

REPORT OF PROCEEDINGS BEFORE

SELECT COMMITTEE ON THE CROSS CITY TUNNEL

INQUIRY INTO THE LANE COVE TUNNEL

At Sydney on Wednesday 14 June 2006

The Committee met at 3.30 p.m.

PRESENT

Reverend the Hon. F. J. Nile (Chair)

Legislative Council

The Hon. A. R. Fazio
The Hon. G. S. Pearce
Ms L. Rhiannon

Legislative Assembly

Mr M. J. Daley
Mr A. J. Constance
Mr S. B. S. Pringle
Ms K. K. Keneally

IAN MALCOLM LONGBOTTOM, Newspaper Publisher and Mayor, Lane Cove Municipal Council, 48 Longueville Road, Lane Cove,

JOHN WILLIAM LEE, Director, Major Projects, Lane Cove Municipal Council, 48 Longueville Road, Lane Cove, and

ROSS BERTRAM SELLECK, Former Executive Manager, Works and Urban Services, Lane Cove Municipal Council, 48 Longueville Road, Lane Cove, sworn and examined:

GENIA MARIA McCAFFERY, Mayor, North Sydney Council, 200 Miller Street, North Sydney, and

PENELOPE JANE HOLLOWAY, General Manager, North Sydney Council, 200 Miller Street, North Sydney, affirmed and examined:

CHAIR: Are you conversant with the terms of reference of this inquiry?

ALL WITNESSES: Yes.

CHAIR: I welcome everyone to the first public hearing of the Joint Select Committee on the Cross City Tunnel's inquiry into the Lane Cove Tunnel. Before we commence I would like to make some comments about procedure for today's hearing. It is possible that some questions directed to witnesses today may involve issues that may be considered commercial in confidence. If you are concerned that certain answers to questions are a matter of commercial in confidence, you may request that part of your evidence be heard in camera, which is a confidential meeting of the Committee. The Committee normally accedes to this request and will then exclude the public and the media from the hearing. Transcripts of this evidence are confidential. I must advise that the Legislative Council can reverse the decision of the Committee, however, this is extremely rare.

The Committee has also previously resolved to authorise the media to broadcast sound and video excerpts of the public proceedings. Copies of guidelines covering the broadcast of proceedings are available from the table by the door. In accordance with Legislative Council guidelines for the broadcast of proceedings, members of the Committee and witnesses may be filmed and recorded. People in the public gallery should not be the primary focus of any filming or photographs. In reporting the proceedings of this Committee the media must take responsibility for what they publish or what interpretation is placed on anything that is said before the Committee. Witnesses, members and their staff are advised that any messages should be delivered through the attendants or the Committee clerks. I also advise that under the standing orders of the Legislative Council any documents presented to the Committee that have not yet been tabled in Parliament may not, except with the permission of the Committee, be disclosed or published by any member of such Committee or by any other person.

The Committee prefers to conduct its hearings in public, however the Committee may decide to hear certain evidence in private if there is a need to do so. If such a case arises, I will ask the public and the media to leave the room for a short period. We are aware that people hold strong and divergent views regarding the Lane Cove Tunnel project. I emphasise that only questions from the Committee and the evidence of witnesses are recorded on the transcript. Uninvited interruptions are not recorded and may make it more difficult for witnesses to fully express their views.

If any of the witnesses should consider at any stage that certain evidence you wish to give or documents you may wish to tender should be heard or seen only by the Committee, please indicate that fact and the Committee will consider your request. Does anyone wish to make a short statement before we start with questions?

Ms McCAFFERY: Yes. Firstly, I thank the joint committee for inviting North Sydney Council to give evidence before the inquiry into the Lane Cove Tunnel. Given that the Falcon Street off ramps are being constructed in North Sydney, the project has and will continue to have a big impact on both the council area and our community. We forwarded a written submission to the inquiry and I would like to highlight some of the more pertinent points, and Penny will highlight some as well.

Since the environmental impact statement phase North Sydney Council has repeatedly expressed concern regarding pedestrian and cyclist access and safety at Falcon Street. The Warringah Freeway basically dissects North Sydney in half. The freeway has had a major impact on the North Sydney local government area and continues to have that impact, and we are concerned that the Falcon Street ramps will worsen that impact. I must say that we are pleased and heartened that the Minister for Roads announced today that the Roads and Traffic Authority [RTA] will finally fund a grade separated pedestrian and cycle facility at Falcon Street. Minister Roosendaal reacted quickly. We have been making these complaints for many years and we have been unsuccessful in getting anywhere, and the current Minister acted swiftly. We are grateful for his intervention. I point out to the Committee that we believe the RTA failed to include this pedestrian facility in the original project, and we are very happy that has now been fixed.

The other issue council has is the inequitable toll. We have calculated that the toll at Falcon Street per kilometre will be \$6.10. This is compared with the Cross City Tunnel, which is \$1.70 per kilometre, and the M4 motorway, which is about 6¢. The RTA will no doubt argue that the Falcon Street toll is not just for the 200-metre ramps—and they are only 200 metres—but we fear that will not be the public perception and that they will feel they are paying the toll just for the 200-metre ramps. You can see what has happened with the Cross City Tunnel, that public perception really affects patronage. Council is concerned that with this perception that it is overpriced we will continue to get the rat-run through North Sydney local roads. We have adopted a resolution to support a number of transport strategies, including improving the equity of private motor vehicle transportation by standardised tolling across Sydney. We make a plea for the Committee to consider having a standard toll per kilometre across every motorway. If you look at all the motorways around Sydney now, every one of them has a different toll. We think this is crazy.

Much to our horror, as I drove down on Miller Street recently, we saw a huge, whopping sign. It is 7.5 metres high. These are called variable message signs. They were hidden in the EIS and until these things were erected we had no idea what our community was going to suffer. We usually see these things on motorways and freeways. Clearly, on a motorway or a freeway they do not look like they do now on our local roads. We now have one on Miller Street and one on Falcon Street. Our community believes the size and impact of these signs were not clearly communicated to us as a community. They are unjustifiable on our local roads. We see no reason for these gross signs that are now appearing in our communities. We plead that the Committee will consider saying to the RTA that these kinds of signs are not appropriate on local roads, particularly in areas like Miller Street where they are next to predominantly low-scale residential dwellings.

My final plea to the Committee is that we do not, with the problems that we are now experiencing with the Cross City Tunnel, forget the positive results for our communities that we used to get with large-scale projects. I remind you all about Surry Hills before the Eastern Distributor. That suburb was criss-crossed by busy roads, with very poor conditions for its residents. As a result of road closures that were enabled through the Eastern Distributor Surry Hills is now a beautiful place to live. We must not lose the positive results for our community that we gained before, with better streets, better facilities for pedestrians and cyclists and better public transport. That should be part of any major new road infrastructure. Many of us are very concerned, because of the backlash from the Cross City Tunnel, that we will lose these kinds of positive results for our community in the future.

CHAIR: Do you have an opening statement on behalf of Lane Cove council?

