

INQUIRY INTO IMPACT OF THE WESTCONNEX PROJECT

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Partially
Confidential

Executive Summary

We bought our home in Church St, St Peters in 2005, and we have lived in it with our two children ever since. When we bought our home WestConnex was not a concept.

At the outset we should state that we understand and accept that public works are a necessary part of life and there will always be a level of inconvenience and disruption caused to those who live close to where those works are carried out. However, what we have experienced and continue to experience with the WestConnex project is way beyond what anyone would describe as an inconvenience or consider in any way to be a reasonable level of disruption.

The Premier, the Minister for WestConnex, the Board of the Sydney Motorway Corporation (SMC) and the Roads and Maritime Services (RMS) have either ignored us or dismissed our cries for help.

This fifteen-page submission sets out in as a succinct a form as possible, our concerns, our attempts to be listened to and to have our concerns resolved.

We ask the Committee to accept and consider our submission under the following terms of reference:

- 1.(b) the cost of the WestConnex project, including the size and reasons for overruns, because we believe we are an example of the human cost, and
- 1.(j) any other related matter.

In making our submission to the inquiry in addition to generally highlighting the impact of WestConnex, we are hoping that the Committee Members will care and will be able to help us.

In considering our submission we also ask members of the Committee to look at:

1. How it is possible that the Government has not or will not contemplate or provide for the cost of WestConnex on our home lives?
2. How it is possible that we can be in this position for doing nothing more than buying an affordable home in St Peters in 2005?
3. How it is possible that we have not been able to get any relief from the damage WestConnex is causing us?
4. Advising us of any assistance we can access to ensure we are properly protected inside our own home from the impact inside our own home.

Thank you for the opportunity to allow us to tell you our personal story about the awful and unnecessary impact WestConnex is having on us. We would very much welcome a visit by any or all of the Committee Members to our home so you can see our concerns first hand.

This submission is divided into the following ten sections:

1. Overview

This section will briefly describe the many levels on which WestConnex is disrupting and impacting our lives. It will touch upon how WestConnex has left us feeling powerless, distressed and

overwhelmed. How time consuming it has been and continues to be to try to get anyone to listen to and help us.

2. WestConnex and its proximity to our home

This section deals with how close our home is to WestConnex and describes some of our experiences living so close to its construction. This section also provides photographic evidence of how close our home is to its construction and how exposed we are to the part of it that directly impacts on us when the works are completed.

3. The intrusion into our home lives and the lack of expertise

This section deals with how completely taken by surprise we were that WestConnex was intending on intruding inside our home in a manner that will significantly reduce the quality of our lives, by proposing to install 5 mechanical air ventilators inside our home and expecting us to permanently close our 3 doors and 15 windows. In this section we also describe our attempts over a six month period to address our basic concerns over the installation of mechanical air ventilators including our fears that they will cause a significant reduction in the quality of our lives inside our home, we have no space for their installation and they are a manifestly inadequate noise and pollution mitigation solution. This section also provides photos to show the lack of space we have in our home for the mechanical air ventilators, a diagram of what they look like and the main pieces of correspondence highlighting our attempts to raise our concerns.

We also point out the patently inadequate, inaccurate and sometimes bordering on ridiculous responses to our very valid questions. For example, we highlight a fundamental lack of understanding of the basic principles of acoustics and sound insulation displayed by the Community Relations Team. The Community Relations Team has made the offer for acoustic treatment yet it does not understand its basic principles. This section details the response to our question about how stale air will be expelled if the mechanical air ventilators are installed and all our windows and doors are shut. The response provided by the Community Relations Team is “the filtered air effectively pushes out stale air through door/window gaps”. Setting aside how impossible it is to accept that stale air in a home the size of ours will be pushed out through gaps, on our limited understanding of such matters, a basic principle of acoustic treatment is there should not be any gaps in doors or windows because sound travels through gaps defeating the purpose of the offer involving the installation of mechanical air ventilators.

We are being expected to accept an offer of acoustic treatment that will significantly reduce the quality of our lives and potentially causing us to lose losing hundreds of thousands of dollars on the value of our property by people with very little, if any expertise.

4. Time spent on attempting to get assistance.

This section briefly describes how time consuming it is to balance demanding full time jobs with what seems like almost a full time role to try to get some assistance, understanding and find out what rights we have.

