zone 28, as promised in Constance's letter, has taken place, if any. The curfew still remains midnight and with all of this emergency work going on, repairing potholes on Anzac Parade, work continues well into the wee hours of the morning. We all appreciate the accommodation, though ideally, we don't wish to keep being uprooted from our own homes, as it's just as disruptive to our lives like chronic sleep deprivation is. The solution to stop all night work is the only solution we are happy with and would like to see implemented.

Kinds regards

[REDACTED]

15/12/17

From: [REDACTED]

To:

, TfNSW

Cc:

Subject: Fw: Regarding Alternate accommodation – April 2017

Hi

Please refer to your email below dated 7 December 2018 7:04 pm and my subsequent email with attached alternate accommodation receipt, dated 10th November, as well as, your initial email sent to me on 7th November, offering me TfNSW's "goodwill gesture" of reimbursement.

You state in your email below that the payment can take up to 30 days. Seeing as it is now over the 30 day period from the time the Finance Department received my receipt on 13th November, I request that TfNSW now reimburse me \$400.00, given this clear breach of TfNSW's alternate accommodation agreement with residents, to reimburse up to 30 days after providing a receipt.

May I point out that you state in your email to me below, in the second paragraph, that no offers for alternate accommodation were made this week (calendar week of 3 December – 9 December), because there were no areas affected by three nights or more in a row of high impact noise. For a start, under the contract:

"D&C JV

ARL Construction Noise and Vibration Management Plan

SR-D&C-MIO-000_PLN-001029",

under section 5.6.1 Restriction of Construction Hours, it states very clearly 2 nights respite between OOHW must be offered, which means to operate more than 2 nights you and TfNSW/Acciona will be in knowing and deliberate reach of this signed contract. As well as this stipulation outlined in the contract, stated in all out of hours work notifications sent to me from ALTRAC it says, "You may experience some noise and vibration during this work. Where possible, high noise activities such as saw cutting and jackhammering will not take place for more than two consecutive nights, work done at night always exceeds the 75 dB allowance as detailed in the contract, refer table 26 on page 67 and Section 11.1 and 11.2, also refer to table 16 OOHW period 2.

Well past midnight [REDACTED] who lives directly opposite me on Anzac Parade, has measured noise from trucks working near Carlton Street at 78 dB, which is over the maximum limit. [REDACTED] measured a lawn mower at the same distance, measuring in at 65 dB, to put it in perspective.

Try to sleep with this going on all night until almost dawn.

This is well over the 54 dB sleep disturbance level.

Refer table 12 which states all work is there in exceedance of the Sleep disturbance screening in Kensington RBL + 15 dB.

All noise limits are 75 dB as a maximum as specified in the contract.

Noise was "highly intrusive" at 3 am which is the top level, as per the contract.

This happens every night they are present working in Zone 28 and Acciona blatantly deny all of [REDACTED] previously measured and logged facts.

6.1 Sleep disturbance and Maximum noise events

criteria RBL + 15 dB and sleep disturbance NML of LAmax 55 dBA internal NML of 65 BA

As [REDACTED] measures constantly well over 80 dB during the out of hours night work, therefore all out of hours night work is clearly in breach of the signed commitment made for this project.

Therefore, as I was not offered by TfNSW alternate accommodation on the night of 6 November 2017, and was subjected to high noise activities throughout the night until 4:00 am and given that out of hours work had also

occurred on the previous two consecutive nights of 4th and 5th of November, I am requesting that I be compensated \$400 for the night of 6 November 2017.

Therefore given there has been clear breaches of ALTRAC of the Construction and Vibration noise and Management Plan as well as the Infrastructure Approval Contract as outlined above, I expect to be reimbursed and/or compensated \$800.00 immediately.

Regards

■

Hello ■,

I hope that your daughter excelled in her presentation today and that you were able to watch this occasion.

I have made enquiries with ALTRAC and have advised that the attached email was sent to you and other residents within the area on Friday 1 December 2017. I have asked the contractor to check their distribution list to ensure that your email address is included. I apologise if there was a problem experienced with you receiving this information. I understand that nightworks are planned for your area tonight.

The approved work for this area was for utility work, which includes the use of a jackhammer until midnight, and the use of a compactor to ensure the area is restored for the morning.

ALTRAC offers respite accommodation where the work undertaken is not compliant with conditions of approval. These works were compliant with the conditions of approval.

The recent offers of alternative accommodation, made by Transport for NSW, that I have discussed with you are above and beyond any requirement by ALTRAC. Following a review by our environmental team of the proposed work schedule submitted by ALTRAC, no offers of alternative accommodation were made this week because there were no areas affected by three nights or more in a row of high impact noiseworks within the calendar week of 3 December to 9 December 2017.

In relation to your enquiry regarding the reimbursement of the cost of alternative accommodation you used in April, the documents were submitted to our finance division on the 13 November. I have made enquiries today and have been advised, that payment can take up to 30 days. Should these funds not appear within your bank by the 14 December 2017, please do not hesitate to contact me. Should I receive any further information regarding the status, I will update you immediately.

Thank you

18/12/17 2:01M

From: ■

To: TfNSW

Cc:

Subject: Regarding Alternate Accommodation – April 2017

Hi

The apparent "error" in the processing is still a breach. It has NOT been reimbursed to me within the 30 day period as stipulated in TfNSW's letter. I request again \$400.00 seeing as this is a clear breach of what was assured to residents in relation to the alternate accommodation reimbursement process. Again the breach on November 6th was because I was not offered any alternate accommodation that week, and as there was high noise 4th, 5th, 6th

November, with no respite offered after two consecutive nights, this is a clear breach in the Infrastructure Approval document. I therefore expect \$88.00 in my bank account by the close of the week.

I will continue to voice TfNSW's breaches with media and Andrew Constance direct, as I've done and continue to make TfNSW accountable and justifiably so!

Regards

■

18/12/17 1:14PM

From:

TfNSW

To:

■

Subject: RE: Regarding Alternate Accommodation – April 2017

Hello

■,

Thank you for letting me know that payment has not yet reached your account.

I apologise for the delay experienced, unfortunately there was an error in processing, which has now been rectified and payment should reach your account by the end of this week.

Thank you for your patience with this.

As discussed, the recent offers of alternative accommodation, made by TfNSW, are above and beyond any requirement of ALTRAC.

I am aware my colleague extended an offer of alternative accommodation to you for this week. I have attached the letter for your confirmation. Please advise if you did not receive this email or the letter left in your mailbox, and advise an alternative method to communicate with you.

As a result, of a review of the work schedule provided by ALTRAC, by our environmental team for the week of Sunday 17 December to Friday 22 December Transport for NSW are making offers of alternative accommodation to a small residential area in Kensington. If you would like to take advantage of this offer, please feel free to do so. It is suggested that should you wish to do so, by taking advantage of this offer on Wednesday 20 December will be most beneficial to you. You should have received this information from my colleague, however I have attached to this email for your information.

Regards

Anecdotal information has been received from residents concerning the delay in receiving money paid for accommodation from the contractor/TfNSW and also the difficulty in finding convenient and appropriately priced accommodation. The process involves the resident paying the money for alternate accommodation upfront and then claiming it back from TfNSW/ALTRAC.

In May 2018, a resident of Randwick, contacted Randwick Council asking if there had been any discussion regarding compensation to affected residents of the light rail project. Randwick Council passed on the applicable information to the resident who advised they knew nothing about the accommodation option available.

Below is the aforementioned correspondence:

23/5/18

From: [REDACTED]
To: Randwick City Council
Subject: Contact Us, Ticket number: 222409

Has there been any discussion regarding compensation to effected residents of the light rail construction. I live in Eurimbla Ave and we have been living in a construction site for the past 18 months. This means we have had to put up with 24hr noise, sleep loss, traffic issues into and out of our street, trucks parking in our street, flashing lights, reversing trucks etc. This has been going on for so long now and taking its toll on residents. We have the additional insult of losing our homes to the state government so while we are forced to put up with the light rail we will not be there to enjoy any (?) of the supposed benefits when it's finished? I feel like we have been forgotten about.

Ms email of response:

29/5/18

From: [REDACTED]
To: TfNSW
Cc:
Subject: Contact Us, Ticket number: 222409

I do get the emails and letter box drops but it's the first I have heard of the accommodation option. I doubt many residents know about this. I will forward it on.

3.3 Damage to Property

Residents have written to Council requesting advice on damage that had occurred to property as a result of light rail construction works. This issue was also raised by residents at the meeting of Doncaster Avenue residents in April 2018 (see page 6). Council has not carried out any investigations of its own into claims of damage to residential properties, as this is a matter between TfNSW and the affected properties. Below are examples of correspondence received.

18/5/18

From: [REDACTED]
To:
Subject: Sydney Light Rail - Damage [REDACTED] Doncaster Avenue

My wife and I own an investment property on Doncaster Avenue, Kensington, in your West Ward. On the 22 February 2018, as evident in the below photo, a portion of the plaster ceiling fell. Luckily the tenants were not hurt. The tenants advised that the house shakes due to the stabling yard construction works. It is a very reasonable conclusion that the construction works have been the cause of the ceiling to fall, noting ceilings do not commonly fall by themselves.