Mr LONGBOTTOM: I do. I thank the Committee for holding this inquiry and for inviting us to participate. There is a long history to this project—13 years. April 1993 was the start of the tunnel concept. There are reams of documents. There has been any number of inquiries. There has been any number of commissions of inquiry done by the RTA, and it is good to hear Mayor McCaffery saying that the Minister is finally listening, because the RTA has not listened for 13 years. I will not talk too long. I am happy to take questions, but I will pass to John Lee who, although I have been around for the full 13 years of this project, over the past three years has been very heavily involved as our project manager for the tunnel. His main aim in life has been to work this tunnel through. John has an encyclopaedic knowledge of this. We have presented an intensive, thick document to you, and John will also be tabling another document today with some information that he will go through. So, I am going to pass to John and let him take you through and then, as I said, I am happy for any questions.

Mr LEE: I can assure you, sir, that the tunnel is not my only thing in life.

Mr LONGBOTTOM: I am sorry; that is all you have been doing for the last three years. You do have an outside life, I know.

Mr LEE: The council appreciates the support of the Legislative Council in making available many of the documents as per parliamentary orders that have exposed secret documentation and helped our appreciation of some of the issues. I will table a document at the end of this presentation that is an unattributed air quality assessment report by Parsons Brinkerhoff which was submitted to the AQCCC at its last meeting on 25 May. I have included existing traffic volumes in red for comparison purposes, the RTA traffic volumes for November 2004 undertaken by Sinclair Knight Mertz to expose the extent of the errors in that Parsons Brinkerhoff report, the 2000 emissions calculations prepared by Parsons Brinkerhoff for the Lane Cove tunnel ventilation system and documents relating to the recently announced NSW Health study.

The RTA's revised ventilation design was submitted to the Department of Planning on 25 October 2002 after public submissions on its preferred activity report had closed. It was therefore not subject to any public consultation. Fundamental mistakes were made then by the Department of Planning in setting pollutant limits in condition 173. These were based on traffic volumes at four o'clock in the morning in both tunnels and congested conditions applying for seven hours a day 300 days a year—in 2006. Our submission outlines how the constructed ventilation system is significantly different from that of the approval with a 145 metre longer tunnel, 1,600 metres of air tunnel deleted—that tunnel was specifically included in the revised ventilation designs for which the approval was granted—reduced airflows, the mainline tunnel grades modified, and all without environmental assessment or consultation with any of the key stakeholders.

Despite glaring inconsistencies with the approval, on 28 April, some five months after the contract was signed, the RTA concluded in its assessment report that these changes were minor and were consistent with the approval. No ministerial approval was sought and when we spoke with DIPNR it refused to take any action. As I said, the constructed ventilation system is not in accordance with the approval. The integrity of the emission calculations that I will table today have been defended by the RTA and the tunnel company despite CSIRO advice that the in-tunnel concentrations for particulates are underestimated by up to 100 per cent. A major outcome from this inquiry would be for the Department of Planning to reassess the imposed limits and to revise them back down to be no greater than those stated in the report which I will table today from Parsons Brinkerhoff, which was used also by Dr Ross in the air quality modelling. The contract ensured that the traffic volumes for the project were kept secret. Alarm bells ring when the RTA's 30-year EIS traffic projections are realised in 2009, based on the company's base case financial model. The capacity is reached soon after opening, especially in the eastbound tunnel. Within 10 years the eastbound tunnel needs to operate at the capacity every hour between six in the morning and seven at night. By 2037, at the end of the project, the tunnel would have to operate between four in the morning and eleven at night to achieve the traffic volumes included in the base case financial model.

All tenderers proposed three lanes in the tunnel in each direction. The failure to construct three lanes eastbound now condemns Epping Road to traffic chaos with little chance of correction. We would like to spend some time with the Committee on the traffic volumes on the base case financial model and on the Parsons Brinkerhoff report submitted to the AQCCC. Filtration remains a major issue for the council. There is no rationale for the cost estimates being handed around. Ian Hunt recently quoted \$500 million for in-stack filtration—that is the same cost as the tunnel—and \$200 million for in-tunnel filtration. Former roads Minister Costa quoted \$70 million if the Federal Government were to up its offer of \$10 million and meet half the cost. The \$10 million of the Federal Government is still available: \$35 million, being half of the \$70 million, has been offered by the Government. We submit that money should now be used to filter the tunnel: \$20 million is committed to do the abandoned filtration trial. We say that should be used in the Lane Cove tunnel to monitor equipment in a live tunnel environment.

We believe it was wrong to contract no changes on Epping Road without compensation to the tunnel company for the next 30 years. Without three lanes eastbound in the tunnel Epping Road, as modified providing the only access to the Lane Cove West business park, will not be able to cope. If Epping Road is reduced to one general eastbound traffic lane Epping Road and Mowbray Road will

remain congested. The NSW Health study recently announced is designed to fail because there is no longer a chance to obtain adequate background data. It is being undertaken during the ramp up period for the tunnel, with major chaos remaining on Epping Road. With many of the cohorts from the schools moving on to the high school, the study cannot be repeated or extended to consider long-term impacts. If time permits I would also like to touch on the stupidity of using background monitors averaging over 24 hours to determine the real short-term impacts that people will experience from the plume bursts, which are ever more likely with stack exits reduced from five metres a second to three metres a second.

In conclusion, the Department of Planning needs to reassess the basis on which the pollution limits were set to be no more than the maximum emissions for either normal congested traffic as predicted by the Lane Cove tunnel company's designers, Parsons Brinkerhoff. It is too late to have three lanes in the eastbound tunnel. Improved access into Lane Cove, including Epping Road, must remain a priority. Filtration is required within the tunnel to remove ultra fine particles. As I said, the current health study is designed to fail.

Ms HOLLOWAY: I would like to follow on from what Mayor McCaffery said and talk about some of the environmental impacts and impacts on North Sydney residential areas and the CBD of the project. Council made a number of comments in response to the EIS for the project, including concerns that there will be a significant increase in traffic congestion on the Warringah Freeway and the Harbour Bridge. No provision has been made to include travel demand management measures with the tunnel project and the Harbour Bridge, which is a major concern to us. There will be poor operating performance on the intersection of the new of ramp with Military Road, Falcon Street and Merlin Street, resulting in long delays and congestion. We are also concerned about the lack of pedestrian and cycling facilities. That has been covered by the mayor. All of these concerns in our view have been largely ignored by the RTA in the representations report and in the finalised design for the project. The RTA has yet to address the council's real concerns that the Lane Cove tunnel will merely relocate the bottleneck from Lane Cove to the Harbour Bridge and the tunnel unless demand management measures are introduced so that traffic flow can be managed. Lack of demand management measures will impact on North Sydney through reduced air quality, traffic noise and the likely increased congestion on local roads through rat running.

Since the EIS and after the consent was given and the Minister's conditions prepared, the design of the Falcon Street works and pedestrian access have been significantly changed. The northbound entry ramp to Falcon Street is now on the western side of the Falcon Street Bridge and an additional northbound exit ramp has been located to the centre of the Falcon Street Bridge. These changes occurred in December 2003 and were made public in July 2004. At no time has the council or the community been invited to comment on these very significant changes. They were considered to be consistent with the approval and therefore there was no supplementary EIS or Minister's approval required. But these changes in the Falcon Street design will have a number of impacts. One is that the RTA now intends to install a sign on Berry Street, which goes through the centre of the North Sydney CBD, directing motorists bound for neutral Bay, which is on the eastern side, and Mosman or the northern beaches to travel via Miller Street through the centre of our CBD. Previously these vehicles would have used the Warringah Freeway to make this journey. But they will not be able to do this any more because of the changes to the ramps. They would need to cross several lanes of fast-moving traffic. So instead of vehicles being removed from the CBD on to the expressway we are finding the other thing. The result will be that North Sydney residents and businesses will have an increase of approximately 20 per cent in vehicle volumes on Miller Street through the CBD at the PM peak. This will obviously impact on environmental amenity. This increase in traffic in Miller Street will also impact on council's proposals to make a number of changes in the CBD of North Sydney to improve the amenity and improve the public domain.

