

Supplementary
Submission
No 438a

**INQUIRY INTO IMPACT OF THE WESTERN HARBOUR
TUNNEL AND BEACHES LINK**

Name: Name suppressed
Date Received: 12 September 2021

Partially
Confidential

Submission – Inquiry into the Impact of the Western Harbour Tunnel and Beaches Link

Date: 11-September-2021

To: Members of Public Works Committee Inquiry into the Western Harbour Tunnel and Beaches Link Project (whtbl).

Re: Supplementary submission to Submission number 438

Apologies for this late supplementary submission. In my earlier submission I made a reference to the *'myriad sub-contractors to the contractors to Transport for NSW (TfNSW)'* who seemed to be nameless, and I asked exactly who residents were dealing with. Since that submission I have found out that, for the current Early Works Program in progress around the North Sydney Council (NSC) area, residents who wish to lodge a complaint or obtain information relating to the Early Works Program are not dealing with public servants employed by TfNSW who are bound by a Code of Ethics and Conduct, but directly with a front company for the three (3) contractors to TfNSW.

No work-person currently involved in the 'Early Works Program' on site throughout our community, when asked, will say exactly who they work for. They hand out blue NSW Government cards (no doubt paid for by the tax payer) with a phone number for residents to call if they have problems to report. This 'phone number 1800 931 189 doesn't answer with any NSW Government department name - or any name. When pressed the service personnel answer WHTBL project complaints. When further pressed as to whether they work for TfNSW or the NSW Government, these service personnel squirm and repeat their well rehearsed mantra – they work for WHTBL complaints. Given these people are taking the personal information of residents 'phoning the 1800 number with problems, and turning up uninvited to our front doors, I was concerned to know exactly who they work for, and it didn't take much effort to find out they work for a company named Sydney Program Alliance (SPA).

- Sydney Program Alliance was established in 2019 and is a front company owned by 3 contracting companies – Freyssinet Australia (foreign owned), Jacobs Group (foreign owned) and John Holland Pty Ltd.
- John Holland was sold by Leighton Holdings to China Communications Construction Company International Holding Limited (CCCI), a wholly owned subsidiary of China Communications Construction Company Limited (CCCC). CCCC is majority owned by the Chinese Communist Party.
- CCCC was debarred by the World Bank for 8 years due to fraud on highway projects in the Philippines. And, a subsidiary of CCCC was banned in 2018 by Bangladesh after attempted corruption to win a highway tender.
- CCCC is active in dredging projects in areas under dispute in the South China Sea. In August 2020 the US Department of Commerce placed several CCCC subsidiaries on the Bureau of Industry and Security's Entity List for their construction work to militarize artificial islands in the South China Sea. In that same month the US Department of Defense released the names of additional 'Communist Chinese military companies' operating directly or indirectly in the United States. CCCC was included on the list.
- In November 2020 President Donald Trump issued an executive order prohibiting any American company or individuals from owning shares in companies, including CCCC, that the US Department of Defense has listed as having links to the People's Liberation Army. In December 2020, the United States Department of Commerce added CCCC itself to the Entity List

The above information is available in the public domain.

My questions are:

1. Why has TfNSW in conjunction with SPA, so blatantly and dishonestly deceived the people of this NSC community and the wider NSW community into believing they are dealing with

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TfNSW? Any person handed these blue NSW Government cards would be forgiven for believing they were dealing with a NSW Government department. Every single person I have asked, even strangers on the street that I noticed were handed these cards, believed they were or would be dealing with TfNSW, and were unimpressed when I explained exactly who they were dealing with. Any person 'phoning the 1800 number is handing their personal contact details and other personal information to SPA.

2. If TfNSW needs to contract out the work currently undertaken by SPA, why was the work not tendered and awarded to an **independent organization** rather than to the Early Works Contractor who has a vested interest in keeping the community's concerns 'isolated and managed'?
3. Why has TfNSW awarded a contract to CCCC when the Chinese Communist Party has inflicted untold damage on Australian companies over the past couple of years due to their trade wars?
4. Why has TfNSW awarded a contract to CCCC, when, as I write, the Chinese Communist Party are inflicting the most atrocious human rights abuses on the Uyghur population in Xinjiang?
5. Why is the NSW and AU tax payer handing over their hard earned monies to the majority owner of John Holland, the Chinese Communist Party Government in Beijing?

I look forward to the outcome of this inquiry and thank all members of the committee for their efforts to ensure transparency and accountability is delivered, and seen to be delivered, for the people of NSW.

Sincerely,

NOTE: My submission can be published, but I would appreciate my name and contact details remain private.