

Submission
No 417

**INQUIRY INTO IMPACT OF THE WESTCONNEX
PROJECT**

Name: Name suppressed

Date Received: 31 August 2018

Partially
Confidential

Submission to the Parliamentary Inquiry into the impact of the Westconnex project:

and resident at

My submission is relevant to four terms of reference:

- (a) The adequacy of the business case for the WestConnex project, including the cost-benefits ratio.*
- (b) The cost of WestConnex project, including the size and reasons for overruns.*
- (c) Consideration of the governance and structure of the WestConnex project including the relationship between Sydney Motorway Corporation, Roads and Maritime Services, the Treasury and its shareholding Ministers*
- j) Any other related impacts.*

Parts (a), and (b): The adequacy of costs analysis

Any assessment of the costs of a project must include a costing of its likely social, health and economic impacts whether they are short, medium or long term. If this assessment is not done, the cost/benefit ratio will be incorrect.

The Secretary's Requirements for the EIS (SEARS) included human health risks and costs associated with the proposal, including those associated with air quality, noise and vibration, and social impacts, during the construction and operation of the proposal.

A health risk assessment was completed for each EIS. Part of that assessment (referred to in the literature Review below), takes the form of a quantitative health risk assessment derived from experimental data of traffic modelling, from which the air quality, health risk and other analyses are based. If these are wrong, the assessment will also be wrong.

It is my submission that a business case that relies almost exclusively on experimental quantitative data, should lead the Inquiry to question why 'the Swedish model' (referred to below), which advocated supplementary qualitative studies, was rejected. Limitations of an approach based on experimental quantitative data were peer reviewed by one reviewer, which is insufficient for a project of this scope, impact and cost , and thus not sufficiently appraised.

(c) Governance

My submission is also relevant to item (c). Governance includes all the approval processes for the project (Literature review, Business case, audits and EIS), the conditions of approval and implementation of the approval, public consultation and complaint mechanisms, consultative committees, community communication and information management processes and

techniques, penalties, such as warnings and fines and arrangements for secrecy and confidentiality.

It is my submission that the committee will benefit from inquiring into the adequacy of information supplied to the public, its communication style, tone, content and processes, including adequacy of the data used to inform the business case.

The failure to adequately predict and publicly discuss risk, and to communicate risks in an accessible and customer-focused way, is directly relevant to the governance of the project. The committee would benefit from inquiring into the terms of ‘confidence’, including a lack of transparency over information provided to the public, approval processes, and whether these have been compromised by Cabinet decisions and pressure from the Minister for Roads.

Use of data for the project business case, provision of public information and governance

There is, obviously, a massive amount of technical material in each reference report informing Westconnex projects. This, understandably, makes it almost impossible for most members of the public to individually delve into the documentation where they may find acknowledgement of significant uncertainties, statements that later prove to be inaccurate, or potentially inadequate methodologies utilising experimental predictions on key issues. This makes it critical to good governance to provide customer-focused translation of technical matters for informed community debate on key risks.

Take for example the *Literature Review and Risk Characterisation of Nitrogen Dioxide Long and Heavily Trafficked Road Tunnels Prepared for NSW Roads and Maritime Services* (EnRiskS in 2017). The importance of such literature reviews is in shaping the project business case, refining and revising policy, including health risk assessment and mitigation of impacts, and bringing key international trends to public notice for discussion.

In reviewing the international literature, the Literature Review acknowledges uncertainties in relation to international data for 60-minute exposure guideline values for nitrogen dioxide, data largely derived from methodologies based on experimental design. The Review discusses, but advises against adopting, an alternative and supplementary approach, where: “Evidence from observational epidemiological studies are being used in Sweden for consideration of in-tunnel oxides of nitrogen concentrations. This approach does not set a guideline value, but rather presents potential health costs and benefits of different in-tunnel concentrations. It is assumed that this cost benefit process will then be used within the planning decision making process to set an in tunnel limit. If a process such as this were to occur in Australia, it would involve the use of different observational studies and potential health endpoints.” (RMS/17/NO2R001: ES1-2)

Such observational studies, apart from their planning and costing implementation benefits noted above, are precisely designed to address limitations in relation to existing literature, including enriching and verifying data derived from experimental projections. It is therefore confounding that the Review shuts this option down with minimal discussion (RMS/17/NO2R001: ES1-2).

The point is that this important Literature Review has not been adequately 'translated' to inform either the business case or public understanding. This is evident in the Westconnex website FAQs, where there is a:

- Default narrative that spruiks benefits at the expense of discussing cost/benefits.
- Lack of balanced, adequate, and easy-to-read information of real and potential health risks.
- Grossly inadequate approach to customer-focused service: in this case the duty to provide essential information to inform public discussion.

Additionally there is also no:

- Information in FAQs to alert the public to limitations in the health data being relied upon to model exposure risk.
- Discussion of the risks associated with adopting projections primarily based on experimental data modelling, and no reference to future plans for additional studies or other means to check the adequacy and veracity of the existing data.
- Information about public risk minimisation strategies derived from the surveyed international studies. For example, the Literature Review recommends an information campaign aimed at users to wind up their windows and turn their air conditioning onto recirculation. However this is not registered in the Westconnex website FAQs, despite the Review highlighting it as an important health message.

Submission Summary

A lack of public transparency over approval processes and public information, consultation and communication of Westconnex projects has placed huge pressure on the complaint mechanisms that are part of any contemporary governance scheme. This burden has added to the costs of the project.

The approach of Sydney Motorway Corporation has not been to deal transparently and objectively with complaints, but rather to 'bat' them away. When pushed, NSW Planning takes up some complaints and has issued some breach and warning notices but often no action can be taken, for example, because the data (e.g. noise levels) is not available to enable findings on whether conditions are breached or the conditions were not clear or strict enough in the beginning. Residents, in particular, object to complaint fatigue as each complaint can absorb hours of free time.

In general, the onus is on residents and the public at large to find technical breaches, such as failure to give adequate notification for out-of-hours work, or conceptual and methodological inadequacies, such as an over-reliance on quantitative experimental data to assess key health risks.

It is my submission that the Committee will benefit from a thorough investigation into Westconnex governance and cost/benefit systems. Seemingly, these have encouraged or permitted a lack of factual transparency, and sidelined public assessment and discussion. They have also resulted in a community exhausted by complaint, and angry at the NSW Government's handling of Westconnex projects.