The aim of our project to revitalise the CBD was to reduce through traffic in the CBD, which would significantly improve the amenity and attractiveness of the centre. We hope to divert regional and through traffic around the CBD by making road and intersection changes while providing for additional walking, cycling and public transport in the centre. If more traffic is funnelled through the CBD rather than away from it with the changes that are going to be made through the ramping it will achieve exactly the opposite effect from what the council and, we assume, the Government wanted.

CHAIR: In general terms it sounds as if both councils are very unhappy with the degree of consultation by the RTA?

Ms McCaffery: The consultation with local residents has been very good but at different points critical things have not happened. Ms Holloway just mentioned that there were major changes to the project and we were not consulted. This has now resulted in a lot of problems. So it has been a mixed story. I think Mr Longbottom would probably agree that the handling at the community level has been quite good through the project but major gaps in consultation have resulted in the council being informed of the problems after the fact when there is nothing we can do about it.

CHAIR: Is that the experience of Lane Cove?

Mr Longbottom: Yes, it has been that way right through the process. The contract was kept very silent. We were not aware of what was in the contract. I think all the details are starting to come out now thanks to members of this House asking questions. A lot more is becoming evident. As the mayor said, there has been very good consultation with our community but a lot of that was done by us. A lot of it was brought about by councils communicating with the community. I am very critical of the RTA right through this whole process. One cannot be too critical of Ministers because they come and go: we have had four roads Ministers in the last two years. Unfortunately, I believe they are being snowed by the bureaucrats. This is a major problem. I have tried to alert Ministers to the department running riot but they do not seem to want to listen. It is not communicating with the community and particularly with councils.

CHAIR: Mr Lee went through the problems with the volume of traffic through the tunnel. What was the response of the RTA to your projections that two lanes would not cope?

Mr Lee: I put a number of questions to the Air Quality Community Consultative Committee three months ago and I am still waiting for an answer. At a community meeting last night I asked the RTA what is the maximum capacity of the tunnel. I was told that it is not a matter for the RTA; it is a matter for the tunnel company. That is the sort of nonsense we get. We ask the tunnel company what is the maximum capacity and they say that they are advised that the tunnel will be operating at congested conditions for seven hours a day by 2016. I look at the M5 East figures and I can see that a two-lane tunnel operating in Sydney does not get 4,400, but that is the figure I have used as the upper limit at which the tunnel would operate. It is too late to put a third lane into the tunnel; it is built. We do not have a ramp-up period—

Ms Kristina Keneally: Are you aware that the tunnel was built to add a lane in the future?

Mr Lee: I would like to see where it is going to be. I know there is a stump at Stringy Bark Creek.

Ms Kristina Keneally: You are aware of that then?

Mr Lee: Yes, I am.

The Hon. Greg Pearce: Ms Keneally is a bit new to this, so she believes some of her own—

The Hon. Amanda Fazio: Do not be so patronising. You rude—

Ms Kristina Keneally: I will look after myself.

CHAIR: Let Mr Lee conclude. In regard to the filtration devices and so on, did the Lane Cove Council want them installed? Did you have discussions or did you request that from the RTA?

Mr Lee: We have been requesting that filtration be installed for a long period, through the EIS process and so on. We tried to apply pressure before it was too late to have the ventilation system redesigned to incorporate filtration. As a result of council pressure, I understand that Minister Scully, who was Minister for Roads at the time, asked a delegation to go to Japan to see what they were

doing. As I have stated in the submission, Gary Humphries came back and said that they have some good and cost-effective systems in place in Japan. As I understand it, they have about 80 tunnels longer than two kilometres, 40 of which include filtration.

CHAIR: Did the RTA give any answers as to why it did not include filtration?

Mr LEE: I understand from Gary Humphries that it is not required. He believes that if you look at the monitoring results around the M5 East they are still meeting the limits set. As I indicated in my opening address, I would like to spend some time touching on that stupidity. I have likened it to someone blowing cigarette smoke in my face for 10 minutes with a monitor over in the corner and leaving it there for 24 hours and asking what effect I experienced from having smoke blown in my face. The monitor will not pick it up. That is the stupidity of the way the conditions are set for monitoring the impact of pollution from the stacks. People get sick not from the 24-hour exposure; they are getting sick because of the short-term bursts.

The Hon. AMANDA FAZIO: Quite frankly, no-one is getting sick because the tunnel is not operating yet. Do you mind giving us evidence rather than hypothetical scenarios?

Mr LONGBOTTOM: With all due respect, they are getting sick around the M5 East.

The Hon. AMANDA FAZIO: That is not the case.

Ms KRISTINA KENEALLY: Do you have any evidence?

Mr MICHAEL DALEY: Some scientific propositions might be nice.

CHAIR: Please finish your sentence and we will move on to other questions.

Mr LEE: The point I am trying to make is that it is stupid to try to gauge the impact from a point source on a monitor averaged over 24 hours.

The Hon. GREG PEARCE: Ms McCaffery, you started talking about the proposed Warringah Expressway pedestrian bridge. That is not part of the Lane Cove tunnel project, is it?

Ms McCAFFERY: Yes, it is.

The Hon. GREG PEARCE: Is it?

Ms McCAFFERY: The Lane Cove tunnel project includes—

Ms KRISTINA KENEALLY: Mr Pearce is a bit naive as well.

Ms McCAFFERY: The Falcon Street off ramps are part of the same project. So part of the Lane Cove project is in Lane Cove—

The Hon. GREG PEARCE: So you are saying that the new pedestrian bridge announced this morning is part of the project?

Ms KRISTINA KENEALLY: Mr Pearce, perhaps you could read the press release.

Ms McCAFFERY: It is—

The Hon. GREG PEARCE: Is it part of the project or not?

Ms McCAFFERY: The—

Ms HOLLOWAY: The pedestrian facilities are.

Ms McCAFFERY: The pedestrian facilities—

The Hon. GREG PEARCE: Is it part of the project or is it not?

Ms McCAFFERY: I do not know why you are asking this question so aggressively.

The Hon. GREG PEARCE: Well, because if it were part of the project it would have been in the contract from the beginning, would it not?

Ms McCAFFERY: No, I did not say it was part of the project. I said that—

The Hon. GREG PEARCE: No, you did not; that is exactly right.

Ms McCAFFERY: I said that the council has been agitating for this for two years. I was—

The Hon. GREG PEARCE: Why did you not agitate for it during the period that the EIS was being considered?

Ms McCAFFERY: We were agitating for it at the time. It was left out of the project.

The Hon. GREG PEARCE: You were not because when the council resolved to conditionally support the EIS you did not include anything about a pedestrian overpass or bridge on the Warringah Expressway.

Ms McCAFFERY: We asked for pedestrian facilities

The Hon. GREG PEARCE: Did you include it in your resolution in which you conditionally supported the EIS proposal?

Ms McCAFFERY: One of the conditions was demand management and the other condition was pedestrian facilities.

The Hon. GREG PEARCE: Is demand management a pedestrian facility?