This section also provides video recordings of examples of the noise WestConnex creates around our home and includes a description of an incident where WestConnex employees responded to our

attempts to stop noise that was preventing us from sleeping at 11pm. The response was to threaten to call the police. This example highlights a lack of training and preparation provided to these employees to appropriately respond to distressed residents who are affected by loud noise in the middle of the night.

5. Treatment we have experienced while trying to get assistance.

This section provides an overview of the attempts we have made to get assistance from the Premier, the Minister for WestConnex and the CEO and Board of the SMC because we were not able to make any progress in dealing with WestConnex directly.

You will see in our letters that we have highlighted our issues including our level of distress. Neither the Premier nor the Minister for WestConnex have responded to our concerns and therefore we can only assume that neither of them care.

The only response we received from the CEO of the SMC was to thank us for our continued patience, pointing out a typographical error we had made with a date and referring us back to the area within WestConnex we were complaining about. That is, the area contributing to our distress.

6. Our experience with the Community Relations Team

This section deals with our experience with what we know to be the public face of WestConnex or rather the public face of one of the contractors engaged to build WestConnex. This public face is referred to as the Community Relations Team. The area within WestConnex, the CEO of the SMC refers us back to despite our complaints about it.

While this section sets out our experience with Community Relations Team, we do not intend to be critical of any one individual. The contractors have the responsibility of employing experienced, qualified staff and training them accordingly. This section shows the contractors have failed to do that. Senior employees with the Community Relations Team have demonstrated they do not have the knowledge or expertise to assist us. The Community Relations Team failed to consult with us on the treatment WestConnex proposed to install in inside our home, failed to address our issues causing us to reach out to the Premier, the Minister for WestConnex and the CEO and Board of the SMC. The Community Relations Team is so very disconnected from the community that it ignores our road closure fatigue, noise fatigue, construction fatigue, dust, dirt and grime fatigue and instead on a regular basis wishes us "lovely weekends".

7. The impacts on our health

This section provides an insight into the level of stress WestConnex is causing us. Stress that we live with on a 24 hour a day, 7 day a week basis because this issue involves our home. Much of our spare time is taken up with just trying to get some assistance to stop or at least ameliorate what is happening to us.

Stress that it is compounded by the very confronting realisation that no one with any power to help us cares about what is happening. The manner in which we are treated contributes to our stress.

Our sleep is affected. Our ability to perform in our demanding full time jobs as well as we would like to is affected. Our ability to generally enjoy our lives has been affected. We no longer have much time to recover from the demands on our already time poor lives.

8. What the future holds for us and our home

This section will express how bleak our future looks. WestConnex has and will cause a significant reduction in the quality of our lives and that will continue until its construction is completed. When it is completed we face losing hundreds of thousands of dollars on the value on our property because our home is 30 metres away from WestConnex.

9. The outcome we are looking for

This section deals with the outcome we are seeking and why. The quality of our lives inside our home has deteriorated and will continue to deteriorate because of WestConnex. We no longer get peaceful enjoyment of our home.

10. Conclusion

Our final section concludes that despite clear evidence of its detrimental impact on us, we have come to the heartbreaking realisation that no one with any responsibility for WestConnex seems to care.

1. Overview

There are so many levels on which WestConnex is disrupting and impacting our lives. WestConnex has left us feeling powerless, distressed and overwhelmed. WestConnex is affecting our health and wellbeing.

You may notice a level of desperation in some of the correspondence we provide in this submission. A level of desperation caused by the intrusion of WestConnex into our home. Intrusions into our home that have and will continue to significantly reduce the quality of our lives. Desperation exacerbated by our attempts to address our concerns being ignored.

We seem to have nowhere to go, no one who will listen to us or help us.

We are tired, stressed and distraught by what seems to be becoming relentless almost 24-hour noise caused by the construction of WestConnex. We are tired, stressed and distraught over the prospect of WestConnex intruding into the interior of our home. We are tired, stressed and distraught because no one is listening or assisting us. We are tired, stressed and distraught because we have to spend an enormous amount of our time attempting to resolve our concerns directly with WestConnex. This time should be spent recovering from our demanding jobs and enjoying our lives. There is no relief for us, or end in sight because the impact of WestConnex keeps getting worse.

You may also notice a level of frustration and anger in some of the correspondence provided. It is extremely difficult to always remain calm and rational while in the process of defending our home against the invasive, damaging and essentially heartless machine that is WestConnex.

