

**Submission
No 38**

INQUIRY INTO SYDENHAM-BANKSTOWN LINE CONVERSION

Organisation: Hurlstone Park Association

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Submission to

Portfolio Committee No 6 - Transport and Customer Service

Inquiry into the Sydenham-Bankstown Line Conversion

The Hurlstone Park Association (HPA) is pleased to have the opportunity to present a submission to this inquiry and will address several of the Terms of Reference.

Background

The Hurlstone Park Association (HPA) was formed in 2014 in response to growing community concerns about over-development impacting residential areas of our small suburb. We represent a diverse and growing cross section of our local community with a reach of in excess of 1,000 people through membership, email and social media.

Hurlstone Park is a small (1km²) suburb on the Sydenham-Bankstown line with a population of almost 5,000 people (2016 census). It has a small charming shopping strip which has maintained its century-old footprint and profile. Like all the stations along the line, our railway station is heritage listed locally, and was recommended for state heritage listing in 2016.

The heritage, low-rise, leafy and friendly character of our suburb is highly valued by the community, and considerable input by the community has been put into encouraging heritage protections, and pushing for carefully-considered development. The suburb has about 60% heritage-style dwellings. A large volume of submissions from this community (over 300 each time) were lodged in opposition to both the Sydenham-Bankstown Urban Renewal Strategy of 2016 and the Environmental Impact Statement for the planned Metro conversion of the line.

After a formal **heritage assessment** of the suburb, “Hurlstone Park Heritage Assessment Study” (September 2016, for Canterbury Council), and a follow-up study in 2018, a large part of the suburb was recommended to be protected via several Heritage Conservation Areas (HCAs), and many new new heritage listings (the proposal is now with Planning, awaiting Gateway approval).

Summary of concerns

The HPA has not supported the conversion of our existing heavy rail line to metro. We do not believe that the supposed benefits outweigh the significant negative impacts, especially with relation to:

- heritage and local character impacts, both for the railway station, and the local area
- loss of seating capacity
- safety issues
- significant commuter difficulties during the conversion process

disruption to the community during the conversion process in noise, construction vehicle movements

We have also had concerns about:

- the lack of a transparency around the business case
- the lack of genuine consideration of options and alternatives that would appeal to residents
- the consultation process
- privatisation of the service

Submission in detail, in relation to the Terms of Reference

(a) the adequacy of the business case and viability of Metro

Despite costing the public purse billions, *the business case for this project has not been released to the public*. The 2014 Productivity Commission report on Public infrastructure found that “institutional and governance arrangements for the provision of much of Australia’s public infrastructure are deficient”, leading to poor outcomes.

Recommendations included:

- ensuring best practice governance that clearly defines principal objectives and “ensures decisions are undertaken in the public interest, taken to be the well-being of the community as a whole.”
- proposals are subject to” rigorous cost-benefit analyses that are publicly released” before projects are announced¹

¹ https://www.pc.gov.au/data/assets/pdf_file/0007/205549/infrastructure-overview.pdf

The State Auditor has also been critical of this lack of transparency which has been a hallmark of the government's approach to major projects. Only this year, the state auditor found that Transport for NSW was one of three government agencies failing to comply with probity policies and not ensuring they are getting value for money. In short, they were found to ignore best practice in relation to conflicts of interest and transparency.(www.governmentnews, 27 May 2019, accessed 10 Sept 2019)²

Indeed, in December 2018, the State Auditor found that the NSW government committed to spending millions in public money on the Newcastle light rail project before a business case had been formulated and without any community consultation .³ More recently, allegations have been referred to the ICAC that a senior Liberal Minister, John Sidotti, obtained a huge financial benefit from a large development near Tallowong station, the DA of which was lodged in the years Sidotti was involved in Planning and Transport.⁴

The June 2015 document *"Transforming Sydney: Sydney Metro City and Southwest Project Overview"* spruiked *"Sydney-wide transport benefits"* (p12).