Ms McCAFFERY: No. The two things that were part of our conditional support for the project—

The Hon. GREG PEARCE: Would you like to produce your council's resolution supporting it?

The Hon. AMANDA FAZIO: How about we let Ms McCaffery finish her answers before you interrupt?

The Hon. GREG PEARCE: Show me where you requested a pedestrian bridge over the Warringah Expressway.

Ms McCAFFERY: We did not ask—

The Hon. GREG PEARCE: You did not?

Ms McCAFFERY: We asked for better—

The Hon. GREG PEARCE: Thank you. That is fine.

Ms McCAFFERY: Hang on! We asked for better pedestrian—

The Hon. GREG PEARCE: Thank you, thank you.

CHAIR: Let her finish her sentence.

The Hon. AMANDA FAZIO: He is incredibly rude.

Ms KRISTINA KENEALLY: So far you have insulted two women on this Committee, me and now the mayor. Can you show a bit of respect?

The Hon. GREG PEARCE: I just asked you a question and it has taken a long time for you to give a straight answer. If you had given a straight answer it would have been a little easier.

Ms KRISTINA KENEALLY: You kept interrupting her.

The Hon. GREG PEARCE: Is the bridge that was announced this morning funded, or is it another stunt by the Minister—a bit like his \$350 million for lights at school crossings?

Ms McCAFFERY: Is this a speech or a question?

The Hon. AMANDA FAZIO: It is his attack on the Minister and an attack on an independent mayor.

The Hon. GREG PEARCE: Is it funded?

Ms HOLLOWAY: We cannot speak for the Minister.

Ms McCAFFERY: I cannot speak for the Minister. I am here as Mayor of North Sydney and I am trying to look after my community. We asked for pedestrian facilities as part of this project. When we finally saw the design of the project we identified the things that were missing and we asked for a pedestrian bridge. We have been asking for that pedestrian—

The Hon. GREG PEARCE: When did you ask for that pedestrian bridge in relation to the EIS? Can you show me the council resolution asking for it?

Ms McCAFFERY: I—

The Hon. GREG PEARCE: No, you cannot!

Ms McCAFFERY: I can show you the resolution where we asked for improved pedestrian facilities.

The Hon. GREG PEARCE: Where is the resolution?

Ms McCAFFERY: Now we—

The Hon. GREG PEARCE: Where is the resolution asking for the Warringah Expressway pedestrian bridge?

Ms McCAFFERY: I cannot see there is any point in dealing with this.

Ms KRISTINA KENEALLY: Are you upset because North Sydney residents are getting improved pedestrian facilities?

The Hon. GREG PEARCE: I now go to the Lane Cove—

CHAIR: Can we move on to another area? We have covered that.

The Hon. GREG PEARCE: We had a submission from the RTA in which it summarised Lane Cove Council's support for the project. It says that after the EIS council provided a 24-point response to the EIS that endorsed the tunnel and surface road proposal subject to further refinements. It says nothing about your having requirements for ventilation.

Mr LONGBOTTOM: We have been pushing for ventilation since day one. That is on the record. If it is not in their records, it is in everyone else's records. We have wanted filtration for yonks and we will continue to press for it. We will have two vent stacks that will put all that crap up in the air, and it will go somewhere. There is no question about that. It must fall, and it will fall and drift

across all of Sydney. This is not simply a Lane Cove, North Sydney or Ryde problem; it is a whole of Sydney problem. We cannot seem to get NSW Health, the Department of Infrastructure, Planning and Natural Resources, the RTA or various roads Ministers to even get concerned about the health of Sydney. One roads Minister said that the health budget is not his concern. He appears not to be a member of this Government. Sydney's health problems are every Minister's problems.

CHAIR: The document that Mr Lee referred to will be tabled. We appreciate that very much.

Document tabled.

Mr STEVEN PRINGLE: Mr Lee, you have identified many serious problems and shortcomings. Can you give us an idea about what you think are the most important outcomes that council would like to see as a result of this inquiry?

Mr LEE: In my closing remarks I outlined four key points, including that the Department of Infrastructure, Planning and Natural Resources needs to reassess the basis on which the pollution limits were set so that they are no more than the maximum emissions for either normal or congested traffic now predicted by the Lane Cove tunnel designers. I have highlighted those in yellow in the document I have tabled. I can refer to them now.

Mr STEVEN PRINGLE: I think that would be useful.

Mr LEE: It is about halfway through the document.

Mr LONGBOTTOM: It is the third red tab.

Mr LEE: The first table I want to refer to is table 5 on page 9. The total emission loads for the Lane Cove Tunnel, which appear to be for normal operating conditions, is 632 tonnes a year for carbon monoxide. The limit that has been set by the Minister is 1,530. For PM10, it is 7.7 tonnes—that is particulates of 10 microns. The limit is 14 tonnes. For NO_x it is 159 tonnes a year and the limit is 229. Turn over a few pages to table 2 on page 3. It is the next tab. Table 3 shows annual emission loads. This is based on seven hours a day, every day of the week—including weekends—for every day of the year. Their estimates would be that the total would be 1,387 tonnes for CO. The limit is 1,530. For PM10 it is nine tonnes a year. The limit is 14. For NO_x it is 162 and the limit is 229. It would be a terrible thing if the Lane Cove Tunnel were designed to operate at congested conditions for 365 days a year, seven hours a day, and the limits were set on that basis.

CHAIR: To clarify, who produced those figures? What company?

Mr LEE: Parsons Brinkerhoff. They are the consultant designers for the Lane Cove Tunnel company, Thiess John Holland joint venture.

Mr SELLECK: If I might, I would like to point out an error in the briefing by the RTA. In our letter to the manager of the Lane Cove Tunnel EIS dated 7 January 2002—which I think was referred to by Mr Pearce—item 4 clearly states: "Recognising the findings of extensive research carried out by the Lane Cove Tunnel Action Group that in-tunnel treatment of vehicle emissions be provided without the need for any vent stack". Clearly, that is treatment of vehicle emissions within the tunnel. So it is very wrong for the RTA to suggest that we did not make any mention of it.

Mr ANDREW CONSTANCE: I have a question for Councillor Longbottom. Councillor McCaffery said that consultation with the local community has been good. Is that your experience in Lane Cove?

Mr LONGBOTTOM: As I said earlier, the consultation process was driven by councils. It was not driven by the RTA. We drove the consultation process. Where we differ from North Sydney is that we have wanted the tunnel all along. North Sydney have not necessarily wanted the tunnel. Although we are very friendly, we decided to part on that matter.

Ms McCAFFERY: To be fair, we supported you because you are our neighbouring council.

Mr LONGBOTTOM: As Mayor McCaffery said earlier, the community consultation has been good. There is no question about that. But, as I say, it has been driven by councils because it was our community that we wanted to involve in this project and get behind the project. The majority of the Lane Cove community is behind the project. They are not behind the final project that we are getting, but the initial project is totally supported. We wanted filtration—we have argued for filtration—but we are getting nowhere. The evidence internationally is that filtration works. We have not been listened to. Evidence—good, factual evidence—from around the world has not been listened to. You heard my colleague Mr Lee say that one of the RTA guys went overseas, came back and said, "It works." Yet we have not got anywhere with it.