Our distress is compounded by the manner in which we have and are being treated. Nobody who has any responsibility for WestConnex seems to care that it is essentially destroying our home lives. The Premier doesn't appear to care. The Minister for WestConnex doesn't appear to care, the CEO and the Board the SMC, the company that has been set up to build WestConnex doesn't appear care, the RMS, the department given the responsibility for WestConnex doesn't appear to care. We are an example of the human cost of WestConnex that nobody cares about. We don't seem to matter.

2. WestConnex and its proximity to our home

My partner and I bought our home in Church St, St Peters in 2005, and we have lived in it with our two children ever since. We bought our home well before WestConnex was a concept.

Our home is about 30 metres from Campbell Rd, a road that is currently being widened from 2 lanes to 4 lanes effectively becoming a highway as part of the WestConnex project. Upon its completion a significant amount of traffic will be directed to the widened road. That is a significant increase in the amount of existing traffic. Our home is east/west facing which means that both the front and the back are approximately 30 metres away from WestConnex. Attachment 1 is a photo providing an indication of the size of the widened road that is directly affecting us

It has been extremely difficult to generally come to terms with WestConnex being built in and around an area and home we love, but it was possible to do so for a period of time because we were able to close our front door and essentially pretend it didn't exist. In hindsight, that was a naïve position to take.

After the demolition of so many of the properties around us and the commencement of the works, our home essentially became a construction site. A dirty, dusty, grimy, loud and intrusive construction site.

Attachment 2 is a photo taken from approximately 1 metre from our front door. Attachment 3 is a photo of the row of houses (one of which is ours) taken from the construction site that is 30 metres away. Attachment 4 is a photo taken from a 3rd floor west facing bedroom window. From these photos you can see how close the road is to our home.

WestConnex seems to have compulsorily acquired only the properties it needs to build on and has left many remaining properties completely exposed to its construction and operation with no buffer zone.

The roads around our area are regularly closed. The number of existing lanes on many of the local main roadways has been reduced. It takes so much longer for us to get in, out and around the area. Adding to our already time poor lives. Just at this very basic level WestConnex is difficult to live with.

We cannot move elsewhere because we are living in the middle of a construction site and therefore our property is unsellable and/or not rentable. We are completely stuck and therefore feel powerless.

3. The intrusion into our home lives and the lack of expertise

All of the outside impact may have been tolerable and something that we might have just been able to grit our teeth, put up with and get on with our lives if we did not have to also deal with the intrusion of WestConnex into our home and our private lives.

We were completely taken by surprise and perhaps again naively, when we were given a “New M5 offer of Acoustic Treatment” on 2 March 2018 (the offer) – Attachment 5. According to the offer its purpose is to “reduce operational road traffic noise from the New M5 project” – page 3 of Attachment 5. As you will see the offer is made on a take it or leave it basis.

Other than allowing an inspection to be undertaken in our property on 30 August 2017, we have not been consulted in any way about the offer. The offer was simply emailed to us. The offer involves a proposal to install 5 mechanical air ventilators inside our home. The offer consists of a deed of release, a scope of works that does not do much more than provide a drawing of the places in each room where mechanical air ventilators are to be installed and a sales brochure.

I am a public servant and my partner is the CEO of a not for profit community organisation. We do not have any knowledge or experience in the area of acoustic engineering.

And yet we have been expected by WestConnex to make major decisions on a take it or leave it basis that significantly impacts the quality of our lives inside our own home and the value of our biggest asset, without any information other than a sales brochure.

Since receiving the offer on 2 March 2018, we have been attempting to get even the most basic information we need to understand if and how the mechanical air ventilators work so that we can assess whether or not it would be reasonable to have them installed in our home. The dimensions of each mechanical air ventilator is 46.7cm(h) x 270cm(w) x 13.2cm(d).