We quickly made a damage claim to the SLR project, and on the 11 May 2018, after taking over 2 months to assess, Acciona sends us the attached letter which basically says "prove it". We have received a quote to fix for c. \$5000 which is not an immaterial amount of money. We now have to go through the process of proving causation from the project works and will seek expert advice from a structural engineer, and presumably legal advice.

We don't feel Acciona are doing "what is right", and hence will pursue this claim against them through all avenues available to us. Does the council offer any support or advice in these matters? Any support or advice gratefully received.



16/5/18

From: [REDACTED]
To: Randwick City Council
Subject:

Our street garden of 4 large garden beds were destroyed as light rail said they were landscaping!

That was 4 months ago.

We are still with a now sad, and decrepit sight!!!

No light rail work done.

We were told 4 mths ago, if we didn't remove our plants, every thing would be removed.

We gave away the plants.

The crap is still there!

Why! ??!

3.4 Parking

Changed traffic and parking conditions has been an inevitable result of light rail construction in the south east. Along the alignment passing through Kingsford and Kensington approximately 800 parking spaces have been permanently removed. Parking removal commenced in April 2016. Anzac Parade for example, all on street parking has been removed. Randwick Council has implemented parking recovery plans to help minimise overall parking loss primarily through the provision of angled parking in side streets adjoining or nearby the three town centres impacted by the project (ie Kingsford, Kensington and Randwick Junction). This has not however, managed to replace the total number of car parking spaces lost.

Below are examples of correspondence received concerning traffic and parking issues.

9/6/18

From: [REDACTED]

To: Randwick Council

Subject: How unpleasant it is to live in Randwick City at the moment

Hello

I just wanted to put on record how unpleasant and frustrating it is to live in Randwick for the past few months.

As a rate payer of over 25 years standing, this is the worst it has ever been.

The Light Rail work aside – as that is a major public infrastructure project – it seems that every time I turn a corner I am stopped by someone with a “lollypop” usually to let trucks in or out of sites.

I live on Rainbow Street between Botany and Kennedy Streets. I drive my daughter to school in The Spot and I work in Moore Park.

Over the last few months, I have regularly been stopped on Rainbow Street between Botany and Avoca, Rainbow Street between Avoca and Canberra (though that was shorter lived), Canberra Street, Howard Street. Botany Street has been terrible for months and now the other work (power for the new development, I assume), there is now someone stood with a “lollypop” to let the trucks out the back of the “Newmarket” site. Also, someone stops traffic (again, I’m not sure how legally) regularly on Barker Street to let trucks from the Newmarket site onto Barker Street where, up to three B-double trucks at a time line up making it impossible to get through sets of lights without waiting for at least the three changes (one for each truck). As well, work continues at UNSW on Botany Street.

Obviously, no one bothered to think about how all of this work would impact the people who live in this part of Randwick. All of this is on top of the long traffic delays caused by the Light Rail. It would have been nicer for the people who live here to have spaced some of that work out, though I know that big money like that being thrown at the Newmarket development outweighs regular people who have been paying rates for many years. Also, I already have put up with for years people parking all day outside my house to go to University and the Hospital, making it impossible for visitors to find somewhere to park or me for that matter when someone parks in or across my driveway, and I assume this will only get worse with a development like Newmarket which does not have enough car spaces for the number of units, let alone take into account that there will often be more than one car per unit. Where I live everyone has at least one garage or parking spot but the area is full of people’s second cars.

Thank you for taking the time to read my note though I have no hopes of anything being done to alleviate the issue.

Regards,
[REDACTED]

3.5 Communication and Consultation

TfNSW and ALTRAC have set up a number of public notification channels, forums and hotlines. Despite this Council has received negative feedback on lines of communication associated with the project and on the timing of notification relating to construction timetables and details of works in particular.

Below are some examples where residents were upset at the lack of consultation and communication from TfNSW about works in their area:

9/10/14

From: [REDACTED]
To: Projects@TfNSW; General Manager RCC; Office of the Mayor
Subject: Establishment of Compound Site

Dear Projects/Transport for NSW

*I am shocked to have read about your Notice to Residents and Businesses through Kensington School's weekly newsletter about the construction activity that will take place in **less than** 1 week's time.*

As a member of the school's P&C, I have taken the responsibility to communicate the updates issued by you and am appalled by the lack of communication and consultation (if any) from your end.

I have attached the community information nights hosted by you and there has been no mention of this compound site.

I wonder how responsive your enquiries or complaints 24 hour Construction Response Line 1800775465 will be given that work is to commence at 3am-5am!

Could you please explain why we have been given such short notice and why you failed to consult those who are directly impacted by your actions?

I look forward to your response.

[REDACTED]

9/10/14

From: [REDACTED] (Owner of [REDACTED] Doncaster Avenue, Kensington)
To: Projects@TfNSW; Council;
Subject: Sydney Light Rail: Establishment of site compound in Kensington (Doncaster Avenue near Ascot Street)

Dear Randwick City Council / Transport for NSW:

I came across this on council's weekly eletter:

<http://www.sydneylightrail.transport.nsw.gov.au/latest/notifications/current-works>

I am appalled at the lack of communication between the Transport for NSW / Randwick City Council and the local residents about the establishment of a site compound on Doncaster Ave and Ascot Street

I do not believe any of the local residents have been consulted on this – these are the people who will be directly affected by the poor communication efforts by the weekly authorities.

*The CSELR has given local residents **less than 1 week notice** about this site compound and I'm disgusted and dismayed by this.*

You can sell this project to the community however you like, but you must consult the local residents who will be most affected all the noise and dust that this "pop-up" compound will cause.

Why would you need to work in the compound site at 3am on a Sunday morning!?! What sort of benefit will this provide to anyone? Not only will you have to pay the contractors triple time for working outside hours on a weekend but what about local residents right to quiet and privacy???

I do not recall ever reading about establishing a compound site in this area in the EIS and I do not believe any of this was raised / addressed at the community forums, which by the way I found to be completely useless as the project engineer had no idea what they were proposing to do with the stabling facility and he was just making it up as he went along.

I really think you should be consulting with local residents along Doncaster Avenue and at least ask for their input / thoughts. Whether you listen to us or not is another question but you should at least show you care about your local people.

I look forward to your reply

3.6 Safety Concerns

Council has received correspondence by residents concerned as to how safety and risk are managed by the contractors. Footpaths and road surfaces are left in substandard condition resulting in risks to public safety.

Road surface construction and degradation, absence of lighting and worksite tidiness are mentioned as being below acceptable community and work standards.

30/3/18

From: [REDACTED], Boronia St, Kensington
To: Randwick City Council
Subject: The appalling state of Balfour Lane

We have been away from Sydney for a few weeks, came back two days ago, Balfour Lane between Boronia Street and Anzac Parade was very bad before we went away but now it is appalling with a dangerous deterioration of the surface creating an unexceptionable health and safety situation for the hundreds of local people, all ages, who use the lane for access to Anzac Parade, Peters Of Kensington, apart from this The street light does not work making a bad situation even worse at night.

The amount of Graffiti ie multi coloured lines on both Balfour Lane and Anzac Parade is awful.

the Light Rail contractors should be ashamed of the work site. The RCC should pull them up re the total lack of work site tidiness and the removal of health and Safety hazards.

Back in October I/We were spoken too by two people from the PR company representing the Light Rail contractors they were delivering notifications re work commencing (The next day they said) at the Boronia Street entrance to Balfour Lane. I believe nothing happened for a number of weeks apart from a multi series of coloured lines, but now the Boronia street footpath has been dug up filled in and left certainly not back to anything like it was.

I am at a loss as to who I should address this to , In the past I have drawn your attention to the rather bad condition of the lane but was advised by one of your employees that it was "All the light rail contractors fault" I dont care who's fault it is I would just like the lane to be to the same standard as the section between Boronia Street and Kensington Road ,including street lights that work. Certainly it does not make since to completely upgrade the this part of the lane until the SLR people have moved on, but the "worksite" which according to RCC includes Balfour lane is a Health and Safety accident waiting to happen. Perhaps you should just close it!

4/2/18

From: [REDACTED]
To: Council
Location: [REDACTED]
Subject: Report from Snap Send Solve - Road

The Tram tracks are positioned in such a way that an unsuspecting cyclist's wheel will be 'Taken by the hollow, or slot of the light rail Track'. The bikes control will be taken by the slot it's in. At the moment it is un-dealt with by RMS and the builders. It's important to fill the hollow of the track, and to cover the metal smoothly before use, and in final form.

(Photos below)

Thanks in advance



3.7 Tree Removal

The community has raised significant concerns regarding tree removal related to light rail construction work. The most significant event in this regard was the removal of large trees along the northern side of Alison Road in the Centennial Parklands. This removal had a major impact on the visual character of this locality and the community expressed concerns over the impacts on resident amenity, including shade and air quality as well as local impacts on biodiversity and birds and wildlife. The resident concern manifested itself in many phone calls, submissions and protests nearby and on site.

Tree removal on other parts of the alignment has also attracted resident concern and objection, not only the removal of large fig trees such as on the corner of

Wansey Road and High Street, but also other street trees often not as significant in size but with strong connection and importance to nearby residents. A recent example of the latter was the removal of seven street trees in Anzac Parade in Kensington. This removal had significant impacts on this locality and caused great distress to many local residents. Below is an email with photographs associated with this removal. It is worth noting that the tree replacement program (i.e. a condition of the development consent) mentioned in the email has not yet commenced, despite the advanced stage of the project.