The Hon. AMANDA FAZIO: Mr Longbottom, I want to clarify something with you. You said in your opening statement said that the RTA has not been listening to local concerns for the last 13 years about this project. Yet the RTA submitted the design for public consultation in 2001 even though they started consulting with the councils in 1997. After they put the EIS out they received 347 submissions, which led to nine modifications to the proposal. Does that not make the comment in your opening statement a lie?

Mr LONGBOTTOM: No.

The Hon. AMANDA FAZIO: Why not?

Mr LONGBOTTOM: I do not lie. I am under oath.

The Hon. AMANDA FAZIO: That statement does not fit with the reality of what happened.

Mr LONGBOTTOM: I am sorry, I will not sit here and have you call me a liar, Madam. I do not lie. There was consultation, as we have both said. There was consultation. Whether it was the right consultation is another matter.

The Hon. AMANDA FAZIO: You did not say that in your opening statement. You said that the RTA had not been listening to your concerns for the last 13 years.

Mr LONGBOTTOM: My apologies for not saying that in my opening statement. My apologies to you.

Ms KRISTINA KENEALLY: To follow on in a slightly different direction, you talked about listening to the local community. I note that the Lane Cove Tunnel Action Group has said that a fundamental outcome for the local community is that vehicular traffic on Epping Road be narrowed, with unused road pavement devoted to cycle lanes and pedestrian facilities. The current plans are consistent with what has been agreed to for over the last 10 years by your community. Do you continue to support that view?

Mr LONGBOTTOM: What we are going to achieve out of this is exactly what we have now. We have three lanes of traffic each way on Epping Road now. When the tunnel is completed we will have three lanes of traffic each way: two underground and one aboveground. We will also achieve a 24-hour bus lane.

Ms KRISTINA KENEALLY: But is not the majority of the Lane Cove Tunnel three lanes?

Mr LONGBOTTOM: No, it is not. I do not know where you are getting your information.

Ms KRISTINA KENEALLY: We were there today. I saw three lanes for a large majority of the tunnel.

Mr LONGBOTTOM: I hope you are not going to drive on the one lane that we do not know about because I do not believe it is there.

Ms KRISTINA KENEALLY: There are three lanes for a significant portion of the tunnel. Your community has called for proposed road changes on Epping Road to narrow Epping Road and to put in a pedestrian way and a cycleway. I want to know whether you still support that.

Mr LONGBOTTOM: There are some parts of the community that support it and there are some that do not. That is any community: you are going to get support or you are not going to get support. We do not live in an era where everybody agrees with everything 100 per cent of the time.

CHAIR: Does the council have a position?

Ms KRISTINA KENEALLY: We would like to know whether the council has a position.

Mr LONGBOTTOM: The council has a position. John, you can give the latest position. The council does not support the closing down of Epping Road completely. That is basically what is going to happen.

The Hon. AMANDA FAZIO: No-one has ever proposed that. That is ridiculous.

Mr MICHAEL DALEY: That is absolute nonsense.

Ms KRISTINA KENEALLY: The member for Lane Cove, Anthony Roberts, has said many times that he supports these proposed changes and he believes that the tunnel will cut traffic congestion on Epping Road and a bus lane would improve public transport. He said that he is very supportive of the concept. Do you agree with him?

Mr LONGBOTTOM: I do agree with him that a 24-hour bus lane is a good idea. I made a suggestion to the most recent Minister recently that maybe that bus lane should also be a T3 to reward people who car pool. I do not believe, with the influx of people going into the north-west sector of Sydney, that this road will be able to cope. Things have changed. The numbers we were given by the RTA were rubbery. They are all wrong. The numbers that they are quoting for 2016 we have already reached. The RTA are supposed to be experts in their field at counting traffic.

Ms KRISTINA KENEALLY: Based on what traffic modelling?

Mr LEE: If I could answer that, I draw your attention to attachment 1 of council's report. It is the 1999 feasibility report, which quoted an annual daily traffic—

Ms KRISTINA KENEALLY: No, I am trying to work out how you have determined that we have reached those numbers today. What traffic modelling have you done? Who has done that traffic modelling?

Mr LEE: It is not traffic modelling, it is the RTA's traffic volumes.

Mr MICHAEL DALEY: Based on whose numbers do you say that the RTA's numbers are wrong? Whose modelling are you using to say that they are wrong? Whose expert figures are you using to cast doubt on the modelling done by the RTA?

Mr LEE: I would rather answer it in a different way, if I could.

Mr MICHAEL DALEY: I am sorry, I asked you a question, Sir.

Mr LEE: Okay. I will answer it this way. The EIS projections for the M2 and Epping Road in an eastbound direction in the morning—I will use that one example—in working paper 4 showed that traffic on the M2 would decrease between 1999 and 2006. The RTA's published traffic volumes for 2002 and subsequently for 2004 show that the traffic on the M2 is now about 2,800 vehicles an hour. The comment was that the traffic volumes projected by the RTA were wrong. That is an example and that is how that statement is derived.

CHAIR: You are simply saying that they are reaching those estimated figures at an earlier date than was anticipated because of a population increase.

Mr LEE: An additional factor is the connection of the M7 to the M2. Those figures have not yet come through to be reflected.

Ms KRISTINA KENEALLY: So your argument is that we need the third lane all the way through.

Mr LEE: Yes. Eastbound.

Ms KRISTINA KENEALLY: Not just as it is currently designed.

Mr LEE: That is correct.

Ms KRISTINA KENEALLY: What will happen when that traffic reaches the harbour tunnel or the harbour bridge? Does this road not have to fit in with the capacity of the entire orbital?

Mr LEE: Correct. If I can take you to attachment 1 to my report, the daily traffic volumes for the Lane Cove tunnel in 2016 are projected to be 58,000 but in attachment 35 the Lane Cove Tunnel Company's projection for Lane Cove tunnel 2016 is 154,000. That is almost a threefold increase. The concern is that if those traffic projections are correct there is not the capacity in the tunnel or on the surface roads to be able to cope with that traffic. Instead of Epping Road and Mowbray Road traffic decreasing, they will be operating at maximum capacity.

Ms KRISTINA KENEALLY: And you do not give any credibility to the fact that the stub tunnel is in place to deal with future capacity?

Mr LEE: I guess I am talking about a contract that is delivering these numbers. These numbers are not based on—

Ms KRISTINA KENEALLY: The same contract delivered the stub tunnel, though.

Mr LEE: My understanding is that the contract does not include the construction of a third tunnel.

Mr SELLECK: That was the requirement of Roads and Traffic Authority [RTA] initial design, to provide that stub tunnel—nothing more, nothing less. The contract, to our knowledge, does not include any provision for the tunnel company to construct an extra lane.

Ms LEE RHIANNON: Mayor McCaffery, on the issue of the overpass, I have a North Sydney Council document showing a design for the overpass between St Leonards Park and Alfred Street north that carries a date of 24 March 2004. It also says that the survey was done on 10 October 2003. Would it be accurate to say that North Sydney Council has worked on the overpass for three and possibly four years, because they has omitted the work carried out before the design came into being? Has it been a long time coming?

Ms McCAFFERY: As I was trying to say before, at the environmental impact statement [EIS] stage the council did not have a finalised design. All we requested was improved pedestrian and cyclist facilities as part of this project. That is government policy. It is meant to be RTA policy. When we finally saw the design, the recommendation from our transport planners was that, in fact, we would end up with poorer pedestrian and cyclist facilities. That is why we have been lobbying for many years for this. We got to the stage where designed a bridge, which we took to the RTA and, as I said, thankfully today we actually have the bridge being announced.