This contradicts the government's principal and guiding document *"Sydney's Rail Future"* (Transport for NSW, 2012, p24):

"In the Sydney context an independent metro system would deliver few benefits in terms of service enhancement, capacity improvements or better operating efficiency on the existing rail network. A dedicated metro-style system would not maximise the use of the existing rail assets. It would create a separate system that would divert funding away from service improvements on the existing rail network and only provide benefits to customers who use the new lines".

This gives the impression that the project is being made up along the way; that it lacks a robust business case. This leads to speculation about the real motives for this project.

It does appear that there is no convincing justification for the costly conversion of our existing rail line. The primary justification for the Metro in reducing congestion has been rejected by a raft of experts. Ex State Rail chief executive John Brew (*"Metro not the answer to Sydney's transport woes"* SMH 5 Feb 2012) advised the money would be better spent adding to and upgrading the current rail system.⁵

Other past rail executives Bob O'Loughlin, Ron Christie and Dick Day further suggested that the metro would not ease congestion (*"Gridlocked and unworkable: Dire warning for Sydney's trains from former top execs"* SMH 19 Dec 2017) They were quoted as stating : *"the 'takeover' of an existing rail line between Sydenham*

² <https://www.governmentnews.com.au/auditor-slaps-down-nsw-agencies-over-procurement-probity/>

³ <https://www.audit.nsw.gov.au/our-work/reports/newcastle-urban-transformation-and-transport-program>

⁴ <https://www.smh.com.au/politics/nsw/how-did-you-get-that-property-minister-grilled-over-links-to-70-million-development-20190912-p52qjp.html>

⁵ <https://www.smh.com.au/opinion/metro-not-the-answer-to-sydneys-transport-woes-20180202-h0sqm5.html> Accessed 9 Sept 2019

and Bankstown for the government's single-deck metro train project will remove 'the relief valve for the network' and leave 'no escape route'.⁶

In addition, Howard Collins, Sydney Trains' chief executive, advised that digital upgrades of the ageing signalling would be the "biggest improvement we can make to the capacity of this city in a very short space of time." A 40% increase in capacity across the network was suggested. (SMH 13th March 2019.)⁷

It was interesting to read Ken Henry's recent statements about politics in Australia today, as reported in the SMH on 10th Sept:

*"He said governments over the past decade had claimed to have fixed many of these problems when the truth was the opposite. "In fact every one of them provides a case study in government failure," he said. "All of these case studies reveal a refusal to heed the advice of experts. In some cases things are worse than that. In some of those cases ... the advice of experts has been ridiculed by politicians interested only in their own personal advancement."*⁸

We are also concerned about the amount of public money being spent on this and many other projects, such as the West Connex. Firstly, we do not think it is money well spent given the above misgivings, but secondly, the cost-benefit ratio, based on original estimates, can shift due to unforeseen costs as has occurred on the City-East and Newcastle light rail projects. Additionally, negative consequences that are meaningful to communities, such as heritage and local character losses, are not part of the equation. Andy Marks, assistant vice-chancellor at Western Sydney University had this to say recently:

"Public infrastructure in NSW has long eclipsed gold-standard. Now it's just ludicrously overpriced. Taxpayers are being taken for a ride. Our local and state governments are clearly hopeless at project management and sorely in need of a lesson." (SMH 15th Sept 2019)⁹

One comparison he used is the planned Parramatta pool costed at \$77million, while in the UK a proposal for 2 pools, completed in 2 years cost under £5.5million. We

⁶ <https://www.smh.com.au/national/nsw/gridlocked-and-unworkable-dire-warning-for-sydneys-trains-from-former-top-execs-20171213-h03omz.html> Accessed 9 Sept 2019

⁷ <https://www.smh.com.au/national/nsw/quickest-cheapest-way-to-boost-sydney-s-train-services-20190305-p511y5.html> Accessed 9 Sept 2019

⁸ <https://www.smh.com.au/politics/federal/a-case-study-in-government-failure-ken-henry-excoriates-politicians-warns-future-jobs-at-risk-20190910-p52pri.html> Accessed 17 Sept 2019

⁹ <https://www.smh.com.au/national/nsw/they-may-have-lost-the-ashes-but-the-brits-know-how-to-build-pools-20190915-p52rfs.html> Accessed 23 Sept 2019

would argue that we are simply getting the same rail line, with less seating, and at great risk to our local character, for more than \$10 billion.