9 May 2018 5:00pm

From: [REDACTED]
To: Randwick City Council <council@randwick.nsw.gov.au>
Cc:

Subject: Tree Loss Kensington

You are probably aware of the latest devastating tree loss along Anzac Parade which was not included in the EIS tree mapping.

We understand the works are for storm water.

As Randwick City Council has a Third Party contract with Altrac- could you please confirm:

- Lang ORourke undertook these works (as they hold the contract for such utilities).*
- can RCC make available the contract it holds with Altrac.*
- when will the 8 tree replacement for every large tree start to be planted in the area as per the EIS Title Deeds understanding.*

Thank you for your on going support of the Randwick City residents in what can only be described as a trainwreck of a project or in the Transport Ministers own words " a dog of a project"



3.8 Summary of Let's Chat Meeting

On 3 May 2018, Council organised a 'Let's Chat' session in the Kensington Community Centre for the residents of Kensington, Kingsford and Randwick West. An estimated 100 residents attended the meeting. The meeting was also attended by senior Council officers, ward Councillors and senior officers of TfNSW.

This meeting was organised by Council as a result of continuous questions from the local community about the length of time the project was taking and questions over levels of activity and extensive inactivity on construction sites. At the time, this issue was receiving considerable press coverage due to the NSW Supreme Court case between the NSW Government and Acciona.

TfNSW gave a presentation on the project and then the meeting was opened up for a Q and A from the floor. The following is a summary of the relevant questions and issues that were raised by residents on the night. These questions also highlighted the lack of information provided to residents and business owners.

- Kingsford Chamber of Commerce; Concerns about the impact on business; loss of revenue, loss of income, job loss. How else can TfNSW help the businesses survive until 2020 when the LR is operating? Would appreciate more discussions with Councillors and TfNSW;
- What would happen if a light rail carriage has an accident and they are halted?;
- Is there parking along Anzac Parade?;
- How many buses will be scheduled once the light rail is operating?
- Where are the bus stops going to be once the light rail is operating? Bus stops are too far apart, having to walk further to get to buses;
- How will traffic flow? How many lanes for motorists?;
- Will Council seek compensation for businesses?;
- Tram stops are too far apart;
- When will the parking station near the racecourse be finished and what will be the hours of operation?;
- Inactivity is frustrating and jobs seem to be going to backpackers. Doesn't seem to be a lot of work actually going on along the track;
- More support for the businesses, too many businesses are closing;
- What's happening at the Anzac Parade, Alison Road and Dacey Ave intersection? Is it related to the Westconnex?;
- Work at the old Nine ways and university parking is causing more congestion and parking problems; any planned work on traffic management plans/impact studies ;
- Compensatory planting for the figs? Should be higher than TfNSW is allowing for based on Department of Planning – should be 23 per tree not 8m;
- Concerned about increased traffic on Eastern Ave, buses 302 and 303, speed of cars, especially concerned about safety of children at the playground – please address the issue of the increased traffic;
- Pedestrian crossings, need more for crossing points along Anzac Parade;

- Light rail workers are not being respectful of residents; blocking access, urinating outdoors etc;
- Concern about traffic flow off Anzac into Villiers Street, Kensington;
- Randwick City has reached saturation and streets are congested;
- Concerned about traffic on Cottenham Avenue, cars are being side swiped and damaged, cant park on median strip will get booked but if on the street, it's dangerous;
- State Government should give back to the community – such as community projects for West Ward.

4. BUSINESS

As part of Randwick City Council's response to the construction impacts of the project, Council engaged Mr Chris Bastic as Light Rail Business Liaison Officer in September 2015. Mr Bastic is the primary contact with the local business community as part of Council's attempt to mitigate the impact that the light rail construction has on businesses along the light rail alignment. He works on the ground as Council's first point of contact for businesses along the alignment. He works with Council and liaises with TfNSW to implement business support initiatives to assist businesses during the light rail construction period. Randwick Council's Economic Development Officer also plays an important role in providing support and information to businesses along the light rail alignment.

A considerable amount of this section references correspondence between TfNSW, Mr Bastic, Council and local businesses. Most of the businesses along the alignment in Kingsford, Kensington and Randwick are small owner/operator or family businesses.

Again, it is difficult to make a full assessment of the impact of the light rail on these businesses as they are encouraged to contact TfNSW directly with queries or complaints. Resulting interactions between financially disadvantaged businesses and the government are confidential, with all requests for assistance considered on a case by case basis and all outcomes are subject to confidentiality agreements. Many of the businesses wishing to take advantage of government assistance have expressed their intimidation at meeting the requirements of the assistance application criteria.

From the inception of the project, a fundamental challenge for businesses has been difficulty in planning as lengthy delays have resulted in shifting construction timeframes.

To support business through this disruptive period a number of Groups and Forums were established in 2014 to help minimise the impact of construction. Regular meetings are held where opportunity is given for information sharing. These groups gave business representatives a point of contact in which the operations and concerns of each affected business could be heard.

Public business forums were established by TfNSW across the CBD and South East Light Rail route. They provide an opportunity for businesses to learn more about the project, its potential impacts and how they can best prepare for construction.

Outlined in this section are the groups that were formed with the view of assisting in the implementation of the project overall and Randwick Council's Light Rail Support Plan, endorsed by Council on 29 April, 2014. Excerpts of Minutes from these meetings Council deems pertinent to this Inquiry are included.

4.1 Overview: Chris Bastic, Light Rail Business Liaison Officer

Randwick City Council engaged Mr Chris Bastic as the Light Rail Business Liaison Officer in September 2015. Mr Bastic is the primary contact with the local business community to mitigate the impact that the light rail construction has on businesses along the light rail route. He works with Council to implement business support initiatives and to assist businesses during the light rail construction period. Outlined below is an overview provided by Mr Bastic on the impacts of the light rail project construction phase on business in Randwick City.

The construction phase of the South East Light Rail project has had a considerable detrimental financial impact of every single business along the construction route of Anzac Parade and High Street Randwick.

In the most serious of cases this has manifested itself with the closures of several businesses along the route due to a loss of trade. Several of these businesses include Kensington Sports Store, The Claypot Taverna, and Baby Things Kensington. Kensington seems to have bared the brunt of the disruption more than Kingsford due to its distance from the University of NSW.

In my role as Randwick Councils South East Light Rail Officer I have been visiting all businesses along the route on a regular basis. Initially I visited approximately 150 such businesses on an introductory basis and over time with regular visits I have become very familiar with the various issues that these businesses have been experiencing.

The most damaging of their problems brought upon by the construction zone has been a severe loss of trade causing very real economic hardship. Every single business has advised me of their loss of trade. The most affected are the shopfronts however even the Doctors, dentists, lawyers and accountants which are often located on the first floor of individual premises have advised me of their reduced client base.

Several businesses have confided in me that they have had to borrow money just to keep their business afloat and are concerned that considering the amount of time the project is taking will they ever be able to survive.

TfNSW finally realised this major concern and have implemented a "rent relief" programme which whilst has been welcomed and in some cases saved several businesses from closing although this has not compensated for the full impact of what they have lost.

Other concerns the businesses initially reported to me were the lack of parking spaces available for people to continue to do their shopping at Kingsford and Kensington, however Randwick Councils programme to make more spaces available via angle parking and changed parking time zones has been a success. Although with the mindset of people wanting to avoid the construction disruption within the business centres has in effect turned a lot of former costumers to Kingsford and Kensington away and the demand for parking has been reduced.

The effect of the civil construction in terms of noise, dust and hoardings which block the view of the shopfronts has also been a concern however in reality little can be done to alleviate these issues.

The disruption for the construction phase has also caused considerable uncertainty particularly with the extra year to finish, at least, before completion of the light rail, thereby existing tenants are reluctant to renew their leases which has a knock on effect to other businesses.

*Chris Bastic
Randwick Council Light Rail Business Liaison*

4.2 The Sydney Light Rail (SLR) Business Reference Group

The Sydney Light Rail (SLR) Business Reference Group was established in June 2014 by TfNSW under the terms of the development consent as a consultative group to make recommendations on initiatives that would support businesses along the alignment through the construction period. It was intended that the SLR Business Reference Group would run until the completion of construction of the CBD and South East Light Rail.

Below are the Proposed Terms of Reference for this group:

The objectives of the SLR Business Reference Group are to provide a forum through which:

- The needs of all businesses along the alignment are represented in the development of the project
- Recommendations can be made to the SLR Project Director regarding potential initiatives to support businesses through the construction of the CSELR
- Dialogue between TfNSW, its contractors and businesses is encouraged and supported.

Membership:

- The SLR Business Reference Group will draw members from business associations, industry groups and two nominated members from each local business forum
- All members will be asked to be a conduit of project information for their association business or group.

Meetings:

- The SLR Business Reference Group will meet quarterly per year, or as otherwise required by the Chair
- Agendas will be issued one week before each meeting
- Minutes will be circulated within one week of each meeting
- All recommendations will be communicated to the Project Director and thereby to the Advisory Board.

Concerns about key documents, community issues, the consultation process, signage and communication are regular items discussed at these SLR Business Reference Group meetings.

Below are extracts of Minutes believed to be appropriate to this report. Complete versions of these Minutes can be found on TfNSW's website:

<http://www.sydneylightrail.transport.nsw.gov.au/library#120/163>

Please note, italicised text are Randwick Council's comments.