Ms LEE RHIANNON: We also have two statements that Minister Roozendaal made today. One is about the overpass, which we obviously all welcome. But he also called this inquiry a "stunt". I wonder if you have any thoughts on the link between the establishment of this inquiry and the Minister's statement. Certainly the Minister has only been in the job for four months, but to the Government has been aware that there has been talk of this and, really, it should have delivered. I am interested in your thoughts on that. There are many announcements that government does not deliver on—and we have an election coming up. What are your plans as a council and what are your recommendations to this inquiry relating to when construction should commence, so that we can be sure that it does not get lost in a post-election period?

Ms McCAFFERY: I would not call this inquiry a "stunt" at all. We would not have made submissions to an inquiry that we thought was a stunt. As Councillor Longbottom said, but they are councils welcomed the inquiry and we welcome the opportunity to be able to present—

CHAIR: It was established by both Houses of Parliament.

Ms McCAFFERY: That is right. We welcome the chance to make our submissions and to speak to the inquiry today. I have been mayor for 11 years and things come and go. Sometimes you lose things and sometimes you gain them. I would hope that a pedestrian bridge—which has been announced by the Government and which we are ensured will be funded, and we are going to go through the consultation—will be delivered, with the added force of this inquiry. I hope that the report of this inquiry will state that these pedestrian facilities should be constructed and that our community will get that pedestrian bridge.

CHAIR: Is the underpass exactly what you want? Are you sure it is exactly what you want and where you want it?

Ms McCAFFERY: There is some debate about where it should go. We have agreed that it will go on public exhibition, that all the different issues will be debated vigorously in the community. The Minister told us to day that he will come with whatever the council and the community recommends. That is why it is always worth undertaking consultation, because in the consultation process you start to tease out the issues. The RTA today raised some things that Ms Holloway and I had not considered before, so let us get those all out on the table as part of the consultation process. I think we will get the best outcome as a result of that.

Ms LEE RHIANNON: Mayor Longbottom, at pages 28 and 29 of Lane Cove Council's submission you are very critical of New South Wales Health's current air quality study, which you say is designed to fail. Will you explain why you hold that view and comment on your council's work that effectively discredited the M5 East tunnel health study, which this Government still uses to say that there have been no ill-health impacts from the M5 East tunnel?

Mr LONGBOTTOM: Back in December 2004 we wrote to New South Wales Health. I do not know if the Committee recalls, but Lane Cove Council investigated the impacts of the M5 East. We felt that, because nothing was being done by Health, we should instigate a study. We instigated that study and we have the support of Sydney City, North Sydney, Marrickville, Hunters Hill, Ashfield, Ryde and Willoughby councils. That was an independent review of New South Wales Health reports in relation to the M5 East tunnel stack at Turella. It was undertaken by Dr Peter Best in Queensland. We then wrote to the Chief Health Officer asking for a whole list of things. They are in this latter document that you got to today, and it is marked with the small tab at the rear.

We felt that the reports were lacking. As I said, we did that of our own bat, with the support of other councils. We received a pretty ordinary reply from New South Wales Health. We also got a letter from Cherie Burton, Parliamentary Secretary for Health, on 18 April 2005, basically saying that nothing more was going to happen. We have written on numerous occasions to numerous Ministers, Health, Planning and Roads, and we do not seem to get answers. I think there is a mindset and that mindset is: "We do not want to filter the tunnels because of the cost of it." I believe that if there has to be a retrofit of these tunnels, it will cost an absolute fortune. We believe this has just been put under the carpet because of the future cost if I found out. I think that is putting it very bluntly.

Mr MICHAEL DALEY: I am concerned that Lane Cove Council is trying to rewrite history here and that the council's position over the last decade is inconsistent with the evidence that has been given by these gentlemen today. The current member for Lane Cove was a former mayor of Lane Cove, was he not?

Mr MICHAEL DALEY: Mr Chairman, would you prevent our colleagues from interrupting? I said, is it true that the former mayor of Lane Cove is now the member for Lane Cove?

Mr LONGBOTTOM: That is true.

Mr MICHAEL DALEY: Are you aware that Mr Roberts is on the public record as saying in the *Northern District Times* that he believed cutting the number of traffic lanes on Epping Road when the tunnel was open would help coax more people into using public transport? He said he believed the tunnel would cut traffic congestion on Epping Road, and a bus lane would improve public transport. He further said on reducing the number of lanes to allow for bus lanes "I am very supportive of the concept." He was the mayor. Do you, gentlemen, agree with the former mayor?

Mr LONGBOTTOM: Can I say something Mr Daley? What the local member says is his business.

Mr MICHAEL DALEY: He made those statements as the mayor.

Mr LONGBOTTOM: No, I am sorry, it is his business and it has nothing to do with me sitting here. You are in the Chamber with the local member every day. You ask him the questions.

Mr MICHAEL DALEY: Except that he was the mayor when he made those statements.

Mr LONGBOTTOM: Hang on. We live in an environment where mayors change.

Ms KRISTINA KENEALLY: What are Mr Roberts' views?

[*Interruption*]

Mr LONGBOTTOM: I am sorry. I am not sure who is asking questions now.

Mr MICHAEL DALEY: Mr Chairman, Lane Cove Council meeting minutes of 4 February 2002—item 1, matter of urgency. The mayor rules the following to be a matter of urgency. Item No. 1—Lane Cove tunnel EIS response from the Lane Cove Tunnel Action Group. A motion was moved by councillors Bowers and Longbottom, paragraph 3, that the Lane Cove Council adopt as its summary position statement the following: Council supports Lane Cove Tunnel Action Group's endorsement of the proposed twin to three-lane continuous tunnel to link the M2 motorway with the Gore Hill freeway. This is not the view of Anthony Roberts but it is a position adopted by—

The Hon. Greg Pearce: You were trying to mislead everyone before.

Mr MICHAEL DALEY: This is a different question on a different quote.

Mr STEVE PRINGLE : A different statement?

Mr MICHAEL DALEY: This is Lane Cove Council's position adopted in 2002. How does that differ from what you gentlemen are proposing to us today?

Mr LONGBOTTOM: Can I say to Mr Daley that the information on which everyone has worked over a number of years has been flawed information from the RTA? When are you going back to?

Mr MICHAEL DALEY: That was 2002.

Mr LONGBOTTOM: It was 2002 and then we had a health study done in 2004. We are now in 2006. We live in a moving environment. The information that we keep getting out of the RTA changes.

Mr MICHAEL DALEY: A letter signed by Ross Selleck from Lane Cove Council to the manager of the Lane Cove Tunnel EIS states: Having reviewed the EIS for the proposed tunnel under Lane Cove, Lane Cove Council has resolved its position as follows. No. 1—endorse the construction and operation of the tunnel configuration proposed in the EIS.

Mr LONGBOTTOM: Was that 2002?

Mr MICHAEL DALEY: It was 2002. The EIS has not changed.

Mr LONGBOTTOM: I am sorry, look, I do not want to go back four years. You said I was rewriting history. You are now trying to do that. We live in a changing environment.

Mr MICHAEL DALEY: Lane Cove Council has resolved—

CHAIR: Mr Daley, I am just trying to clarify the position. The council says its position has changed.

Mr LONGBOTTOM: Absolutely because of the information.

CHAIR: It is acknowledging the truth of what you are saying but it is saying its position has changed.