(b) the consideration of alternatives for improving capacity and reducing congestion

Firstly, congestion along this line has been created by this government. Not only have they encouraged population growth and enabled accelerated development along this already dense corridor, they have incrementally reduced rail services to the line and beyond. They cut the direct line in 2013 at Homebush (Inner West line) and Lidcombe (T3 line) which has resulted in less direct travel for commuters beyond these areas. They have also privatised Inner West bus services and locals anecdotally report buses are now less reliable and services do not match the on-line tracker. The Inner West light rail, which intersects with the T3 line at heavy rail at Dulwich Hill, is above capacity due to the government's failure to provide extra carriages and services. And, of course, they have failed to upgrade rail signalling which causes delays on a regular basis.

The HPA submits that this costly project is progressing despite alternatives that would cost less, or result in greater public good, or both:

- upgrade signalling digitally, across the network
- provide track amplification at pinch points across the network
- increase services and capacity on local buses and the light rail
- divert the metro to Parramatta, and make good the promise on Parramatta Rd improvements;
- introduce rapid transit buses along Parramatta and Canterbury Roads
- build a north-west rail link and rail to Port Botany or other areas lacking rail routes
- upgrading and adding rail corridors and networks instead of building toll roads
- take realistic steps towards Sydney being a global city though incentives to encourage travel work and leisure outside the usual peak hours

(c) the factors taken into account when comparing the alternatives and the robustness of the evidence used in decision-making

The government's own contradictory statements indicate a lack of good evidence to support the project. The government also appears to have ignored the alternatives suggested by a raft of experts, such as signalling upgrades, track amplification work and improving and building on the current system rather than cannibalising an existing rail line.

Aggressive lobbying for projects by private enterprise has been a significant concern. MTR Hong Kong has a Rail + Property business model and has sought to expand its services internationally, including into Australia where it now operates the North-West Metro in Sydney and Melbourne's Metro rail service.¹⁰

¹⁰ https://www.mtr.com.hk/archive/corporate/en/publications/images/business_overview_e.pdf

At Hurlstone Park we reject this business model; public transport should be developed for the public good, not private profit.

d) whether metro is a suitable means of transport over long distances

The metro trains planned by this government have limited seating; these are not suitable for the long distance of the T3 line (13km). In this corridor, a third of the population is over 50. The City of Canterbury Bankstown had a higher proportion of preschoolers than Greater Sydney in 2016 (Australian Census).

Metro trains are rapid-transit systems with a lack of comfortable seating and are suited to inner-city short distances, as they are used in Paris and London. The lack of seating is unsuitable for both older commuters and those with young children. The unsuitability of this option has been analysed by several experts, including John Austen who was a senior official of Infrastructure Australia.¹¹

We have safety concerns about the metro trains and stations. The evacuation procedures for narrow tunnels have not been clarified. We are concerned about the lack of on-train staff and the automated systems. The North-West metro has issues with the running of the automated trains, including malfunctioning doors and urgent track work. In addition, there have been at least 10 instances of young children being separated from their parents due to the automatically closing doors or platform screens (Northwest Star 29 Aug 2019).¹² The response by Minister Constance was that parents “should take more care”. This is a design issue, and is likely to affect older people and those with disabilities.

e) the consultation process undertaken with, and the adequacy of information given to community, experts and other stakeholders

