

**Submission  
No 204**

## **INQUIRY INTO IMPACT OF THE WESTCONNEX PROJECT**

**Name:** Mr Paul De Gabriele

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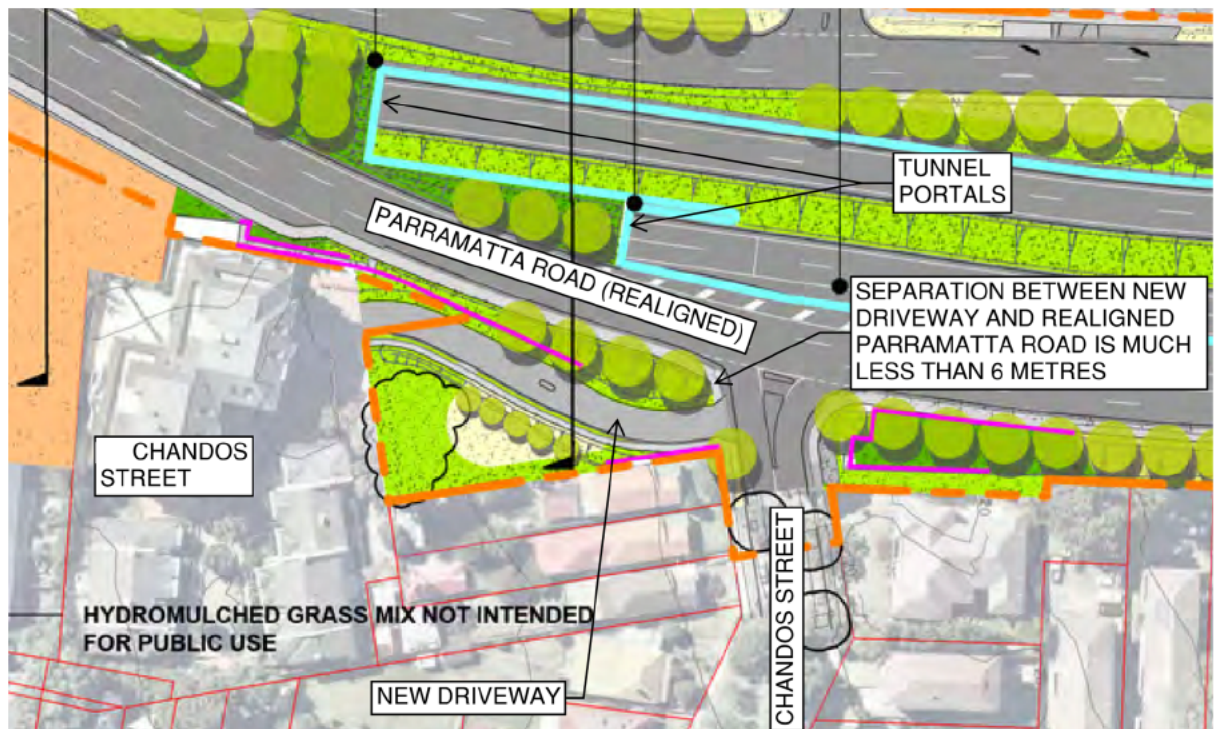
Submission to the Inquiry into the impact of the Westconnex Project

I wish to inform you of the impact that the Westconnex project has had on the remaining properties adjacent to the Parramatta Road Interchange, particularly that on Chandos Street. Chandos St is a property containing 56 residential lots, including apartments and townhouses.

For the Westconnex project, RMS has compulsorily acquired the pre-existing driveway of Chandos Street. RMS has compulsorily acquired some pre-existing adjacent residential properties, demolished housing, diverted Parramatta Road and constructed a new driveway for Chandos Street.

1. The new domestic driveway exit that has been constructed is within 6 metres of the realigned Parramatta Road. This is not compliant with Australian Standard AS 2890.1, which is the relevant document for off-street parking facilities. Note that in the new arrangement, drivers exiting the new driveway will be required to exit left. Due to the non-compliant distance between the driveway exit and the realigned Parramatta Road, the risk of a collision between vehicles exiting the driveway and pedestrians crossing Chandos Street is high. The new intersection proposed to be constructed between Chandos Street and the realigned Parramatta Road is to include a pram ramp and pedestrian refuge; it is clearly intended that pedestrians cross Chandos Street at this intersection.

The pre-existing driveway was compliant with AS 2890.1. RMS claims that it would be impractical to comply with AS 2890.1, due to the limited street frontage remaining in the acquired land for the new driveway. This is clearly a fallacious argument because RMS have acquired numerous properties for the project, including those on which the new driveway was constructed. RMS has elected not to acquire the land necessary for them to comply with the Australian Standard and stubbornly refuses to take action to implement an arrangement that would comply with AS 2890.1. RMS refuses to permanently close the intersection of Chandos Street with Parramatta Road in this location, which would be a means of complying with AS 2890.1 in this instance.



