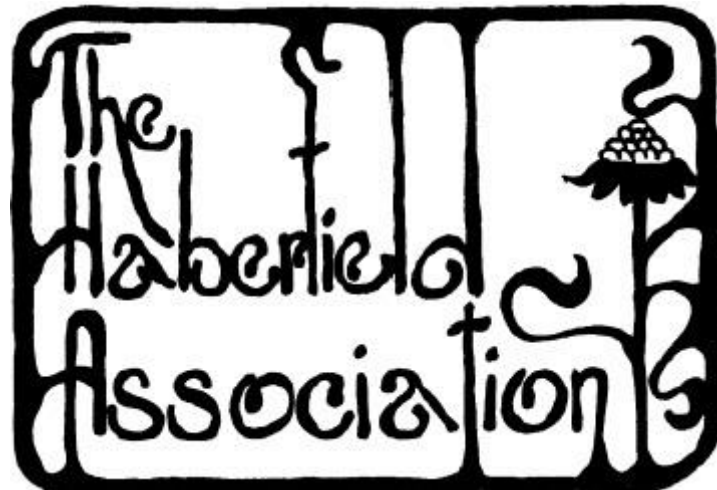


INQUIRY INTO IMPACT OF THE WESTCONNEX PROJECT

Organisation: Haberfield Association

Date Received: 5 September 2018



Haberfield Association Submission to NSW “Inquiry into the impact of the WestConnex Project”

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NSW Parliament
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Sydney, NSW 2000

Submission: Impact of the WestConnex Project Inquiry

| This submission has been prepared by _____ on behalf of the
Haberfield Association,
email:

As residents of Haberfield, a suburb which has been profoundly affected by the Westconnex project, the Haberfield Association welcomes the Parliamentary Inquiry and offers the following submission which would come under point (j) in the terms of reference. The Association is happy for this submission to be made public.

The concerns which we will address here include how WestConnex has affected Haberfield and specifically regarding:

1. Air Quality
2. Non-Compliance with Conditions of Approval
3. Lack of Consideration of the Impact on Residents

The Haberfield Association was formed in 1980, as a result of the increased public awareness, of the need to maintain Haberfield's special architectural and Garden Suburb character.

The Association is the recognised residents' group for the Garden Suburb of Haberfield, postcode 2045. In 1985 Haberfield was declared as the first Conservation Area in NSW.

Haberfield also has national social significance as a place where, from the mid-1970s, residents opposed the destruction of these same picturesque houses, and is an early example of community statutory management. The Haberfield Development Control Plan developed by Council in close consultation with the Association is regarded as an exemplar, with many conservation area management documents emulating it.

The Association has always being willing to discuss all aspects of the WestConnex project and how the effects on Haberfield residents can be minimised. Sadly SMC have not demonstrated a willingness to include the Association in its Consultation process.

Of significant concern is the declaration of WestConnex as "Critical State Significant Infrastructure" which prevents appeals to the Land and Environment Court without the agreement of the Planning Minister and prevents the making of certain orders under the Conservation, Environment and other NSW Acts.

1. Summary

The heritage suburb of Haberfield has borne an unfair burden of destruction caused by WestConnex with the loss of 53 Heritage homes and a very many others enduring devastating dust, noise and disruption, as acknowledged in the Stage 3 PIR.

This submission highlights just a few of the factors that are of major concern to Haberfield residents, factors that could still be minimised by a few changes as contained in the recommendations.

- i. The effects of air pollution are well documented in the 2015 Woolcock Institute Report prepared for the NSW Government and the World Health Organisation confirms there is no safe level of particulate matter (PM) and diesel exhaust emission exposure.

The cost of installing filtration on the exhaust stacks is miniscule compared to the total project cost, would save later health costs and significantly reduce the opposition of many residents, particularly those with young children whose health Premier Berejiklian recognised as most important (April 2018).