We have also been attempting to at the very least have someone listen to the concerns we have about the offer and what it means to us. These concerns include:

- the mechanical air ventilators are intrusive,

- we do not have the wall space to install them. Attachments 6, 7, 8, 9, 10 and 11 are photos of the rooms in the scope of works where the mechanical air ventilators are identified for installation. These photos demonstrate there is no space on our walls for the mechanical air ventilators,
- we are horrified at the prospect of having to permanently close our doors and window and not get fresh air again because we are fresh air enthusiasts,
- we do not understand how five mechanical air ventilators will replace the fresh air from 15 windows, 2 doors and a 3.3 x 2 metre glass door and window system. Attachment 7 is a photo that includes the glass door and window system,
- the offer does not provide for any noise preventative treatment to our 15 windows, 2 doors and a 3.3 x 2 metre glass door and window system. These windows and doors were installed when our home was built around 20 years ago without contemplating or anticipating the noise and pollution caused by WestConnex. Our existing doors and windows are not acoustically treated and will not ameliorate the noise and pollution created by WestConnex,
- the impact that closing all of our windows and doors will have on the heat inside our home during Sydney's hot weather,
- the health impacts closing up our home will have for example on moisture and condensation levels and consequent health impacts such as the potential for toxic mould to grow,
- the installation of the mechanical air ventilators into our home will cause a significant reduction in the quality of our lives, and
- the mechanical air ventilators are ugly.

Attachment 12 is a series of email exchanges between a Senior Community Relations Advisor, New M5 Acoustic Treatment Team from the day the offer was made until 15 March 2018.

These emails show our unsuccessful attempts to find out some very basic information on the offer and how the mechanical air ventilators work. You will see on page 9 of Attachment 12 that a suggestion is made to us to visit the New M5 Community Information Centre in Alexandria (community centre) to see a display of the noise treatment types. You will also see on page 8 of Attachment 12 where I confirm that my partner and I took an afternoon off work to visit the community centre. During this visit we met with the Community Relations Manager who knew nothing about the mechanical air ventilators or how they worked.

We had to take an afternoon off work because the community centre is open only from Monday to Friday between the hours of 9am to 5pm.

On page 7 of Attachment 12 you will see that we are referred to the New M5 Construction Noise and Vibration Plan, October 2016 for further information. This document along with most of the documents publically available relating to the New M5 is not written in language that would enable anyone without experience in acoustic or major infrastructure engineering to understand. As previously mentioned, my partner and I have do not have experience in either.

This document along with most of the other documentation on the WestConnex website does not provide us with the information we need to understand how or whether the New M5 is meeting its obligation to mitigate its impact on us.

On page 4 of Attachment 12 you will see we are told that the decision behind the offer was made on the basis of an unfinished report – the New M5 Operational Noise & Vibration Report that was at the time not publically available. We understand that this report is still not finalised or publically available.

As the information referred to above is not provided in a form that is understandable to the general public, we also face the additional financial burden of having to obtain specialist legal and acoustic engineering advice. Specialist advice to interpret the information we need to make a proper informed decision about the impact the offer has on our lives and our most valuable asset, as it is clear that WestConnex is not concerned in anyway about our interests.

On 18 June 2018, we received a letter (the review letter) advising that a review had been undertaken on the first offer made to us – Attachment 13. The review letter advised us that the first offer was compliant with an RMS policy. This review was undertaken without our knowledge and therefore without any direct input from us. Again we were not properly consulted. No further inspection was undertaken to our property. Other than referring to a number of policies (policies that were not provided) and a reference to an unidentified Minister's Condition of Approval this letter does not provide any basis upon which any review decision has been made.

This letter also makes a comment that "RMS policy does not include comfort conditioning as part of the noise mitigation packages". We have taken that comment to mean we are viewed as attempting to capitalise on WestConnex.

The review letter restates the first offer and advises us that the offer is not mandatory. We have understood this to again mean the offer is made on a take it or leave it basis that is, if you do not take this offer you will get nothing. No alternatives were, and still have not been offered to us.

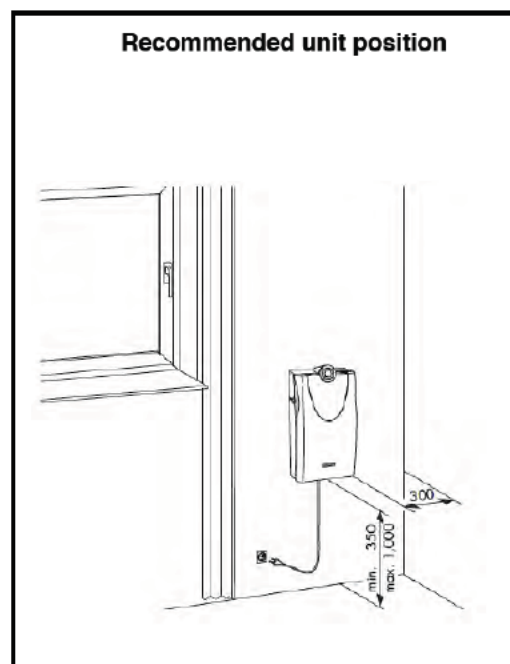
The only constructive point to come out of the review letter is that we were provided with the contact details of [redacted], Senior Community and Stakeholder Engagement Manager, Motorways Program Communications, Stakeholder and Community Engagement.