Non-Compliance with AS 2890.1

2. The pre-existing private footpath, running adjacent to the driveway, was separated from the driveway by 700mm and tree plantings. In the new arrangement, the clearance between the driveway and the footpath varies between nil (at the street end) and 0.8m. There are no trees planted between the footpath and driveway, and nor is there sufficient space for new trees to be planted here. The new driveway is curved, whereas the pre-existing driveway was straight. This is clearly more dangerous for pedestrians walking on the driveway.
3. I make the following additional comments with respect to the proposed driveway at Chandos Street:
  - a. The proposed driveway does not address the existing garbage collection methodology, which involves the garbage truck reversing into the driveway and retrieving bins from the secure driveway. The ability of a garbage truck to reverse into the driveway or to turn around within the driveway would be removed in the proposed arrangement, due to the new traffic island and proximity of Parramatta Road.
  - b. There is no area within the proposed driveway for delivery vehicles to turn. This is inferior to the pre-existing situation.
  - c. There was a masonry fence on the southern side of the driveway; the construction of a masonry fence was a condition of consent for the original construction of the residential complex at Chandos Street. RMS are refusing to reinstate a masonry fence on the southern side of the new driveway.
  - d. The pre-existing driveway gate, footpath gate, and letter boxes were adjacent to the driveway entrance. The new driveway gate, footpath gate, and letter boxes are now more than 25m away from Chandos Street. The majority of the driveway will not be

on the secure sides of the gates and will be effectively secluded, which will increase the security risk considerably. The consideration of surveillance, including natural surveillance, is a principle of Crime Prevention through Environmental Design that does not appear to have been applied to this design.

- e. Access in and out of Chandos Street can be accomplished only with left turns. This will result in much greater use of Parramatta Road by the residents of Chandos Street.
  - f. The proposed driveway, with the gates located more than 25m away from Chandos Street, will enable cars to illegally park in the driveway. In the pre-existing arrangement, the location of the gates prevented this issue.
4. The realignment of Parramatta Road to facilitate the tunnel portals at the Parramatta Road Interchange has resulted in a significant increase in noise at numerous residences between Orpington Road and Bland Street, and particularly at Chandos Street (SP66454), which contains fifty-six residential lots. The realignment of Parramatta Road has resulted in the distance between the nearest point of the roadway and the apartment building at Chandos Street being reduced from approximately 40 metres to approximately 6 metres. As forecasted the EIS, the effect of the reduction in distance to Parramatta Road has been compounded by the demolition of existing noise screening provided by adjacent buildings that have been acquired and demolished to facilitate the Parramatta Interchange.

Chandos Street is identified in EIS Vol. 2C App. I as a receiver considered for additional noise mitigation, due to the triggering of at least two of the NMG criteria:

- 1. The predicted noise build noise levels exceed the NCG controlling criterion and the noise level increase due to the project is greater than 2dBA; and
- 2. The cumulative limit for additional noise mitigation is exceeded.

EIS App. I Clause 14.20 states that “Noise barriers have been considered in this assessment, however, based on further feasible and reasonable considerations the barrier may potentially sterilise future use of the adjacent land by restricting visibility and/or access. Therefore, consideration of at-property treatments for the triggered receivers instead of a barrier have been recommended and are to be further considered during detailed design.” The omission of noise barriers has resulted in a significant increase in noise on terraces and balconies in Chandos Street that will not be mitigated by any of the at-property architectural treatments proposed by M4East. This has caused a major reduction in amenity for all of the affected properties. In essence, the EIS is justifying the omission of noise barriers by reference to the impact on the value of land that the State has or will acquire as part of the Westconnex project. The EIS proposes that existing residents suffer loss of amenity in their property to avoid future impacts that “may potentially” occur on unoccupied adjacent land, the future use of which the EIS is silent. This represents a subordination of the health and amenity of existing residents to the commercial management of land acquired by the government.

RMS and M4East have refused to construct acoustic barriers along the realigned Parramatta Road. An acoustic wall consisting of clear acoustic panels or similar material should be constructed along the verge between Chandos Street and the realigned westbound lanes of Parramatta Road. Such barriers have been constructed by RMS in other locations in Sydney, such as at Syd Einfeld Drive.

The Operational Noise and Vibration Review (ONVR) was required to be prepared and released to the public within 6 months of the commencement of construction, unless otherwise agreed to by the Secretary (Compliance Tracking Program, M4E-ES-PRC-PWD-00687, Minister's Conditions of Approval). The ONVR was finalised on 15 August 2018 and subsequently released. RMS refused to publicly release any of the draft versions of the ONVR. The fact that important decisions have been made regarding noise mitigation without the ONVR having been finalised or released to the public is a disgrace to those responsible for the Project.

I am aware that the Owner's Corporation for Chandos St (SP66454) have sought the advice of an independent acoustic consultant regarding the ONVR and some form of acoustic mitigation has been offered by RMS/M4East. However, due to the fact that the ONVR was only finalised on 15 August 2018, I am unable to submit to your Parliamentary Inquiry any opinion on the contents of the ONVR. The fact that the ONVR was finalised 16 days before the closure of submissions to your Parliamentary Inquiry will undoubtedly hamper the ability of the public to make submissions in this important matter.