Mr MICHAEL DALEY: But the EIS has not changed.

CHAIR: It says its position has changed.

Mr SELLECK: The facts regarding the traffic projections have changed significantly. On the basis of the traffic volumes that were given at the time of the EIS indicated that the two-lane tunnel would be adequate for the traffic projections. Since then actual traffic volume observations and later projections have significantly increased the traffic resulting in a tunnel that is not going to be capable of carrying the traffic.

CHAIR: The time has expired for this segment of our hearings, just when it was getting interesting. Other people from community organisations are here to provide evidence. We thank you for appearing before the committee and for your submissions. We accept that the evidence is your current position on the various issues.

Mr LONGBOTTOM: As I said, we are open for any further questions that the committee may have. Lane Cove Council does not live in the past. It is very much into the present and the future. As Mayor McCaffery said, we all want to do everything right for our communities. We want to work with this inquiry and this committee. We want to work with the State Government. I have said ad nauseum to all of the Ministers for Roads: We want to work with you. We want the best outcome. That is all we have ever asked, is the best outcome. Let us get state-of-the-art, let us not go back to 2002. The technology is moving forward, Mr Daley.

[Interruption]

We want state of the art.

(The witnesses withdrew)

KEITH STUART ANDERSON, retired bank officer, and

JAN ESMAN, project manager, and

ROWAN AHERN, technical specialist, and

GEORGE WILLIAM FARRELL, commercial photographer, sworn and examined:

CHAIR: In what capacity do you appear before the Committee?

Mr ANDERSON: I am representing the Artarmon Progress Association.

Mr ESMAN: As a member of the Naremburn Progress Association.

Mr AHERN: As a member of the Naremburn Progress Association.

Mr FARRELL: As a member of the Naremburn Progress Association.

CHAIR: Are you conversant with the terms of references of this inquiry?

Mr ANDERSON: I have read the terms of reference.

Mr ESMAN: Yes, I have read them.

Mr AHERN: I am.

Mr FARRELL: Yes, I am.

CHAIR: If you have any documents you may wish to tender or evidence that should be heard or seen only by the Committee, please indicate that fact and the Committee will consider your request. Do you want to make an opening statement?

Mr ANDERSON: I would like to make an opening statement and tender a document. I asked for a slide, which will cover the points that I wanted to speak to.

CHAIR: Do you have copies of that opening statement for the Committee?

Mr ANDERSON: I do. I can provide about 10 copies.

Motion agreed to:

That the document be included in the submission.

Mr ANDERSON: As indicated on the slide, the Artarmon Progress Association is very supportive of the tunnel project and our aim is to provide constructive input to reduce the negative impacts on Artarmon. We have had a long-term involvement in this process and we made submissions to the EIS back in 2001-02. The terms of reference, which we believe we are able to speak to, are items (h) the community consultation processes and (j) other related matters. The Artarmon Progress Association issues were as follows: concerns raised by the community in response to the EIS, and while they were noted by the director-general, generally we feel they have been ignored or inadequately addressed by the RTA and the consortium. These relate in particular to a failure to assess traffic access to Chatswood to reduce impacts on roads in Artarmon, including Reserve Road, for example, maximising capacity of the Pacific Highway at the Mowbray Road intersection, and a failure to provide bus stops on the Gore Hill Freeway near the Artarmon Industrial Area.

Another issue was the impact of variations as construction progresses. For example, they have moved the ramps for Reserve Road from one position to another. We do not necessarily have a case for or against having done that but the authority has never bothered to say, "We are going to do this", or when we asked them why it might be done and how that might affect other things which we

might have liked to have had incorporated, there has been a lack of communication there. The Minister's COA number 153, which was provision for future installation of an appropriate pollution control system, we believe has been ignored.

We are not professionals when it comes to filtration, but we are very concerned about the Artarmon position and we are very concerned that the structure of the ventilation vent at the eastern end appears to have filled in the space which was reserved for future filtration equipment. We believe that was not consistent with the original terms of approval and somehow or other the RTA-cum-Government, seems to have been prepared to make changes there. We are concerned with the impact on Artarmon of road closures and whilst we did not think this was the case earlier on, we think there may be some favouritism towards the consortium, and there is probably a good case for that. But, on the other hand, when we want some changes made they do not seem to be nearly as sympathetically thought.

Road closures, which means increased travel for residents of Artarmon. There is inadequate access from the Lane Cove tunnel to Pacific Highway—this is travelling east on the Lane Cove tunnel and turning left into Pacific Highway going north towards Chatswood and subsequently through the Mowbray Road intersection. Tolls on the Falcon Street ramps we believe are a key issue. They are very important from the Artarmon Industrial Area point of view, and the closure of rat runs which exist through there at the moment. That is surely a disincentive for people to stay on the freeway and a disincentive for people who are in the Artarmon Industrial Area to continue to use rat runs through Artarmon through Naremburn and Crows Nest rather than joining the freeway and making that journey.

Changes to the Pacific Highway traffic capacity—this is the area south of Pacific Highway south of Longueville Road down to Miller Street, North Sydney, where, when one reads through the literature and our enquiries at the RTA have come up with the very non-committal sort of answers on the extent to which they are going to put in bus lanes. In theory, Artarmon Progress Association supports bus lanes on Pacific Highway, but the reason for putting these things in was if the traffic capacity of Pacific Highway became too severe, they would take measures to reduce it by, for example, putting in bus lanes. The traffic that is displaced from those lanes is not going to go into thin air. Where will it go? The only obvious place is through Artarmon.

Failure to provide better access between the Artarmon industrial area and Pacific Highway through the area between Reserve Road and Pacific Highway, we believe there is opportunity to do something there. Those were the issues which were of concern to us. But the very big issue is the left-hand turn from the Lane Cove tunnel coming east, turning north into Pacific Highway, which has been provided by a very roundabout U-turn, which has caused all sorts of complications at Pacific Highway. It has negated the left-hand turn off the exit ramp from the Gore Hill Freeway to the Pacific Highway, which means that traffic travelling out of the city to the Pacific Highway will not be permitted to turn left. There are a number of residences and businesses south of that which will now have to come through Artarmon.

Also, as a consequence of these additional changes there, the escape route, shall we say, for people in west Artarmon to travel north directly on the Pacific Highway has now been closed and they will now have to travel back through the body of Artarmon. The EIS said that because of the unattractiveness going from the Lane Cove tunnel to Chatswood that traffic through Artarmon will increase by 58 per cent—in an area that is already saturated with traffic; it is already saturated with road control measures, and yet the Minister said, "We will look at that in terms of an LAPM". There is absolutely no more the LAPM can do. We have addressed all those matters in the paper I have submitted.

CHAIR: Just for the record, how many members does your association have?

Mr ANDERSON: We have about 160 or so. I cannot put a precise number, but it was 160-odd before I went overseas just recently. We do circulate a gazette. It circulates right throughout the whole community. When we have big issues we find that we have lots more than our members turn up and we can get over 100 people come along to these sessions, which deal with these sorts of issues. The big issue is traffic to Chatswood. We just cannot understand why Artarmon is the only

community which suffers the disadvantage. We hear about main road traffic staying on the main road—that is ignored.

We are very concerned with filtration. We have a monitoring station in Artarmon, for which we are grateful. We are not so sure about the method used to actually do the monitoring, but we are concerned that we will get the exhaust gases from the exhaust and we will also have the car parks on the Gore Hill Freeway because the bridge will not take any more traffic. All we are doing is moving the car park on Epping Road to the Gore Hill Freeway. So we will get the fumes from both the tunnel and from the Gore Hill Freeway.