We took the opportunity to contact [redacted] directly as part of our continued attempts to have our concerns addressed. [redacted] has been more responsive than anyone else we have dealt with. However with the greatest respect to [redacted] he is limited with any assistance he can provide to address the very real concerns highlighted in our submission. [redacted] has therefore been unable to respond to most of our concerns.

[redacted] is also limited by the quality of the information he is provided by contractors. Attachments 14 and 15 are exchanges between [redacted] and I regarding our issues. At page 5 of Attachment 14 you will see a reference to a document that [redacted] advises was provided to him by the "contractors", a document relating to the answers to questions we asked about the electronic air ventilators. This document is Attachment 16.

Page 1 of this document states that the mechanical air ventilators need to be installed at least 1 metre from the floor and 300mm from adjacent walls requiring a power source. The document included this picture.

This picture highlights some of our main concerns that these mechanical air ventilators and their power sources would become intrusive features, that we do not have space for, in any of our



rooms.

The document also goes on to claim at page 3 that “the filtered air effectively pushes out stale air through door/window gaps”.

We have concerns that this information is flawed because our basic understanding of the fundamental principles of acoustic treatment is that there should not be any gaps in doors or windows because sound travels through gaps. (Indoor Air Quality Handbook 2018 - Australian Building Codes Board 4.3.3 Seal Building to Control Infiltration and Exfiltration).

This document also advises that if we agree to the installation of these mechanical air ventilators and they don't work, we will have to have them removed at our cost. That is repairing the approximately 5 x 9cm wide holes drilled through our brick walls and electricity points that need to be installed at our cost. This document also points out that we would be responsible for running, maintenance and repair costs.

The reference to cooking odours on page 3 of Attachment 16 also causes us concern. This might seem to be something small to anyone else, but to us as we face the prospect of having to permanently close all of our many windows and doors, stale cooking odours become an important factor. The response to our question on cooking odours fails to recognise that cooking odours also come from ovens as well as cook tops and that currently when we cook we not only use the kitchen extractor fan but also open windows and doors to remove cooking odours comprehensively and quickly. We will no longer be able to do this.

Our kitchen, living and dining area is open plan. So the installation of the mechanical air ventilators will mean that we essentially would be living in a sealed (albeit inadequately sealed) box of doubtful air quality, including being filled with stale cooking odours.

Whilst we are not experts in this area and so we can't speak in technical terms about it we are sure that the aeropacs were designed to ideally form part of an overall design for noise and air quality in a home, a design that should include other elements such as ducting for air, moisture and odour extraction at the very least, and not just to be installed by themselves, as an after-thought with no other measures to provide a holistic solution to noise and air quality issues.

We do not see how it is fair or reasonable for WestConnex to expect us to accept that it has discharged its responsibility to mitigate the noise and pollution by offering us intrusive, mechanical air ventilators that will cause a significant reduction to the quality of our lives inside our own home and that do not form part of a comprehensive noise mitigation and air quality plan designed for our home and to suit our needs. And that will cost us money to run, maintain, repair and replace, and that we are not even sure will work.

The impact of WestConnex is not just confined to the inside of our home. It also affects our back yard. Over the years we have spent a lot of time, energy and money converting a large section of our backyard into a productive vegetable garden. Because of the dust, grime and pollution caused by the construction of WestConnex we cannot safely grow food in it. As our garden is a similar distance to the road as the front of our home, i.e. 30 metres, pollution caused by WestConnex will continue after the construction phase is finished.

Effectively, our garden is now completely unusable for growing produce and because of the noise and pollution we can no longer socialise in it. We don't think we will even be able to use the clothes line in our backyard for drying our clothes.

Because of WestConnex our approximately 15m x 5 backyard and approximately 2m x 5m deck have been rendered useless. Large spaces we can no longer use. We will essentially be confined to the sealed box that mechanical air ventilators will create.