Meeting 2 (2 September, 2014)

The key issues for Peter Schick (Randwick, Kensington and Kingsford representative) were loss of parking, location of the stops in the south east, compensation for businesses, noise and dust and the negative views in the community.

Meeting 3 (3 December, 2014)

Ross Hornsey, TfNSW, outlined the process for consultation with businesses. Stated information to businesses is currently taking place through notifications, Construction Management Plans, newsletters, social media and project website.

Communication currently takes place through TfNSW place managers for each area and regular discussion forums. Note, the necessity to hold these local public forums was conditioned in the DA approval.

Council notes that these forums were held from 5pm-6.30pm which was a difficult time for business members to attend. These public forums were discontinued and changed to drop in sessions in December 2015 by ALTRAC.

A member commented that it was hard to assess the impact to businesses without knowing the construction program. Ross Hornsey (TfNSW) said the consortium will explain the program to members at the next meeting. Jeff Goodling (TfNSW) spoke about how we may need to tailor business support initiatives for the different areas across the alignment. These Business Support Initiatives were actioned to be a standing item for future Business Reference Group meetings.

Meeting 4 (21 May, 2015)

Angela Vithoulkas (*Vivo Café*, CBD forum representative) expressed her disappointment about not having the construction schedule and this was the general consensus of the CBD group. The group was also disappointed to hear they would not be consulted about the schedule despite attending many meetings for many months. AV expressed her anger at not being able to plan for her business and other members felt the same way. AV expressed that she didn't know if her business would survive construction. Jeff Goodling spoke about being very close to releasing the schedule.

AV questioned the value of the forums. Glenn Bentley, CEO of ALTRAC Light Rail responded by saying they understand businesses' concerns but they want to talk to them about something tangible when they have the details.

Peter Schick spoke about supporting Angela's comments and provided the update from the Randwick, Kensington and Kingsford Business Forum on 12 May. Six key issues were raised including parking; lack of important information about design plans; poor response to forums; trees; community doesn't feel like they're being listened to; and High Cross Park is still not resolved.

John Brady (TfNSW) told the group that the alignment is broken into 31 zones and that works won't all start at the same time.

Meeting 5 (4 June, 2015)

Glenn Bentley (ALTRAC Light Rail) provided an overview of the construction schedule. He said the program timeline information is now available, to give businesses a chance to plan ahead. He said the duration of works in the majority of zones ranges from 8 to 13 months.

Major civil construction works for the project will be completed in April 2018. This will be followed from June 2018 by commissioning the new light rail vehicles. Following a period of commissioning, the CBD and South east Light Rail will open to passengers in early 2019.

Q: Are there open source, publicly available reports on noise complaints?

A: In some cases, yes. If complaints are received, complainants are usually provided with relevant information. It isn't feasible or practical to relocate large numbers of residents, however in some rare circumstances relocations may occur.

Q: What is the process for reporting noise complaints?

A: There is a 24 hour infoline for enquiries and complaints. That information will be carried on to ALTRAC and Transport for NSW and a member of the ALTRAC Community Relations team will be in contact to deal with the issues accordingly.

The community will be kept informed of changes to traffic, transport and access arrangements via signage; letterbox notifications of upcoming works; electronic

material including the use of the dedicated project website, social media, direct emails; and newspaper advertising.

Item 8. Construction Business Management Plan

The general approach to business engagement will include:

Zone Engagement Documents – prepared in consultation with the businesses within each zone, with details of help through construction issues of dust, access and work timing.

Council notes that these documents were not received by businesses in the Randwick Local Government Area.

Q: How are the residents addressed?

A: Residents are addressed through a range of different community engagement strategies, particularly the Community Communications Strategy Businesses are given more individual attention due to their different requirements in terms of impacts they face.

Comment: A member commented that they did not want a large number of meetings over the next two months. They asked why these plans are not yet available. Member commented that businesses had their money on the line and expressed dissatisfaction that consultation on the timing of the project had not occurred. The member commented further that at one hundred and twenty days prior to construction, businesses have not had an economic impact analysis. The member asked why this discussion was happening so late.

A: Businesses and residents require an accurate construction schedule to plan accordingly. There was a significant amount of time taken to plan the construction schedule so as to ensure that it was as accurate as possible.

Comment: Economic impact has not been closely addressed in the CEMP document. The member expressed frustration that information was not made available sooner.

Comment: The proposal to establish a Business Impact Review Group tabled at the commencement of the meeting was further discussed.

Meeting 10 (24 August, 2016) (Draft)

Questions/comments raised:

Zone 30 barriers and hoardings

Action: TfNSW and ALTRAC to investigate business signage in zone 30.

Meeting 12 (9 March, 2017)

Question about if/when hoardings can be taken away in the Kingsford area as there does not seem to be much construction activity taking place.

Hoardings are in place for safety and environmental reasons and are shifted in-line with the works program.

Question about Kingsford businesses experiencing hardship.

The activation program will be revisited for where opportunities may exist. Civil construction will be largely completed this year.

It was noted that further efforts to engage in Kingsford should be undertaken.

Construction Business Management Plan

The Construction Business Management Plan was presented to the Business Reference Group in June 2015 for review as part of the ALTRAC Construction Management Plan suite of documents. It outlines what the agreed Acciona local business liaison responsibilities within the construction zones are. These business responsibilities are also noted on page 6 of the Randwick Light Rail Development Agreement with TfNSW and on page 27 of the Infrastructure Approval which was lodged with the NSW Department of Planning.

From June 2016, Randwick Council's Economic Development Officer, unsuccessfully requested progress information and/or copies of the completed ZED documents (as prescribed in the Construction Business Management Plan) from Acciona. These requests for progress information were initially prompted by enquiries from business owners in Zone 29 and 30 that they had not received any personal visits or had any of their day to day business continuity needs documented or discussed.

When Council first asked about this, the Community Relations Manager from Acciona replied that he was not aware of the existence of the Construction Business Management Plan, although the Stakeholder and Community Relations Manager (ALTRAC Light Rail) had signed off on it in October 2015.

The requests for documentation from Council to Acciona are included below.

7/9/16

From: Economic Development Officer, Randwick Council

To: , Acciona

Cc:

Subject: ZED Zone 29 & Zone 30

Hello

I hope that you are well.

Is it possible to have a copy of the Zone Engagement Document for both Zone 29 and Zone 30 please.

I understand that Council's Light Rail Business Liaison Chris Bastic has requested a more detailed construction timetable than what is included in the Local Access Plan for Stage 01 of Zone 30. I am particularly interested in the timing of the footpath work that will restrict sections of the footpath to 1.5 metres in Zone 30 Stage 01 and the construction management plan for that work as this will have a big impact on the businesses in that section – is it possible to access that information?

Kind regards

13/9/16

From: Economic Development Officer, Randwick Council
To: Acciona
Cc:
Subject: ZED Zone 29 & Zone 30

Good afternoon

Further to my email below.

I realise that it is a very busy time and you may be over extended regarding your responsibilities so if you are unable to provide those documents and more detailed construction information for Zone 30 Stage One could you possibly refer me to a colleague who could provide assistance with this request?

Kind regards

22/9/16

From: Economic Development Officer, Randwick Council
To: , Acciona; TfNSW
Cc: , RCC; , Randwick Council
Subject: Construction Business Management Plan

Good afternoon gentlemen

Further to the discussion this morning please find attached a copy of the Construction Business Management Plan – this is the document that was presented to the Business Reference Group for review as part of the ALTRAC Construction Management Plan suite of documents.

Although still marked Draft it is the current revision on the TfNSW website.

http://data.sydneylightrail.transport.nsw.gov.au/s3fs-public/ALTRAC_Construction_Business_Management_Plan_Rev_E.pdf

I have highlighted some relevant sections for your information.

Kind regards

14/10/16

From: Economic Development Officer, Randwick Council
To: , Acciona; TfNSW
Cc:
Subject: Construction Business Management Plan and ZED documents

Helic

This is just an enquiry regarding my previous mail.

Do you have an update on the Zone Engagement Documents for Zones 29 & 30 and if so can this be information be brought to the ALTRAC/RCC coordination meeting next week.

Were the ZED documents prepared for the other construction zones in the city and if so is it possible to have a copy?

Has there been any progress towards addressing our request to have suitable signage in Kingsford on the outside of the hoarding facing Anzac Parade indicating that it is business as usual for those businesses behind the construction barriers. This request was first raised and minuted at the Business Reference Group meeting on August 24. This is a constant question from those businesses located within Stage 1 and behind the barriers on the eastern side of Anzac Parade and it will also be an issue for those businesses on the western side of Anzac Parade during construction.

Having local business signage on the outside facing sides of the hoarding was discussed and indicated as being entirely possible at the local Light Rail Business Forums held during 2014. Please advise if this is now not possible due safety

issues and/or to contractual obligations regarding only permitting TfNSW branding on the outside of the hoardings.

Kind regards

13/3/17

From: Economic Development Officer, Randwick Council

To: Community Relations Lead, Kingsford & Kensington, Acciona

Cc:

Subject: Kingsford & Kensington Business Liaison

Good afternoon

Further to our conversation on Thursday morning on the Construction Business Management Plan. I am sorry to have wasted your time but I have now decided that it is pointless to keep pursuing this.