A lot of the feedback regarding the metro was about unsatisfactory consultation. Although the government continually spruiked its consultative credentials, this did not translate to communities. Indeed, a lot of the communication was in the form of a one-way propaganda campaign rather than any meaningful exchange of information. Glossy brochures and postcards handed out at stations by metro staff contained biased information such as “a train every 4 minutes” (this will be about 20% of the time, in a limited peak period), “beyond Bankstown” will “continue to be serviced” (but commute times will increase), “seating” (which will be reduced for each trip). The campaign, however, went further, with a “fake news” story about Hurlstone Park losing its station if they did not agree with the government’s story for growth.¹³ This

¹¹ <https://johnmenadue.com/john-austen-inquiry-into-sydney-metro-part-1/>

¹² <https://www.northweststar.com.au/story/6356240/sydney-metro-separates-kids-and-parents/>
Accessed 23 Sept 2019

¹³ https://au.yahoo.com/?err=404&err_url=https%3a%2f%2fau.news.yahoo.com%2fvideo%2fwatch%2f32188216%2fhurlstone-park-railway-station-to-close-after-120-years-of-service%2f

was the same network that brought us the “documentary” *“World’s Best Metro”* and other exclusive stories spruiking the project.¹⁴

The public has had to rely on media reports and community groups to learn about pitfalls and issues related to this project.

The official response to submissions (which was largely dismissive of many concerns and merely re-stated the same justifications) and preferred project included an undertaking to consult widely with communities about station precinct designs and planning issues. There has been no further consultation to date.

f) the impact on the environment and heritage conservation

Heritage impacts from this project are likely to be significant. To date, the government has failed to institute best practice in regards to heritage assessment and treatment. The original EIS displayed a reckless approach to heritage and totally underestimated community and expert concerns about the value of heritage. The project, from the outset, did not apply the Burra Charter, as would be expected, to the conservation of our heritage. In addition, the government’s approach has contradicted its own heritage principles for valuing, retaining and protecting items for future generations.

While the government back-pedalled on many of the heritage demolitions they were planning, in the light of immense negative feedback, they have again not been transparent about possible impacts in the preferred project. In appendix F of the Preferred Infrastructure Report (PIR) it states that *“Items of fabric (are) proposed for removal”* and that *“the historic character of the line ... would be altered by the contemporary Metro infrastructure.”* (p 93)

The main heritage impacts will be:

- reduced heritage value of the historic stations along the line; station designs were widely criticised and communities have not been consulted about this since. The planned use of glass petitions along the platforms, and new buildings are cause for concern.
- reduced heritage values and impacts on local character at the station precincts. Hurlstone Park has a charming historic village-like retail area, which has maintained its federation characteristics. A modern station entrance, and a large car park would be inappropriate in this setting.
- negative heritage and character impacts in garden and federation suburbs such as Hurlstone Park and Belmore due to the push for growth along the corridor. Although this project is aligned with urban development, the government has refused to align the metro with negative heritage impacts beyond its project area. While the metro remains on the table, speculative development will occur. This has a divisive and destructive impact on communities and heritage values.

¹⁴ <https://www.sydneymetro.info/article/worlds-best-metro-go-behind-scenes>



Pictures 1 and 2: Hurlstone Park shops then (about 1910, on the left - State Library NSW (bcp 02341r)) and now (photo on R by Marie Healy 2018). The heritage footprint is little changed and adds to the areas charm.

Case study: The recently built Gibbons St entrance at Redfern Station has concerning design elements. Redfern Station is State Heritage listed and the rare Queen Anne Style Overhead Booking Office is one the last of this type to survive in Sydney. Instead of complementing the important heritage of the station, as would be expected in heritage treatment, the new entrance appears to complement surrounding recent high-rise developments, with similar external vertical louvres, use of glass and metal, sharp lines and a rectangular profile.