- ii. Proper Community Consultation would greatly assist in reducing concerns, but the Air Quality Community Constative Committee (AQCCC) required under the Conditions of Approval (B9), has not been fully implemented. The appointed “Independent Chair” appears not to be acting independently, and to prefer secrecy rather than openness in Committee membership and minutes distribution and to have no EPA scrutiny.

The appointment of the full quota of Community Representatives, true independence of the Chair, openness of Minutes and members (in compliance with the Terms of Reference) and EPA meeting attendance is recommended.

- iii. The M4 East monitoring of Air Quality (AQ) for 12 months before operation (Condition E8) is to establish a baseline but also serves to provide useful data on AQ. Numerous outages and incorrect data recordings apparently due to lack of monitoring and/or equipment failures is unacceptable even before tunnel operation, is non-compliant with the Conditions of Approval and must be urgently rectified.
- iv. The stated objective of “reducing traffic on local streets” will not be achieved if non-local traffic is encouraged to use local streets to avoid WestLink’s slow/stop pace in peak hours. Clearly there has been no consideration given to local residents but the matter may be improved by the installation of “Local Traffic Only” signs that may assist with discouraging rat-running. But a more punitive fine system may be required.

Consideration for local residents was also absent with the installation of a hideous 2m high 1m wide electrical cabinet installed right in the middle of a Waratah St footpath in direct violation of the Australian Footpath Design recommendations available on the RMS website. Relocation of this cabinet and all detector and sign poles to the nature strip is the obvious and recommended solution to this violation.

2. Background

Haberfield was Australia's first successful planned 'model suburb', embodying the then-evolving international garden suburb principles. Begun at the time of Federation in 1901, it predates British examples such as Letchworth and Hampstead. This visionary social experiment was so financially successful that it helped lock in the great Australian dream of the quarter-acre suburban block with dwelling, which has dominated how Australians seek to house themselves. Haberfield was designated a State Conservation Area in 1985 and was added to the register of the National Estate in 1991.

Haberfield residents realise that our suburb forms part of the vital and changing City of Sydney. However, we do not believe that such changes should be detrimental to the residents of Haberfield who are also residents of Sydney. We believe that all Sydney residents should benefit from change and none should be disadvantaged.

The effect of WestConnex on the occupants of the 182 properties that have been acquired for WestConnex has been devastating. For those of us residents whose properties haven't been acquired, we have been enduring many years of devastating dust, noise and disruption, as acknowledged in the Stage 3 PIR.

There has been a profound negative impact on the Haberfield community and its heritage character due to the Westconnex Project. The suburb has been divided physically and 53 Federation homes have been destroyed. Residents have been displaced. Years of work to restore properties have been laid waste.

The Stage 3 Preferred Infrastructure Report acknowledges the Construction Fatigue experiences by many Haberfield residents but significantly understates the extent of the area experiencing Construction Fatigue and doesn't address Complaint Fatigue.



3. Air Quality.

On 10 April 2018, Premier Gladys Berejiklian said:

"Nothing is more important than the health of children, nothing is more important than making sure communities feel safe at all times, and that includes during major construction. We've already laid down our plans for (Stage 3) and they're pretty clear. But if there is anything else we can do to mitigate the impact on the community we're always open-minded about that."

This statement was made the day after Sally Brough the CPB Contractors Community Relations Manager had tried to explain away a huge dust storm emanating from the Parramatta Road Construction Site as

"Third Parties ...undertaking dust generating activities with leaf blowers in the vicinity of the site".

But the Premier, the Minister and the RMS/SMC still refuse to consider filtering the emissions from the exhaust stacks which are in close proximity to our schools.

Haberfield Public School has 600+ children (including the authors two grand-daughters) who spend up to nine hours per day (including after school care for working parents) within 200 meters of the Parramatta Road construction site and less than 500 meters from the exhaust stack. Yet the exhaust stacks at Haberfield will be unfiltered.