Just for your information I have attached a copy of the current document and a link below to the online version.

<http://sydneylightrail.transport.nsw.gov.au/library#68/73>

Although still marked Draft it is the current revision on the TfNSW website and I have highlighted the sections that I was previously interested in following up on.

Some history if you are interested. The Construction Business Management Plan was presented to the Business Reference Group for review as part of the ALTRAC Construction Management Plan suite of documents and outlines what I thought were the agreed Acciona local business liaison responsibilities within the construction zones. These business responsibilities are also noted on p.6 of the Randwick Light Rail Development Agreement with TfNSW and on p.27 of the Infrastructure Approval lodged with the Department of Planning.

Since June 2016 I have been unsuccessfully requesting progress information and/or copies of the completed ZED documents (as prescribed in the Construction Business Management Plan) from Acciona. These requests were initially prompted by enquiries from business owners in Zone 29 and then in Zone 30 that kept stating that they had not received any personal visits or had any of their day to day business continuity needs documented or discussed. No follow ups or KPI surveys either.

When I first asked about this, like you, he was not aware of the existence of the Construction Business Management Plan although had signed off on it in October 2015. did not respond to or acknowledge any requests for copies of the prepared documents. After several months I eventually received verbal information from last November that believed that the ZED documents etc 'would be nice to have' but that they were not a directive under the Development Agreement.

This implies that although the Construction Business Management Plan was endorsed by the Business Reference Group (as directed in the Infrastructure Approval), that the endorsed responsibilities were open to interpretation by Acciona without further notice. This was not the impression given at the Business Reference Group meeting.

I did mention to you that out of frustration I was going to ask for clarification on this at the last week's meeting on 9 March although the opportunity did not arise and I do not think it ever will.

Unfortunately It would seem that to keep making requests regarding this without any chance of response or address by Acciona is just a further waste of time.

Again, thank you for your time.

Kind regards

4.3 Sydney Light Rail Randwick and Kensington/Kingsford Business Forum

The Sydney Light Rail (SLR) Business Forums were established by TfNSW in 2014 to provide a formal opportunity through which businesses active in the area of the light rail alignment could be informed about the project, and could provide input to support businesses through the construction of the CSELR. They were consultative groups and not decision making bodies. It was not a requirement that consensus always be reached among members on issues discussed.

Business Forums may make recommendations to the Business Reference Group Chair. Recommendations from the Business Reference Group may be put to the project team and Advisory Board for a decision. The Board will report these decisions to the Minister for Transport and Minister for Roads and Ports.

The objectives of the Business Forums were to provide forums through which:

- TfNSW and its contractors could provide information on the project, timings of construction and impacts to local businesses affected by the construction of the project
- Local businesses could provide local knowledge and understanding of the needs of businesses in the area that would help support businesses through the construction period
- Local businesses could make recommendations to the Business Reference Group
Members could provide input into a business management strategy to be implemented during the construction
- Dialogue between TfNSW and businesses was encouraged and supported.

The Business Forums were to be held quarterly per year or as otherwise required by the Chair, an independent facilitator.

This business forum consisted of Randwick, Kensington and Kingsford business representatives. Part of TfNSW's role in the Business Forums was to provide updated information on the project, including construction and potential impacts to local community members, and to produce the business management strategy. Participants were expected to contribute by providing local knowledge and information on the community's needs. These public forums were discontinued in 2015 and were replaced by Drop In sessions.

Below are extracts of Minutes from this Forum believed to be appropriate to this report.

Meeting 1 (17 June, 2014)

Jeff Goodling (TfNSW)

Q: What is the timeframe for construction and when will it be communicated to businesses?

A: It is unlikely that any significant construction will occur in the Randwick, Kensington or Kingsford precincts until mid-2015 but specifics will not be known until the tenders are received. When information about the timing and location of construction is known by the project team, it will be communicated as quickly as possible to assist businesses with planning arrangements.

Q: How will businesses survive six years of construction?

A: The end date of the project is 2019/20 but the construction period is likely to be considerably shorter. Additionally, the project team is endeavouring to ensure that construction in front of each individual business is as short as possible.

Some of the proposed actions to mitigate issues arising from construction of the CSELR from members included: visually appealing hoardings that promote local businesses and wayfinding; regular program updates for businesses; anticipated delays to construction timetable; ongoing consultation with businesses before decisions are made.

Meeting 4 – last meeting (12 May, 2015)

Peter Schick, Business Reference Group member for Randwick Kingsford and Kensington and President of the Kingsford Chamber of Commerce, outlined the main concerns of the business community. These included: the lack of information regarding location of stops; changes in bus routes; loading zones and parking; and whether the construction will be completed in sections.

He said it is important to know these things to help businesses in planning ahead, and not at the last minute. Peter suggested that Kingsford in particular will feel the impact of the disruption, and is relying on TfNSW for assistance through the construction.

Glenn Bentley, CEO of ALTRAC Light Rail noted no major construction for the project will be taking place before Sep/Oct 2015, when major construction is expected to start in the CBD. The timing of construction in Randwick, Kingsford and Kensington will be determined once the full construction program is finalised. There is a clear commitment to keep businesses and residents informed ahead of major works in their area, and to minimise disruption.

Q: We appreciate these meetings but are not happy with the lack of response and feedback. We need some information.

A: This is an iterative process and not all information is available at this time. However, it is important to note that the Project team has been listening to and working with the community ... we are starting to talk with business groups about their issues such as dust, access and so on. We are committed to getting more information about the project out soon.

Q: Business and landlords want to see plans. Why can't they?

A: Currently ALTRAC Light Rail is in the initial stages of planning. The early works are helping us determine our program timing and staging. We can't come out too early with incomplete plans. There are over 100 people working on design teams and most have only been working on this project for a month. Additional information will be available in the near future.

Q: Will we get the opportunity to review the plans before they are finalised?

A: The contract says that we have to consult. The Secretary of Planning won't sign off without a robust consultation process. We are thinking about changing the format of these meetings to sit down with the plans in a more consultative way.

Q: What is the timeframe for construction information? Are we guaranteed advance notice?

A: Information will be available in the not distant future. We are required to give advanced notice before any major construction work.

Q: Will the timetable be provided in a week, a month, three months, six months?

A: We expect it would be within a month.

Q: Kingsford is the most affected area, losing 400 car spaces. In four or five years there may be a car park at Rainbow Street, after negotiation with Randwick City Council. I have had my business for 25 years and one of my concerns is that these meetings tick the boxes but we are not getting anywhere. I wasn't going to come tonight for this reason.

A: Discussions with Randwick City Council about parking are on-going.

Q: We are giving up a lot, give us something back.

A: There will be a business engagement plan developed for each precinct. The

consultation regarding this plans will include discussions of issues such as how to maintain access.

Q: What will you do when we can't make ends meet?

A: The government is not providing any compensation. Construction will be a challenge but overseas experience shows that these projects deliver a positive outcome for businesses. Our job is to minimise the disruption and deliver those end-state benefits as soon as possible.

4.4 Sydney Light Rail Randwick and Kensington/Kingsford Community Forum

Below are extracts of Minutes from this Forum believed to be appropriate to this report.

Meeting 3 (10 December, 2014)

Concern the needs of larger stakeholders and institutions are being accommodated but residents and businesses are not being adequately considered. Jeff Goodling said the Sydney Light Rail governance structure, including local forums, aim to give residents and businesses direct access to information and to resolve issues.

General concern from members about the short exhibition period for the planning modifications.

Meeting 4 - Last TfNSW Meeting; ALTRAC responsible moving forward (7 May, 2015)

The Chair noted that following the appointment of ALTRAC to deliver the light rail there is a larger team in place, amplifying the resources available on the ground. It was acknowledged that the light rail project team from TfNSW would continue to work closely on the project together with ALTRAC.

Jeff noted that the TfNSW mission that 'the customer is at the centre of everything we do' extends to property owners and businesses along the route. The timing of construction in Randwick, Kingsford and Kensington will be determined once the full construction program is finalised. There is a clear commitment to keep businesses and residents informed ahead of major works in their area, and to minimise disruption.

4.5 The Community Light Rail Support Plan Committee (CLRSPC)

The Community Light Rail Support Plan Committee is a voluntary committee convened by Randwick City Council comprising resident and business representatives from across Randwick City.

The Committee is one component of Council's overall community consultation framework regarding the State Government's CBD and South East Light Rail Project.

The Committee's purpose is to give Council objective and constructive feedback on how Council can assist locals during the implementation of light rail.

Complete versions of the CLRSPC Minutes can be found on TfNSW's website:

<https://www.yoursayrandwick.com.au/CLRSPC>

4.6 Hoardings and Signage

The issue of hoarding, erected by TfNSW, at the beginning of the light rail construction has never been satisfactorily resolved with affected businesses in

Kingsford and Kensington. These businesses believe that these hoardings gave the general impression that businesses behind the hoardings are not operating during light rail construction.

Local business signage on the outside of the hoardings was discussed as a possibility at the local Light Rail Forums held during 2014. Placing suitable signage in Kingsford on the outside of the hoarding facing Anzac Parade was repeatedly raised by the businesses located behind the barricades on the eastern side of Anzac Parade (Minuted in the Business Reference Group meeting on 24 August, 2016).