Pictures 3 and 4: The new Gibbons St entrance (on the L) at Redfern Railway Station, with design features that clearly complement the surrounding high-rise developments, despite this station having important heritage values.(Photo Marie Healy, 2019). The booking office is on the R (picture, Office of Environment and Heritage)

The original intent was to demolish the main platform building at Solitariness Park Station, despite its 2 local heritage listings, and it being recommended for state heritage listing in 2016. The heritage report for the EIS fell far short of community expectations and other heritage expert opinions.

In the Hurlstone Park Association Submission to the EIS, 2017, Dr Bronwyn Hanna supported community concerns about heritage losses. Dr Hanna has expertise in NSW heritage listings (for 12 years at the Heritage Office), works as a heritage consultant, and has been widely published in the area of the history of the built environment in Australia.

Dr Hanna pointed out that the Burra Charter of heritage principles, widely accepted as an industry standard across Australia, should be guiding the heritage management of the Metro, but this does not appear to be applied in the heritage assessment of the planned Metro.

Dr Hanna stated:

“while little of the land around these stations is heritage-listed, all of it should be professionally assessed for potential heritage significance before any of it is rezoned. Although heritage legislation is turned off for state significant projects such as the Metro, the developing authorities are still required to address heritage concerns as part of their responsible management of projects, even when there are no formal requirements for approvals from the Heritage Council or NSW or the need to follow heritage rules in LEPs.”

Dr Hanna stated further that:

“the plans displayed in this EIS are sadly lacking in appropriate measures: firstly for assessing the heritage significance of affected land not already heritage listed; and secondly for conserving the fabric, appearance and historic significance of those railway stations which are heritage listed”.

Dr Hanna was also concerned about the design quality of the planned precincts as they are out of character and not well considered:

“Perhaps the key statement for everyday heritage practice in the Burra Charter when managing change to heritage places is to do ‘as much as necessary, as little as possible.’ Yet the plans for the railway stations seem motivated by the opposite principle - to make as many changes as conceivable and to keep as little of the historic fabric and atmosphere of these place as possible. Instead of using expert advice to conserve the heritage significance of the Sydenham to Bankstown railway stations, there seems to be a desire to renew and modernise the appearance of all these places.

In conclusion there does not yet appear to be much serious heritage expertise involved in the Metro plans. The historic stations are beautifully built, and they are heritage listed and remain in good condition. They deserve to be properly managed and top quality heritage consultants need to be appointed to help with this task. Conserving heritage significance should be seen as a core aspect of project management of the Metro project.”

The EIS also ignored the draft heritage conservation areas in Hurlstone Park abutting the station.

The response to the submission to the EIS by the National Trust was dismissive and misleading in stating that

“ As the majority of the project area is within the rail corridor potential (unlisted) heritage items are unlikely to be present. All land within the project area has been assessed for archaeological potential and significance. Council heritage studies provide a comprehensive assessment of the local government area in order to prepare the local environmental plan schedule of listed items. This was relied upon to accurately capture significant items that may be indirectly

impacted. It was not therefore seen as necessary to complete a heritage assessment of all structures within the project area (direct impacts) or study area (indirect impacts)".¹⁵

In fact, the Canterbury-Bankstown and the Inner West councils have a lot of catching up to do in terms of heritage assessments and protections. Hurlstone Park, mentioned previously, has only recently had new items recognised and Heritage Conservations Areas recommended.¹⁶ The speculative housing market has resulted in several new interim heritage orders for unique homes developers have hoped to demolish (73 The Boulevard Lewisham is a good case in point; it's a Bungalow with rare internal features and the DA attracted widespread opposition. This resulted in heritage protections). The metro will fuel further speculative development and risk the loss of sturdy, heritage style homes and street-scapes for short-term profit.



Pictures 5 and 6: 73 The Boulevard Lewisham is an intact Arts and Craft home with rare internal features such as an Inglenook and bespoke wood panelling has just escaped the wrecking ball due to community and expert opposition. Reactionary heritage listings are becoming more common in this speculative housing market, especially where councils have failed to conduct widespread heritage assessments (photos from realestate.com accessed 17 Sept 2019).