4. Time spent on attempting to get assistance.

In between our full time jobs and all the attempts we have made to try to get some assistance we are scrambling to try to find information about what rights if any we have. We don't know where to start. The battle we are having with WestConnex is consuming so much of our spare time. Spare time we need to recover from our challenging and stressful jobs. Spare time we don't get any more because of WestConnex.

In addition to the battle to try to ensure the quality of our lives in our home are not significantly reduced, we have also had to spend time complaining about practical issues including stopping oppressive noise that starts at 11pm at night, oppressive noise during the day requiring us to leave our homes to avoid, and lack of car spaces because of WestConnex related vehicles.

It has become almost a full time job trying to just survive the construction of WestConnex. Attachment 17 is a video we recorded from noise that was generated by WestConnex outside our home on Monday 13 August 2018 starting at 11pm. Aside from one of our neighbours who we understand is provided with alternate accommodation on a regular basis because of the noise, WestConnex did not advise anyone else that this noise would be so loud it would prevent us from sleeping. While we were attempting to find out why we were being subjected to this particular noise at 11pm at night we were threatened by WestConnex employees with the police. In fact we understand the police were called. The police of course did not attend but we provide this as an example of how we are treated by WestConnex. We did not sleep that night because of the noise.

Attachments 18, 19 and 20 are video recordings that provide examples of the level of noise currently being generated outside our home during the day. This level of noise prevents my partner and I from working from home. We both have arrangements with our employers to work from home on a regular basis to assist us with maintaining a work/life balance. Because of WestConnex we can no longer do this.

5. Treatment we have experienced while trying to get assistance.

Our concerns have been so far ignored by the Premier, the Minister for WestConnex and the CEO and Board of the SMC.

On 27 May 2018, we wrote to the Premier seeking her help – Attachment 21. On 4 of June 2018, we received a response referring us back the contractors that form part of our complaint – Attachment 22. On 5 June 2018, we again requested assistance from the Premier. No response was received.

On 20 June 2018, we wrote to the Premier again asking for help. On 26 June 2018, we received a response advising the matter had been referred to Minister for WestConnex – Attachment 23. On 28 and 29 of June 2018, we provided Minister Ayres with a summary of the concerns raised with the Premier – Attachment 24. As yet no response has been received. On 3 August 2018, we sent a reminder letter to the Minister asking for a response. As yet none has been received.

On 9 August 2018, we again wrote to the Premier asking for, and in fact begging for, help – see Attachment 25. As yet no response has been received. Our letters to the Premier and the Minister set out in some detail our distress.

On the 23 July 2018, we sent a letter to the CEO and the Board of the Sydney Motorway Corporation – Attachment 26. This letter also sets out in detail our concerns and our distress. On 6 August 2018, I sent another letter to the CEO and the Board requesting a response to our letter of 23 July 2018.

We understand that both the Premier and the Minister are extremely busy, but we don't see that as a reason why we cannot be responded to in a reasonable and constructive manner. Particularly given that WestConnex is a project of the NSW Government.

On 9 August 2018, we received a response from Dennis Cliche CEO of the SMC – Attachment 27, who essentially reduces our concern and distress to an issue of ongoing patience and refers us back to the people we are complaining about i.e. the Community Relations Team. This response is at complete odds with John Cooper's, SMC Chairperson's statement in the 2017 annual review:

"The well-being of our workforce and the community remains paramount, and we will continue to take every measure to optimise health and safety during all stages of our projects. " – Attachment 28.

Mr Cliche's response advises that a copy of our letter to the SMC board has been forwarded to Ken Kanofski, Chief Executive, RMS. A response from Mr Kanofski has yet to be received.

6. Our experience with the Community Relations Team

We understand that the Community Relations Team is the public face of the contractors who appear to be engaged to build WestConnex i.e. CPB Dragados Samsung Joint Venture (the contractors). We make this assumption because the deed of release that came with the offer sets out that it is the other party.

We are not attempting to single out any particular employee/s of the Community Relations Team as being responsible for the manner in which our concerns have been dealt. It is the contractors who have the responsibility for ensuring that it has experienced and properly trained staff. In our view the contractors have failed to do that. So the references we make below are directed at the contractor's failures and not those of any particular individual.