The Inner West Council's consultants (BECA) have advised that on a still day the unfiltered fine Particulate Matter (PM) and diesel vehicle emissions from the stacks would drift and that these could discharge exhaust pollution onto our residents homes, our schools and our nursing homes.

The experience of Haberfield residents is that a large number of diesel generators are being used during construction and many of these run 24 hours per day, seven days a week.

These sources of air pollution put the occupants of residents' homes, schools, day care centres and nursing homes at an unacceptable health risk.

The 2015 Woolcock Institute report ["Review of the health impacts of emission sources types and levels of particulate matter air pollution in ambient air in NSW"](#) prepared for the NSW EPA & NSW Ministry of Health advises:

"the evidence presented in this report suggests that exposure to levels of PM that currently exist in NSW will have measureable adverse impacts on health, particularly in vulnerable people such as individuals with chronic respiratory and cardiovascular diseases, the elderly, and children. Reductions in PM air pollution in NSW are likely to result in health benefits, particularly for these most vulnerable groups."

The World Health Organisation has stated that there is no safe level of exposure to fine Particulate Matter and diesel exhaust emissions.

The health impacts of unfiltered ventilation stacks and construction generators in proximity to our school and to the school families who live in the area impacted by fall out from these sources is unacceptable.

All Haberfield residents insist that the exhaust stacks at Parramatta Rd / Wattle St must be filtered to limit the level of toxic vehicle emissions released into the atmosphere.. No-one can understand why, if the NSW government is spending billions of dollars on this project, it cannot afford to filter the stacks to minimise the harm done to those who will breathe this air.

RECOMMENDATION:

That SMC be required to install filtration on the exhaust stacks for the WestConnex Project.

3.2 Non-Compliance with Conditions of Approval

3.2.1 Condition of Approval B9 - M4 East AQCCC

In accordance with condition B9 of the [Conditions of Approval](#) for the M4 East, the Proponent must establish an Air Quality Community Consultative Committee (AQCCC). The condition requires that the committee be made up of:

- (i) two representatives from the Proponent and tunnel operator,
- (ii) one representative from each of the relevant councils,
- (iii) three representatives from the local community adjacent to the eastern ventilation facility and three representatives from the local community adjacent to the western ventilation facility
- (iv) a Chair who is an independent party put forward by the Proponent and approved by the Secretary

SMC has appointed Stephen Lancken from “Negocio Resolutions” as the “Independent Chair” (IC) of the M4 East AQCCC (and M5 AQCCC). Lancken was also tasked with selecting the community representatives.

The IC has confirmed that there were 7 applications from residents adjacent to the eastern ventilation facility, but despite his previous experience in OHS and a specific air quality matter, the author’s application was rejected.

The IC appointed three representatives from the western local community but only two representatives from the eastern local community. The IC suggests that for “privacy reasons” he can not confirm the names of the Community Representatives at the AQCCC. The NorthConnex IC includes the names of all representatives in the minutes of AQCCC meetings.

How are Ashfield & Haberfield residents to communicate with their representatives if their names are withheld?

The AQCCC [Terms of Reference](#) require meeting minutes to be finalised two weeks of meetings and published on the WestConnex [website](#). At the time of writing this submission (31 Aug), the minutes of the June meeting are **not** available on the WestConnex [website](#).

Feedback from some representatives would suggest that the Independent Chair does not appear to act independently, but serves the party that pays for his services – ie RMS/SMC, resulting in the Community having no confidence in the AQCCC

The IC claims to have invited the EPA to meetings, a claim denied by the EPA.

RECOMMENDATIONS:

- I. That the IC be reminded of the requirement of B9 Condition of Approval and that he be instructed to appoint a third Community Representative for the Haberfield/Ashfield community.**
- II. The names and contact details of Community representatives should be published.**
- III. That the IC must comply with the Terms of Reference, act independently and to publish minutes promptly following their approval.**
- IV. That the IC be instructed to invite the EPA to attend meetings.**

3.2.2 Conditions of Approval E8 Ambient Air Quality Monitoring

Under the [Conditions of Approval](#) for the M4 East *Condition:E8*, The Proponent is required to undertake Ambient Air Quality Monitoring (AQM) at a minimum of six sites, the locations are to be agreed to by the AQCCC. Also “The Proponent must commence monitoring for at least twelve continuous months prior to operation”.