On 3 January 2018, Council's Economic Development Officer sent an email to TfNSW, re Kingsford business signage. The email states the hoardings along the eastern side of Anzac Parade in the Kingsford town centre had been there since the 19 August 2016.

They completely obscure the visibility of the many businesses behind the hoarding from the passing traffic along Anzac Parade and the foot traffic on the western footpath side of Anzac Parade. The general impression is that section of the Kingsford town centre behind the hoarding is not operating during CSELR construction.

Multiple requests were made to TfNSW from Council and the Kingsford Chamber of Commerce to have simple signage placed on these hoardings to notify that all shops behind the hoarding are still trading and open for business.

These requests were again voiced to TfNSW by the business owners of Passionflower, Petaling Street and Mamma Teresa at the Kingsford Chamber meeting on Wednesday 30 November 2016. These business owners also voiced their concerns regarding decreasing turnovers since the hoarding went up and CSELR construction began in Kingsford.

After apologising to these business owners regarding the signage delay Mr Brady stated that the signage would be in place by December 14 2016, prior to the peak holiday trading period. This undertaking to have signage in place by December 14, 2016 was expressed by TfNSW at the Business Reference Group meeting on November 29, 2016.

Despite these personal confirmations, at the time of writing this submission the signage is still not in place.

No reason has been provided as to why this repeatedly requested signage has not been produced. This shows the lack of communication and transparency in the business relationship that exists between TfNSW and the Kingsford business community.

3/01/17

*From: Economic Development Officer, Randwick Council
To: TfNSW
Subject: Kingsford Business Signage*

Good afternoon

I trust you are well and have enjoyed a happy and safe holiday season.

For your information I have attached photos of the hoardings along the eastern side of Anzac Parade in the Kingsford town centre taken today, Tuesday, 3 January, 2017 at 12.30pm.

As you know these hoarding have been there like this since Friday, 19 August, 2016. They completely obscure the visibility of the many businesses behind the hoarding from the passing traffic along Anzac Parade and the foot traffic on the western footpath side of Anzac Parade. The general impression is that section of the Kingsford town centre behind the hoarding is not operating during CSELR construction.

As you also probably know over the past four months there have been multiple requests to TfNSW from Council and the Kingsford Chamber of Commerce to have simple signage placed on these hoardings to notify that all shops behind the hoarding are still trading and open for business.

These requests were again voiced to you personally by the business owners of Passionflower, Petaling Street and Mama Teresa at the Kingsford Chamber meeting on Wednesday 30 November 2016 – these business owners also voiced their concerns regarding decreasing turnovers since the hoarding went up and CSELR construction began in Kingsford.

After apologising to these business owners regarding the delay with the signage you stated that the signage would be in place by December 14 prior to the peak holiday trading period. This same undertaking to have signage in place by December 14, 2016 was expressed by you at the Business Reference Group meeting on November 29, 2016.

Despite those personal confirmations the signage is still not in place.

I realise that obviously there are good and valid reasons as to why this repeatedly requested signage has not been provided otherwise it would be there - but the lack of communication and transparency as to those reasons is unnecessarily compromising existing relationships with the Kingsford business community.

Please advise if indeed it is not possible to provide any additional signage on the hoardings so that this issue can be simply resolved.

Regards

Note, no response was received by Council from TfNSW. A follow up email was sent a week later, again no response.

Small signage was placed at intervals inside the hoardings, however, this proved a problem as no one could see any of the shops from the street. To traffic, businesses looked closed on the Eastern side of Anzac Parade so signage telling shoppers to 'grab a bite' was ineffective.

Businesses simply requested signage stating that all shops were still open for business.



Hoarding, front of 'Passionflower and 'Petaling Street'

4.7 Business Impacts

12/5/16

From: [REDACTED]

To:

Subject: CSELR – Construction Update Zone 29 – Anzac Parade between Todman and High Street Randwick

Hi

Just an update on the first few days of trading since works have started, we are 29% down in income on this time last week. The government advertising on the radio to avoid the area is definitely working. I have contacted my insurance guy as this is a major concern as this is normally our strongest time of the year and he mentioned that it would be very hard to get some sort compensation for disruption insurance (which I recently upgraded too) as that would the insurance company is dealing with the government and its very difficult to claim, is there any particular person or body my insurance company could talk to about this ??

Regards

26/8/16

From: Randwick Council
To: TfNSW, TfNSW
Subject: Anzac Parade Hoardings

Good Morning Gentlemen,

On Wednesday night, Council representatives attended the quarterly Light Rail Business Reference Group Meeting in the city.

As you know the parking was permanently removed along Anzac Parade in Zone 30 on Friday 19 August and a construction zone has been established on the eastern side of Anzac Parade that is fenced off with tall hoarding's in place creating a barrier where the shops cannot be seen.

TfNSW had advised that printed screening mesh would be used to cover the barriers with a message advertising the Light Rail and some messages about Sydney's Future and that Kingsford was still open for business.

These were meant to be in place when the hoarding went up however are not ready due to a change of hoarding size causing a delay of at least three weeks.

The tall plain hoarding obscures all the businesses behind it from Anzac Parade and gives the impression that the entire section is closed off with no access.

At the meeting Council's representatives advised TfNSW of Council's concerns regarding the lack of signage indicating that Kingsford is still open for business and that already we have had feedback from businesses owners that customers thought that businesses were closed.

Council officers have visited several businesses on the eastern side over the past few days all of whom have indicated that there is a drop in business turnover.

At the meeting it was requested that TfNSW as a matter of priority place temporary signage on the hoarding indicating that it was business as usual. It was also suggested that TfNSW get in a sign writer or corflute signs attached to the hoardings simply saying "KINGSFORD SHOPS STILL OPEN

FOR BUSINESS". Marg Prendergast said that she would do her best to have some temporary signage up along the new hoarding.

Can I ask that you follow this matter up as a matter of urgency and advise what is being done to address the issues identified above.

Regards,

15/3/17

From: Nick Zisti, Khing Tha
To:
Subject:

Hi

I'm really starting to struggle now, since Christmas I have not been able to make money and I have now ran out of money, I am trying to hang on but I'm at loss now as my lunches have been horrible and some dinners are not what they used to be and now I am considering closing at least 3 lunches and one dinner now but what will happen is I will lose good staff as I will not have enough hours for them which will have a big impact on my restaurant, I am now behind on my tax and super and also just hanging on with suppliers, is it possible to get some sort of support from you guys, I have not it anyway sat on my heels as you know I've tried everything to combat this light rail by spending a lot of money on marketing by trying to improve my home delivery In case people decided to avoid the area, please I have a very young family of 3 kids and I'm seriously struggling for the first time in my restaurant since I opened 7 years ago but now I am getting desperate.

Regards
[REDACTED]

5/7/17

From:
To: General Manager, RCC
Subject: Fwd

Hi

I thought I would bring this matter to your attention.

I have worked with [REDACTED] from the beginning of my appointment. [REDACTED] is the proprietor of [REDACTED] Restaurant near the corner of Anzac Parade and Doncaster Avenue. He is a married man with 3 young children.

[REDACTED] did more than any one to prepare for the construction phase of the Light Rail such as increasing his restaurants social media profile, distributing thousands of brochures, more signage for his restaurant, reducing his prices, offering specials and much more. However unfortunately to no avail.

I know that there is little the Council can do to assist him however I wanted to alert you to an example, which is not isolated, of the serious downturn in business along the Light Rail Construction route.

Let me know when your free to discuss and to update you on my activities.

best wishes

15/3/17

From: [REDACTED]
[REDACTED]
To:
Subject: [REDACTED]

Dear

How are you doing..? I hope you are well also all family and friends. It's [REDACTED] here the owner of [REDACTED], I am emailing you to express how badly I have been affected by the light rail project, the barriers in the middle of anzac pde, made my shop totally invisible and hard to be accessed for customers from the other side, also made the shop a great place for shoplifters and rubbery at night. Sales went down to lower than half, 3 stuff been left, lots of expiry, can't afford to pay the rent or cover the expenses, also it has made it hard for salespersons and deliveries.

I have sent many emails to Acciona, asking how long it will last .?? I haven't got any answer, I have requested a pedestrians crossing close to the shop so at least I can survive till they finished, I haven't got any reply. They introduced the business connect program to me which it was totally useless, I emailed them after and I haven't got any reply.

Currently, I am in a bad situation, and about to close down soon if I no one wants to support the small business.

Kindest Regards
[REDACTED]

Local Press Coverage

Kensington and Kingsford businesses closing because of the light rail construction

Rebecca Franks

'Southern Courier'

August 30, 2016 12:00am

BUSINESS owners in Kensington and Kingsford have reported huge drops in trade and some are moving out or going to move after parking was removed in both directions on Anzac Pde.

Happy Wheels bike shop has moved, Angelo's Portugalia has closed, BD's Fine Foods has relocated to Maroubra, Kenso Sports is closing, Baby Things is moving to Zetland after 22 years and Eastside Flooring's owner is considering selling.

Parking was removed between Todman Ave and High St in May ahead of the light rail construction start date.



NSW student Wallace Lam works part-time in 2B Sport on Anzac Pde and said some days there are no customers, or just one or two. Picture: Phillip Rogers

Stewart Campbell, owner of Happy Wheels, said he had been at Kensington for four years before closing down last month and reopening at Waterloo three weeks ago.

"The parking was zero so no one could stop," he said. "It was quite hard for customers to visit and the walk-by traffic outside the shop was virtually zero."