It is the Community Relations Team that:

- appears to be responsible for developing the offer without any consultation with us.
- is responsible for delivering the offer inappropriately via email with no information about the offer or the basis upon which it has been made,
- has shown no interest in understanding the impact the offer had on us. In Attachment 29 we outline in detail our distress over the offer,
- is responsible for the provision of inconsistent levels of treatment offers to residents. For example the identical house next to ours has been offered a higher level of noise abatement treatment,
- appears to arbitrarily decide who is offered alternative accommodation for noise mitigation. As mentioned above, one of our immediate neighbours receives 3 nights a week alternative accommodation from the Community Relations Team when no one else does,

- continues to suggest that we visit its own community centre for further information despite being told numerous times we have already been there and received no redress for our concerns.
- provides a community centre that is open only during the day on weekdays when most of the community is at work, and that has no information to assist residents like us to deal with our concerns and distress. A community centre that appears to serve no purpose other than to attempt to convince anyone who goes there of the benefits of WestConnex, so that WestConnex can report its existence in annual reviews.
- has been unable to provide us with even basic information we need to assist us with making important decisions affecting the quality of our lives and the value of our biggest asset.
- claims the oppressively loud noise created by WestConnex that is preventing us from sleeping at night “is in keeping with our Environmental Protection Licence” see attachment 31.
- does not provide residents proper notice of construction noise that prevents residents from going about our day to day lives. For example Attachments, 32, 33, 34, relate to the video files in Attachments 18, 19, 20. There is nothing in these notices advising residents of the level of noise that can be seen in these videos.
- displays a lack of understanding that the community generally is extremely weary of WestConnex. We have road closure fatigue. We have noise fatigue. We have construction fatigue. We have dust dirt and grime fatigue. We have restricted parking fatigue. We have “invasion” fatigue.
- is so disconnected from the community it is meant to be relating to that it believes it is appropriate to sign off on emails advising of road closures and construction work that significantly reduces the quality of our lives with “have a lovely weekend” Attachments 35 & 36.
- waits for members of the community to point out even the most basic and what should be obvious need for signs to be erected when closing a street that is regularly used for through access,
- should be providing employees with training to prepare them to deal with incidences such as the one referred to above rather than threatening to call the police on law abiding albeit upset tax payers.

The Community Relations Team has consistently demonstrated that it is not equipped to deal with our concerns or provide us with the real assistance we need. We have been raising that as part of our frustrations for months and yet we seem to be continually referred back to it whenever we raise our concerns about the impact of WestConnex, including the lack of assistance from the Community Relations Team.

Based on our experience, the Community Relations Team serves no purpose other than to say it exists. It either cannot or is unwilling to assist us. And therefore there is no purpose in continuing to refer us back to it.

On 23 August 2018, we were provided with an offer of alternate accommodation or noise cancelling headphones - pages 2 and 3 of Attachment 37. It appears this offer was made to us as a result of our complaint to the Department of Planning in relation to the noise – page 2 of Attachment 38.

In response to this offer we say

- similar offers have not been provided to most of our direct neighbours,
- the offer is to relocate to an apartment that does not provide the most basic level of cleanliness and comfort that our home does,
- it is not practical for professionals with demanding jobs to be relocated on short notice (4 days) for short periods,

- the offer of noise cancelling headphones is not practical as it would not be possible to either sleep or work whilst wearing them. Attachment 39 is a photo of a typical set of noise cancelling headphones.

We have even tried to access a dispute resolution type process to assist with resolving our issues. The WestConnex Instrument of Approval provides at C1 (f) and C3 and C4 provides for a dispute resolution process – Attachment 40. We have made a request to have our complaints dealt with under this condition of approval and as with most other issues we have raised, this has also been ignored – page 3 of Attachment 14.

It seems that according to WestConnex we have no rights.

7. The impacts on our health

The issues we are attempting to resolve because of WestConnex is causing us a significant amount of distress. These issues relate to our home and our very precious home lives. We live with these distressing and unresolved issues 24 hours a day, 7 days a week. We do not get the opportunity to walk away and take a break from our distress. WestConnex is intruding on every aspect of our lives.

Our distress is exacerbated by the impact of the recent additional construction currently surrounding our home. That is significant impact caused by the noise day and night, additional pollution, dirt, dust and grime, on top of the ordinary impact of any road works, i.e. road closures and difficulty in parking because WestConnex blocks our parking spaces.

Our distress is also exacerbated by the amount of time and energy required to attempt to have our issues addressed to ensure that our home and our home lives are essentially not destroyed by WestConnex.

We are not advised or consulted on how invasive the noise and obstruction will be or how long it will continue. We don't sleep well any more. We live with WestConnex in our lives on a 24 hour 7 day a week basis. We are in a constant state of stress because this is our home. We feel trapped and powerless and we can't escape from it.