It was inappropriate at the outset that SMC and their Contractors (CPB, Samsung, John Holland Joint Venture) were granted approval to be in control of the air monitoring. However, SMC and their Contractors have commissioned Ecotech Pty Ltd for air quality monitoring, data collection and reporting at the six monitoring stations. This includes providing real-time data on a publicly accessible [website](#), and a monthly report on the data collected.

The AQCCC had little say in the location of the monitors and frankly were ill qualified to advise on locations, but the sites proposed by SMC did not include any south of Parramatta Rd resulting in large areas unmonitored.

The [latest monthly report](#) for July confirms that they have been collecting data since December 2017 It also advises that they perform daily data checks on the data and that equipment failures are communicated to the responsible field engineers for urgent rectification. The monthly reports are somewhat repetitive and not an easy read for the average lay person.

The real time data is only available on the Ecotech website for a limited time making it difficult to spot patterns or problems over a longer period of time. However, some clever people have managed to capture the publicly available data and archive it for analysis.

A brief analysis of this archive shows that just about every second day some data is missing for about an hour or more. That appears to be the case for all six monitoring sites and at times data is missing for several sites at the same time suggesting a regular equipment failure?

There are two AQM sites at Haberfield, one in Ramsay Road has been operating for a few years and one at Haberfield Public School (HPS) operating since late 2017. Further analysis of the HPS site data shows extended outages of one or more sensors for extended periods of time. These outages are summarised in Table 1

Date	Outage Duration
9-Aug-18	27 Hrs
29-Jun-18	83 hrs
26-Jun-18	35 Hrs
21-May-18	29 Hrs
18-May-18	16 Hrs
1-May-18	392 Hrs (16 Days)

Table 1 Missing Sensor data at HPS AQM Station

The data recorded by Ecotech often contains negative values for PM10 and PM2.5. Clearly the air can not have negative quantities of particles.

When these negative values are high, Ecotech deletes them from their daily average, but low negative values are included when calculating a daily average. This procedure gives a lower value for the daily average and has no mathematical basis.

There are other examples of recorded data being stuck at a particular (often high) value for extended periods of time. PM10 at $33.2 \mu\text{g}/\text{m}^3$ for nine hours and another occasion PM10 was $10.6 \mu\text{g}/\text{m}^3$ for 18 hours.

These extended outages, negative and frozen values suggest that the daily data checks are not being performed or that equipment failures are not communicated to the responsible field engineers for urgent rectification. While the data is being collected to establish a baseline prior to operation of the WestConnex M4 East tunnels, the lack of diligence suggests that Ecotech, the Joint Venture Partners or SMC are not taking this phase of the air quality monitoring seriously?

Because of these extended outages which have also been observed at other sites, besides HPS, the condition to “monitoring for at least twelve continuous months prior to operation” has not been met for an operation to start in the first half of 2018.

RECOMMENDATIONS:

- I. That SMC be reminded of the E8 Condition of Approval on Ambient Air Quality Monitoring.**
- II. That their Contractor Ecotech must rectify the problems they are encountering with the reliable collection of this data including both monitoring of data and equipment failures.**
- III. That at least one additional monitor be installed south of Parramatta Rd.**

3.3 Lack of consideration of the impact on residents.

There would be numerous examples of lack of consideration of the impact on residents, but I will focus on just a few examples of the impact on Haberfield's residential streets.

3.3.1 Additional Traffic on Local Streets

One of the claims made by the proponents of WestConnex is that it will reduce traffic. But Wattle St has a lane dedicated for traffic from the tunnel exit to turn right into Waratah St.