Last month, Urban Walkabout released a Kensington guide to highlight businesses and show that "this precinct continues to thrive", Transport for NSW's CBD co-ordinator general, Marg Prendergast said.

But Stuart Owens, owner of Eastside Flooring which has been at Kensington for 16 years, said he was thinking of selling up.

"Parking is a nightmare," he said. "Mums and dads are the people who buy flooring and they do not bring it back on a tram."

"I will probably sell and move on, go somewhere else."

"People do not know that we are here, they cannot see from the other side. I put a board outside my shop and got fined \$300 for trying to advertise my business."



Mike Nolan, who works in Eastside Flooring, said he has noticed a lot of vacant shops up and down Anzac Pde in the last six months which he believed was partly due to the light rail. Picture: Philip Rogers

UNSW student Wallace Lam, who works at 2B Sports, which sells and repairs badminton racquets, said it was more difficult to park with the building of the light rail.

"We used to have 10 customers visiting a day. Normally now, we get no people or one or two," he said.

Rosa Colagrossi, owner of Kensington Pharmacy and Newsagency, said she had been forced to lay off casual staff to cut costs.

"Thankfully we have loyal customers and our delivery service is doing well," she said.

"But the convenience factor has gone, people are anxious before they even come down here."

Barbara and Max Kaler, both aged 78, who have owned Baby Things for 16 years, said their main trade was selling, hiring and fitting baby capsules and car seats but takings had dropped by a third after light rail construction started.



Baby Things has been in Kensington for 22 years and Barbara and Max Kaler, both aged 78, have owned the shop for 16 years. The shop is moving to Zetland due to the lack of parking. Picture: Phillip Rogers

Mrs Kaler said it was too hard for customers to work out how to access the shop by car so they missed a lot of passing trade while those who had booked in for a fitting often gave up and went somewhere else.

"It's just awful and it's killing us," she said. "Now we are relocating to Zetland to build up the business again so we can sell it and retire."

Pat Ploysarak, owner of Perfect Stitches Alterations and Dry Cleaning, said her takings had dropped by half but planned to stay until her lease ran out in 2018.



Nee Wud and Pat Ploysarak, owner of Perfect Stitches Alterations and Dry Cleaning, said she was thinking of relocating after her shop lease runs out. Picture: Phillip Rogers

A Tale of Two Cities

IT'S the tale of two cities at Kingsford where businesses are starting to feel the pinch of road closures, loss of parking and noisy construction as the light rail project rolled into town.

It's the city before light rail construction began and the city after.

While wet weather delayed the start of construction, it started in earnest a week ago and shopkeepers were bracing for the worst after parking was removed and Anzac Pde was turned into a 24-hour clearway on both sides.

Zack Cao, owner of Kingsford Newsagency, said his trade had dropped by 50 per cent since parking was removed from outside his shop as he missed out on customers dropping in to buy a paper or a scratchie.

"Two streets have been blocked off so no cars can come in," he said. "I have been here about 2½ years. I will stay until the lease runs out in May next year and decide what to do."



Zack Cao, owner of Kingsford Newsagency, says trade had dropped by 50 per cent since parking outside his shop was removed.
Picture: Rebecca Franks

Michael Luong, manager of Sunrise Kingsford Supermarket, said business had been “pretty quiet” the last week, which he put down to construction and a lack of available on-street parking.

“This is the effect on business,” he said. “At the moment we are okay but probably it will get a bit more messy but what can we do?”

Jenny Jiang, owner of Kingsford Discount which has been in Anzac Pde for 10 years, also reported a drop in trade but said it may be down to a combination of construction and wet weather.

“We do not know what will happen yet,” she said. “This week it (construction) started, about five days ago. There is a lot of noise.”



Sunrise Kingsford Supermarket manager Michael Luong with owner Jason Yee who are worried about the impact of the light rail on their businesses.
Picture: Rebecca Franks

Theo Parzakonis, who owns a barber’s shop in Meeks St which has been blocked off to traffic and will be turned into a pedestrian plaza, said he did not think it would affect him too much as he had a loyal customer base.

“I thought in the beginning it would,” he said. “I think the residents are feeling it, especially with parking being taken away.”

4.8 Financial Compensation: Assistance Program for Small Business

The Small Business Assistance Program assists small businesses on the light rail alignment who believe they have been impacted where construction is taking longer than initially advised. Randwick Council is not directly involved in this program, and all negotiations are between individual businesses and TfNSW.

On 17 May 2018, Randwick Council's Economic Development Officer, received an email from Ms [redacted], Sydney Coordination Office, TfNSW regarding TfNSW's Assistance Program for small business. This *E-bulletin for applied and received assistance* was the first correspondence Council's Economic Development Officer had received regarding this assistance program.

Below is a copy of Ms [redacted] email and Council's reply:

17/5/18

From:
Office, TfNSW

Sydney Coordination

To: Economic Development Officer, Randwick Council
Subject: Assistance Program for Small Business

Dear stakeholder

Please see below for information about our Assistance Program for small businesses, for your information. Please let me know if you have any questions regarding this. Please feel free to share with your networks.

E-bulletin for applied and received assistance

Supporting small business is a priority of the NSW Government.

We acknowledge businesses along the light rail route have experienced a greater length of disruption than anticipated, which is why the Small Business Assistance program was established.

The Assistance Program provides an ex-gratia payment to help with the rent and other bills of eligible small businesses on, or in close proximity to, the light rail alignment and located in a zone where construction is taking longer than initially advised.

To date, the NSW Government has offered financial assistance to more than 57 small businesses through this program.

While applicants will continue to be considered on a case by case basis, Transport for NSW has changed the criteria to allow for more flexibility in how businesses are assessed. We are now making the program available to small businesses with up to 50 employees.

Transport for NSW will continue to support businesses who believe their operations have been negatively financially impacted by the construction delays for the duration of the construction period. This includes providing if further ex-gratia assistance to businesses as appropriate. If you believe your business warrants a further review please contact us on

For more information about the Small Business assistance program and other business support including professional services provided by Business Connect please go to <http://sydneylightrail.transport.nsw.gov.au/business-and-community>

Regards

25/5/18

*From: Economic Development Officer, Randwick Council
To: TfNSW
Subject: Assistance Program for Small Business*

Good afternoon

Thank you for the updated information on the Assistance Program for Small Business.

I attended the Minister's meeting on Wednesday evening and the Minister did ask for ideas on how the government could further assist small business during the extended construction period.

As you know most of the businesses along the alignment in Kingsford, Kensington and Randwick are small businesses with many run by owner/operators or families. Although there have been regular local Light Rail Forums and information sessions, mostly due to time restraints these meetings and information sessions have not been well attended by representatives of the majority of the affected businesses.

Due to this many businesses are still unaware of the availability of government assistance or if they are aware through second hand information they are intimidated regarding the process. This is supported by the relatively small number of businesses that have received assistance relative to the large number of businesses along the alignment.

As Council officers we can direct businesses to the email address and the phone number below but as requests for assistance are considered on a case by case basis and also as all interactions between financially disadvantaged businesses and the government are confidential we are unable and not authorised to fully explain the process or give advice. This can only be done by the government officers running the program.

In order for all of our of our Kingsford, Kensington and Randwick businesses along the alignment to be aware of the Small Business Assistance Program and for them to be in full knowledge of the qualification criteria and the application process I would like to request for the Small Business Assistance Program team to visit Randwick City to provide an opportunity for these businesses to communicate directly with them on a one to one basis. This could be done perhaps through an information drop in session or information hub/stall in Meeks Street over several days.

Council would be very happy to assist with a venue/location and with the prior distribution of notifications within the Kingsford, Kensington and Randwick business community regarding the opportunity.

Kind regards

Businesses affected by the light rail route, however, have been seeking compensation a substantial period before Ms Carr notified Council a small business assistance program was available. Construction time, car parking issues and the public not knowing whether businesses were still operational have been considerable contributory factors resulting in a loss of customers.

Below is an email sent to Mr Bastic in 2016 from a restaurant seeking compensation to help their business survive. Council in turn addresses the problem with senior Council staff.

24/11/16

From: Economic Development Officer, Randwick Council
To: Landscape Architect, Randwick Council
Cc: Manager Strategic Planning, Director Finance & Financial Services,

Subject: [REDACTED]

Hello

forwarded the mail below this afternoon.

The communication methods and channels Acciona and TfNSW are currently using in Kingsford/Kensington are either not adequate or not working. Most of the business owners in both areas still do not have a clue what is going on – nor do they have any contact details other than ours to try and find out.

The businesses on both sides of Anzac Parade need and deserve to know at least the current estimated time of how long there will be construction in front of their business premises and how long it is anticipated that the hoarding will be in place completely blocking the visibility of their business premises from Anzac Parade.

Can we please ask for specific details of the current Zone 30 construction stages and timetables to be provided at next week's coordination meeting and for that information to be distributed to all affected businesses along with the contact details of who to contact at Acciona or TfNSW should they have any questions or issues?

Kind regards

Begin forwarded message:

*From: [REDACTED]
To: Randwick Council & [REDACTED]
Subject: [REDACTED]*

Dear Sir/Madam

As you know the light rail project has started on Anzac Parade. One of the major construction sites is exactly front of our restaurant. By blocking one side of the road and leading the traffic to the other side, using big and tall fans to cover the construction site, it makes it almost impossible for the pedestrians and the flowing car's passengers to realise that our restaurant even exists, many current customers call and ask if we are still operating.