We can't even invite friends over anymore because our home is no longer a pleasant place to be. WestConnex is affecting our social and emotional wellbeing. Our stress is exacerbated by a continued lack of adequate response to our cries for help. Because of WestConnex our home is no longer a place we get to rest and recover in.

We do not want to live our lives like this. We want to be able to go back to doing the things we enjoy. Things we need to do to recover from our demanding jobs. Yet we are increasingly consumed with WestConnex by having to fight to try to prevent it from completely invading our home life. WestConnex's impact is also creeping into other parts of our lives because we are so tired and stressed all the time. This has an impact on our ability to function at optimal levels at work, our exhaustion and lack of sleep is affecting our energy levels and motivation to exercise and our available free time.

On 11 July 2018, we were verbally advised of a potential for the RMS to buy our home under an "exceptional hardship" scheme. Even if we are eligible for this scheme and how eligibility is determined has not been explained, we understand that this scheme does not provide for payment for the considerable additional costs involved in selling a property, purchasing a new property and relocating. We also doubt that the RMS would offer to pay a price for our house that would match what we could have

sold it for on market if WestConnex didn't exist. Under this scheme we stand to lose hundreds of thousands of dollars.

We were reminded of this scheme recently in writing by the Department of Planning – Attachment 41. We do not think it is a fair or reasonable solution to resolve our concerns by referring us to a scheme that will cause us to lose a substantial amount of money.

It doesn't appear to be of any concern to the people who give us this advice that accessing this scheme will cost us tens of thousands of dollars.

You will also see in attachment 41, as with many of our other attempts to address our concerns we are referred back to the Community Relations Team, the area that is a subject of our complaint.

8. What the future holds for us and our home

We will have to eventually move from the home and neighbourhood we love (or used to love prior to WestConnex) but we cannot do that until the construction of WestConnex is completed. So for the next 2 or so years we face more of the same depressing existence. The only aspect that will change is if WestConnex has its way, we will be living in an inadequately sealed box instead of our well ventilated home. When we do finally get to move it will cost us tens of thousands of dollars in expenses i.e. the cost of selling a property e.g. real estate agent/ legal fees, stamp duty on a new property. Notwithstanding this, we also face losing hundreds of thousands of dollars on the value of our property because it is 30 metres away from WestConnex.

And because of all this the future looks very bleak to us.

9. The outcome we are looking for

The quality of our lives has been and will continually deteriorate because of WestConnex. We do not have and will continue to not have proper use of our home. That is the use it was intended for. We no longer get peaceful enjoyment of our home.

The prospect of living in a sealed box next to WestConnex is not one we envisaged for ourselves when we purchased our home in 2005. We should not as individuals have to pay such a high price in the name of public works. Under all the circumstances outlined in this submission we believe the only fair and reasonable outcome is for our home to be bought by the RMS or any other relevant government agency at market value as if WestConnex did not exist. And as we would not choose to sell our home and move if it were not for WestConnex, we believe that all of the expenses incurred in selling our home and relocating should also be paid to us. Expenses that include but are not limited to payment for independent legal advice and assistance relating to a legally binding agreement on this outcome, stamp duty on purchasing a new property, expenses relating to setting up a mortgage, relevant and independent legal advice on both the sale of this property and the purchase of our new property as well as relocation expenses and any other related expenses. We also believe it is fair and reasonable for us to continue to live rent free in the Church St property once it is sold until we find and are able to move into our new home.

10. Conclusion

In summary we confirm that we understand that public works are a necessary part of life and there will always be a level of inconvenience and disruption on those who live close to where those works are carried out. We also understand that the building and construction of WestConnex requires an enormous amount of detailed planning and logistics that can cause certain factors to be overlooked. However, the specific factors WestConnex has overlooked in our story are the human ones. The factors that involve ensuring hard working tax payers like ourselves are not so adversely affected by WestConnex. What we cannot understand or accept is that we have to be so significantly and detrimentally impacted by it.

What is even more difficult to understand is the amount of effort required by us to at the very least be heard, and despite the clear evidence of its impact on us, it is a heartbreaking realisation that no one with anyone responsibility for WestConnex seems to care.

In essence WestConnex has left us feeling unheard, the responses to our complaints and cries for help have been ignored or dismissed. We do not seem to have any rights.