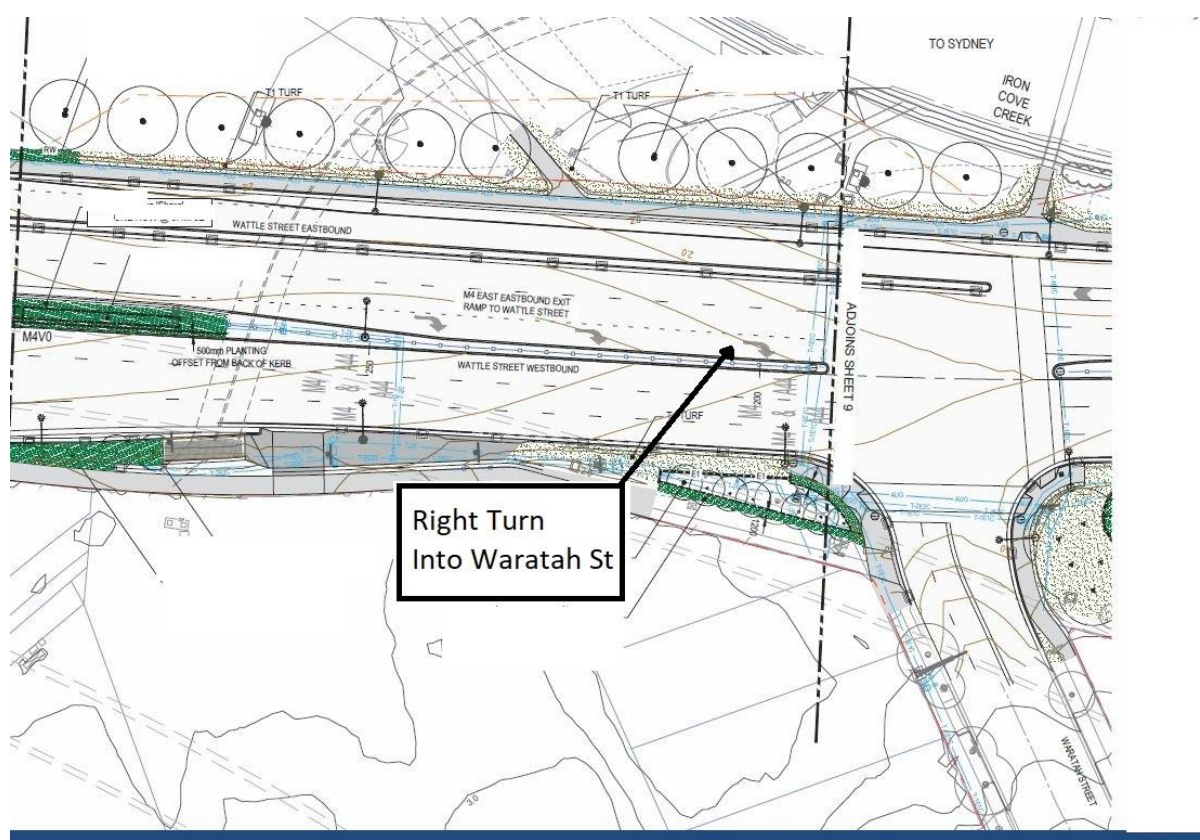


Figure C-20 - Wattle Street Interchange - Landscape Design - Sheet 8 of 10

Invariably this right turn lane will result in more traffic entering Waratah St and using other Haberfield local streets particularly in the morning and evening peak hours when WestLink can become almost standstill.

Several measures could reduce non-resident traffic"

RECOMMENDATIONS:

- I. That a sign be erected in Wattle St "RIGHT TURN – LOCAL TRAFFIC ONLY" to discourage non-resident traffic from rat-running in Haberfield residential streets.
- II. Consideration be given to a system of fining vehicle drivers who frequently transit local streets – entering and exiting the suburb within a short period and doing so more than say once per week.