Another major problem is the car park, many customers complain that how hard is for them to find a car park and they prefer to go somewhere else instead of wasting their valuable family time for finding a car park.

Something that make us very sad is that the Randwick council has printed many guidedness for the current shops in Anzac Parade with nice pictures and interviews but all these are about asian restaurants while we and [REDACTED] are the only euoropian style restaurant in the whole area.

All these have had a very big impact on our business and the number of our customers has dropped dramatically since the project have been started. We have decreased our staff and have been paid from our pocket for the rent and other staff members wage.

We are seeking some compensation from the goverment or Randwick council to help our business in these hard days to be able to survive.

Please find attached few pictures from the construction site.



Photos of construction site, Anzac Parade, Kensington

Not only has the Project had a significant financial impact on businesses in the Randwick, Kensington and Kingsford area, more difficult to quantify are consequences incurred regarding reputation.

Representatives acting on behalf of the owners of short-term accommodation in Randwick, for example, have approached Council with concerns regarding loss of revenue due to detrimental reviews on social media. They believe these reviews are a direct result of roadworks from the Project resulting in excessive noise, lack of parking and access difficulties.

Below is the letter, and accompanying online review screenshots, from the relevant hotel and subsequent correspondence.

2/3/18

From: [REDACTED]

To: Councillor

Subject: [REDACTED]

Good evening

Attached is a further letter that has been sent to me by the owners of the 2 Lodges based in Randwick who have been badly affected by the light rail construction.

Can you please forward it on to the Appropriate Authorities so that the matter can be dealt with?

Please advise on this matter

Kind Regards

Begin forwarded message:

From: [REDACTED]

To:

Cc: [REDACTED]

Subject: [REDACTED]

Dear

Thank you for your email. Please see attached letter addressed to light rail and complaints regarding [REDACTED] due to light rail noise. Will you send these on or do you have a name we can send them to.

thanks

[REDACTED]

██████████
██████████
██████████ Randwick, NSW 2031

February 12, 2018
Re: The Light Rail Project

Dear Sir or Madam

We are writing to in regards to current light rail project, which is creating an extremely upsetting experience for our guests. As a result it has become a very costly experience for the Hotel in the form of loss of revenue and damage to Hotel reputation. We believe the hotel has been more than accommodating in every aspect of working with the light rail and want it to be completed as quickly and efficiently as possible. We are also concerned about the extra noise it will cause once operational. I also believe given the scale of work and the amount of revenue lost the hotel is entitled to compensation for the above-mentioned losses both from a monetary and reputation standpoint.

During the construction work of the Light Rail Project the hotel has experienced a large decrease in occupancy. This has led to large losses in revenue, as I'm sure you can understand given that is a small business and this has had a massive effect to not only the Hotel Owners but also staff in the form of increased financial pressure.

We have also experienced a large amount of online reviews complaining about the road works. These reviews have a grave effect on the Business reputation. Thus can potentially have a more long-term effect on the hotel. Creating difficulty in being able to remain a competitive hotel within the area and generating bookings even once the light rail is completed. (a sample of reviews have been attached).

We look forward to working with you shortly to attempt to reach a mutually beneficial outcome to allow the ██████████ Hotel to continue to provide not only local employment, also to provide much needed quality accommodation, particularly for hospital patients, their families and business clients to the Randwick area.

Please call me at ██████████ at your earliest convenience to discuss the matter in further detail.

Sincerely,

██████████ –acting on behalf of owners ██████████ and ██████████
HOTEL MANAGER
██████████ Hotel

+

Hi

A guest have just checked-out and complained about the noise from the road work last night saying we should have put them in the back since we knew there were work on the road. He wants the manager to call him. Here is his phone number: [REDACTED] His name is [REDACTED] They stayed in room #13.

Another guests have also complained but they were not as angry as him.

Dear

Today Ms. [REDACTED] checked out, she was complaining the road work was happening the whole night and it was very noisy. She was not able to sleep due to that, as a result she was looking for a compensation as a complimentary room for the future or a discount.

She can be contacted at [REDACTED] or by [REDACTED]@bigbond.com

If she is not contacted, she told me that she will put a bad review in Trip Advisor.

Perfect location for UNSW access

Location was perfect for my needs, and walking to UNSW was quick and easy. The room was very small, but AC worked which was nice. Lots of roadworks going on which was quite noisy

DISASTER ZONE

If you are driving to this property DONT book it is a nightmare, the entrance to the property is in High Street which is having major roadworks done. If you think you will get a car space to park forget it, they only have four and they keep the gate locked. Parking in the streets around the area is impossible as it opposite the Prince of Wales hospital!!

Anyway most streets have parking meters. We found it impossible to park and cancelled accommodation which cost us!!!!

OK accommodation - noisy roadworks at night.

The room was small but clean, bed was comfortable and the bathroom clean. No problem with the service. Pre-arranged a car park and got one. Central to Randwick so food and shops are a short walk away. They advertised Foxtel but don't appear to have it. There's a communal kitchen and pay laundry and they are clean. I didn't like that there was no warning about roadworks day and night immediately outside.

Convenient

Trying to make our arrival time before reception closed but were stuck in city traffic the blenheim rang us to check on arrival time, they were great told us our key was in the box but we got there just before closing. Staff were great and helpful. Close to everything needed with regards to medical appointments. Great bed which was very comfortable, same with the doona and pillows also shower was excellent and hot. Bad points are blind do not make the room dark so sleeping is difficult also while there they are doing roadworks in High Street which appears to have been ongoing for some time. Only 4 car parks but we were lucky to get one.

Thank you for sending confirmation of my booking this week.

I did call several times on the weekend but was unable to contact anyone, I did leave a message but have not received a reply.

Can you please ensure that my husband and I are located in a room as far away as possible from the noise of the light rail installation, as he will be having procedure done in Prince of Wales, and cannot be kept awake at night.

Please come back by email to confirm that you can make this arrangement.

Thank you

26/3/18

From: TfNSW
To: Manager Strategic Planning, Randwick Council
Subject: Light rail affecting lodging houses - [REDACTED]
[REDACTED], Randwick

Dear

Thank you for bringing this matter to our attention. [REDACTED]
[REDACTED] is a known stakeholder to the project with both TfNSW and Acciona in regular contact with [REDACTED] and the management staff of both the [REDACTED].

Following receipt of this email, Acciona and TfNSW went to meet with [REDACTED] and the owners of the hotels to discuss the issues raised and what could be done to mitigate the impacts of construction.

A summary of the discussion is as follows;

- Acciona will ensure Traffic controllers are facilitating hotel guests parking in the compound
- Acciona will conduct noise and vibration monitoring at [REDACTED] and work with the management to consider respite and further noise mitigations during future night works
- TfNSW has referred the business to the Business Assistance team for follow up
- Acciona and TfNSW will continue to work with the hotels to keep them informed of all upcoming works and work through any issues as they arise.

Please let me know if you require further information.

Regards

5. CONCLUSION

This submission provides valuable insights into the impacts of the light rail project on the residential and business community of Randwick City. The effectiveness of communication and mitigation measures is also outlined in this submission and the perspectives of the broader community provided, through emails, correspondence and various forums.

The impacts on residents and businesses of a construction program that has now been running for over 2-3 years in Randwick City is significant. Many residents are being faced with day and night construction impacting on their local amenity, sleep and quality of life. Effectiveness of mitigation measures is difficult to measure, however feedback received indicates that it is inadequate and the process is difficult and leaves residents out of pocket for extended periods.

Impacts on residents have been and are significant, such as parking, dust and vibration impacts and poor construction worker behaviour. The cumulative impacts of all this on residents is difficult to measure but should be considered as part of this Inquiry. Impacts of tree removal on the amenity of residents is also part of this overall impact of the construction process.

The impacts on businesses, particularly in Kensington and Kingsford has been significant. The direct construction impacts on Randwick Junction has been limited to High Street, High Cross Park and environs. The most immediate impact was the loss of parking along Anzac Parade and on High Street. Council's parking offset strategy replaced some of this parking through provision of angled parking in side streets, however the proximity and associated convenience was lost.

The most extreme impact on town centres has been the closure of businesses as outlined in the submission by Council's Light Rail Business Liaison Officer (see Section 4.1). Loss of trade and disruption of foot traffic resulting from construction activity are other significant impacts, with every business feeling the impacts of the construction activity. The issue of uncertainty as to how long the construction phase is going to continue also affects business decision making processes.

The impact of the rent relief program introduced by TfNSW is difficult to measure. Agreements reached are between business owners and TfNSW and the payment amounts being confidential. Obviously any financial relief to businesses would be welcomed, however the timing of the introduction of the process and the equity of application along the alignment should be considered by the Inquiry.

Finally the effectiveness of communication is an important factor. Many mechanisms have been established to communicate with sections of the community, as well as newsletters and hotlines. Despite this the community have consistently raised poor communication as an issue, particularly when it comes to construction activity and in particular, night work schedules. The question as to how long the construction works are going to last has been raised by the community for some time, with little clarity until recently, with the announcements around the timetable for the removal of construction barricades. This has created a great deal of uncertainty and it has been clear for some time that the March 2019 completion date was unrealistic.