Although, after significant and widespread criticism, the NSW Government revised heritage impacts in the Preferred Infrastructure Report (2018), we submit that this Government has a poor track record on honouring commitments in relation to major transport projects; further, it appears there are no consequences for not keeping promises.

Station design is an issue, and the community has yet to be consulted about new plans. The experience along the North-West metro has been that newly-built large commuter car parks are already at capacity. The small historic retail strip at Hurlstone Park is not suitable for a large car park. Already commuters from nearby suburbs park along Crinan St and other streets in the suburb.

¹⁵ https://www.sydneymetro.info/sites/default/files/document-library/Sydenham_to_Bankstown_Submissions_Report.pdf

¹⁶ Hurlstone Park Heritage Assessment, Stage 1 Report, 2016 for Canterbury-Bankstown Council; Review of the Hurlstone Park Heritage Planning Proposal 2019

(j) the adequacy of temporary transport arrangements during the conversion process including for people with a disability

A temporary bus plan for the rail closures over Christmas this year totally left out Hurlstone Park station. This plan is difficult to access and simplistic at any rate.

It is difficult to have confidence in a temporary transport strategy when our suburb has been forgotten in the first place. Some people will still need to drive to work, and access on roads for emergency vehicles will be a safety concern.

Furthermore, thousands more commuters who live along the T3 line will be affected compared to the numbers affected by the conversion of the Epping to Chatswood line last year. It is not sufficient for Minister Constance to say the temporary transport arrangements for the north west metro conversion serviced the commuting population well, therefore the TTP arrangements for the T3 line will work as well.

(l) any related matter

The HPA supports public transport for service provision and we are concerned that this project aims to privatise the running of our rail service.

The Inner West bus services have already been privatised. Commuters in the Hills area have had their private bus services reduced within weeks of the metro opening; some interpreted this as forcing more people onto the metro. Minister Constance was reported as saying

"We are not going to go round running and burning fossil fuels and creating these great emissions unnecessarily with empty buses" (SMH 15 Sept 2019)

Obviously profit trumped service provision. Some locals had commute times to the city doubled, and 10,000 signatures were collected by locals adversely affected. The worse affected were people who lived further away from the stations.¹⁷

In summary, the HPA remains opposed to this project:

The government has not been transparent about the business case, and the justifications are questionable. A large proportion of the community remains opposed to the project.

Recommendations/outcomes sought

1. For projects that are declared State Significant, and cost the public purse significant amounts, such as this Metro project, it must be mandated, by law that:

- there is bipartisan and widespread community support for the project
- there is full transparency, at the outset, of the business case and cost-benefit analysis; these should be made public, along with contractual arrangements that involve any up-front or ongoing public expenditure. There should now be

¹⁷ <https://www.smh.com.au/national/nsw/why-some-hills-residents-are-angry-despite-their-brand-new-train-line-20190912-p52qym.html> Accessed 23 Sept 2019

zero tolerance for “cabinet in confidence” secrecy when huge amounts of public money are used to fund projects

- the government immediately enacts reforms as recommended by the State Auditor and Productivity Commission
- projects that are not found to be in the public interest should not be allowed to proceed

2. For projects that cost the public purse billions, we have a fair expectation of excellence in governance, consultation design and the treatment of heritage. This has not occurred and the project should be halted until an examination of the shortcomings occurs.

3. Options and alternatives are prioritised, such as signalling upgrades across the network and a metro to Parramatta.

4. Stop the metro at Sydenham, where it should be placed underground, and options examined for directing the route to an area not currently serviced by rail.

5. Upgrade stations for accessibility -- this does not need a metro to happen.

6. If the project proceeds, communities and community groups should be treated as stakeholders, and have input all through the planning and construction process.

7. Promises made to communities, such as heritage preservation, must be honoured.

8. If the project proceeds, maintain public operation and restore public bus services as well. If this area is to absorb growth for the metro, we expect gold standard public transport throughout the day and night, to match the government’s concept of a “global city”.