3.3.2 Installation of Warning Signs and Other Equipment

On Thursday 12th July 2018 "[Notification No.351a](#)" was issued advising of OverHeight Detector (OHD) Installation and Roadside Cabinet in Waratah Street, Haberfield, with work to commence the following Tuesday 17 July 2018.

The notice stated:

"From Tuesday, 17 July 2018 work will commence to install two overheight detectors, an electrical roadside cabinet and Closed Circuit Television (CCTV) on Waratah Street, Haberfield. A map showing the location of the work is provided overleaf. Overheight detectors assist with preventing oversized vehicles from entering the tunnel."

If the notice was letter-box dropped, it was just in a very small area. Most residents appear not to have received any notice.

When the workers arrived on 17 July, they advised the resident they were installing some poles but didn't mention the 1m wide Electrical Cabinet which is now next to his side fence and is blocking the 1.2m footpath. See Photo 1 below.



Photo 1 Cabinet in Waratah St Haberfield

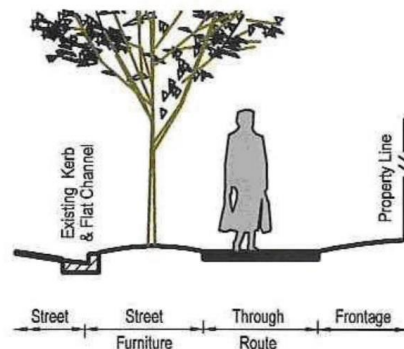
This cabinet in Waratah St violates the Austroads "Guide to Road Design Part 6A: Pedestrian and Cyclist Paths" which is available on the [RMS website](#).

RMS "Technical & Project Services" department have confirmed by email that this Austroads Design document is the appropriate standard for footpaths.

The Austroads document recommends a general minimum footpath width of 1.2 m for most roads and streets and that a "Street Furniture Zone" (often the "nature strip") be used to accommodate items such as "signal poles, lighting columns, and parking meters

It also offers the following comments:

"Many people with disabilities undertake much of their travel either on foot, in wheelchairs or on personal mobility devices The provision of footpaths ... which are free of obstructions is important to ensure that they do not represent a hazard for people who have



difficulty in detecting or manoeuvring around obstacles. The use of electric powered scooters has emerged as an alternative means of transport for people with mobility impairment or other health issues and is likely to grow as the population ages. It is therefore important that paths and associated facilities can accommodate this type of use.

And continues:

*“Any piece of street furniture on or near the footpath is a potential obstruction to free movement and should wherever possible be located to preserve an obstacle-free footpath width. People with physical and visual disabilities have particular difficulty in avoiding and moving around obstacles in their path. **Street furniture of concern to pedestrians includes ... pieces of equipment located within a pedestrian environment.** In general, obstructions should be kept clear of footpaths...., potential obstacles that are required to be placed in or near walkways should not be placed adjacent to the building line, which is a major reference point for visually impaired pedestrians.*

Clearly, to comply with these recommendations, the 2m high by 1m wide cabinet should not have been placed across the middle of the footpath and especially not along the fence line.



Photo 2 Cabinet in Waratah St Haberfield



Photo 3 Cabinet in Dalhousie St Haberfield

By marked contrast, a similar cabinet installed in Dalhousie St in Haberfield (Photo 3) has been installed as per the Design Recommendations – although in both cases the poles should also have been installed in the nature strip.

Foundations for Variable Message Signs (VMS) have been installed in Waratah and Dalhousie Streets adjacent to the building (or fence) line. The location of these also is in violation of the Austroads standard.



Photo 2 VMS foundation in Waratah St



Photo 3 VMS foundation in Dalhousie St

Items *“should not be placed adjacent to the building line, which is a major reference point for visually impaired pedestrians.”*

RECOMMENDATION:

All equipment cabinets and poles for detectors and poles for warning signs should be re-located to the nature strip in both Waratah St and Dalhousie St.