CHAIR: Could I ask the same question about membership of the Naremburn association?

Mr AHERN: In the last year we had about 60 financial members, but again, like Artarmon, we have a gazette that goes out to every household in Naremburn—3,000 copies every quarter.

CHAIR: How did you feel about the consultation with the RTA over the Lane Cove tunnel? Were you directly involved in that?

Mr AHERN: Yes, we were very involved with it. In fact, we were using our newsletter to actually get out messages of what was actually happening.

Mr ANDREW CONSTANCE: Were there RTA newsletters going out?

Mr AHERN: There was a mix of things that were going out. It was quite fragmented. Even though it is called the Lane Cove tunnel, much of the work is occurring in Naremburn and Naremburn seemed to be an afterthought with a lot of consultation, particularly around the shops area. Jan, my colleague here, is quite across the detail of that.

CHAIR: Could you fill us in on that please?

Mr ESMAN: I think the experience of the residents of Naremburn and the Naremburn Progress Association was that the consultative process did not allow us to have any real influence over what was happening in our area. We felt quite strongly that it was poacher acting as gamekeeper; that the tunnel consortia were acting constantly to minimise our voice to fragment us, to deal with us in very small parcels. Even on very small issues we would go to meetings and they would not issue minutes for over a month and then without actions or commitments to dates. They would constantly push back at times when we could actually rally some support around issues, and I would like to give a concrete example of the location of the bicycle path through Naremburn. We felt quite strongly as a community that it was quite unsafe and very disruptive for the community. We raised more than a thousand signatures in a suburb of 2,500-odd residences.

CHAIR: What was unsafe—the construction or the positioning of the bicycle path?

Mr ESMAN: The actual bicycle path was through very narrow streets. They were taking part lanes away, and they were proposing to have bicycles heading up in narrow spaces whether there was limited visibility of oncoming traffic. In existing and known dangerous spots they were putting this bicycle path through, and lots of residents felt very strongly it would have a very negative impact on the area. We lobbied hard, and a committee was set up, and nine alternative designs were put forward. The community strongly supported one of those. We thought we were getting a voice and that the consultative process might work. For nine months we heard nothing. Obviously, we felt that was a way to try to diminish community. As you know, it is quite difficult to keep the fervour up for nine months. There was an opportunity for the RTA to come back and not simply say: No, it is going where it went before. There were minor tweaks, but nothing that we felt was substantive. So we felt very burned on that issue. So the bicycle path was very bad.

We felt very similarly burned on noise barrier issues, on which we thought we could have an influence, and yet constantly felt as though we were just railroaded into the cheapest solution that the RTA always wanted. To my knowledge, there has not been a single tangible instance in which the community felt it had influenced the way in which things were being built. To me, the consultative process has been one of lip service and the providing of registers and help lines and call lines. You can

call, and they will log your call, but nothing ever happens out of it. When I escalated it to the RTA, they said there is an independent consultative adviser. But she basically told me there was nothing she could do, and that really there was nowhere to go.

CHAIR: But they did set up other consultative machinery; and it was not restricted to just your association?

Mr ESMAN: I am very close to it. My house is within a couple of hundred metres of the freeway. Occasionally they would call meetings, or we have asked for meetings in our area, and then we would hardly ever get the minutes for those meetings. They tend also, when we have an issue in an area, to pick out a few people and then portray their response as being the community's response, rather than actually engaging with us. It is not really a process of engagement; it is just paying lip service to the process.

Mr ANDREW CONSTANCE: I am a bit confused, because earlier Councillor McCaffery, the mayor of North Sydney, appeared before the Committee and said the consultation with the local community had been good from the RTA's side of things. That does not seem to be the case in terms of what the RTA was doing, particularly in light of what you have said in your submission, Mr Anderson.

Mr ANDERSON: May I make a comment on that?

Mr ANDREW CONSTANCE: Yes.

Mr ANDERSON: We found Garry Humphrey and his RTA colleagues most approachable and very helpful in coming to our meetings, and they listened very closely. But they go away and nothing ever happens.

Mr ANDREW CONSTANCE: That is not consultation.

Mr ANDERSON: We have written to this Premier and the previous Premier and all Roads Ministers. The mayor of Willoughby, in association with our president, did meet Minister Costa in March last year. His portfolio changed, and nothing ever came out of that. So, notwithstanding repeated requests for meaningful communication, this was like talking to a rubber sponge: it all gets absorbed, but nothing comes out of it.

Mr ANDREW CONSTANCE: So it was a tick the box exercise on the part of the RTA?

Mr ANDERSON: And I think that they were genuine, but I do not know who is making the bullets. They are obviously working within constraints on finance and on directions on what they are allowed to do. The Government has declined, so far, to take up any offers to talk to us.

Mr ANDREW CONSTANCE: This afternoon Councillor Longbottom said it was very much a council-driven consultation process. Obviously, both progress associations in Willoughby have been active.

Mr ANDERSON: We have been very proactive.

Mr ANDREW CONSTANCE: From the council perspective, has it been proactive?

Mr ANDERSON: It is not for me to comment on Willoughby council. Willoughby council made a submission in January or February of 2002, and we were very supportive of what they wrote at the time. Their submission, as it appeared in the council minutes of the day, reflected our position, and we were very pleased with that. I am aware there has been consultative at the council level, at the working level, but I do not think I would be able to say there had been obvious discussion at a policy level. But I am not really able to speak about what the council has done.

Mr ESMAN: If I could add to that. To my knowledge, Willoughby council has been helpful to us as a community organisation, but they have always said they are relatively powerless in this

process because they have no power of consent, and they too found it pretty difficult to get a voice in the process.

CHAIR: Neither of you were under the Lane Cove council or the North Sydney council?

Mr ANDERSON: No.

Mr ESMAN: No.

Mr ANDREW CONSTANCE: I think it extraordinary that the mayor said this afternoon that there had been good consultation on the part of the RTA, given what we have been hearing for months.

Mr FARRELL: I found it a little interesting also, sitting in the audience. Certainly, from the council point of view, there has not been a great deal of information given to the community, to the people in the streets and the houses through their letterboxes. Certainly, there has been a flier from Thiess John Holland saying that they were going to dig up the road between 9.00 p.m. and 4.00 a.m. on certain days and there was going to be a lot of beeping noises as trucks reverse. That is about the extent of the consultation from them. From the meetings we have had on site with members of Willoughby council, they in turn have an opinion but they do not seem to have any bite, and I presume the process is out of their hands.

Mr STEVEN PRINGLE: I would like to address a question to the Naremburn representatives. We know there have been many Roads Ministers, but have you had any responses from one or all of the Roads Ministers on the same issues that Artarmon Progress Association members have raised?

Mr AHERN: I do not think we have had any response from Roads Ministers. I believe we have had a response from the head of the RTA on one matter. We are awaiting the outcome on a matter that the member for Willoughby has brought up regarding stubs in the walls. She has repeatedly brought that matter up, and we are awaiting information on that.

CHAIR: What was that again?

Mr AHERN: There are a couple of stubs, or openings, in the Gore Hill freeway that perhaps would provide a future opportunity for the RTA to build either on or off ramps. The local community is quite concerned about this and would like to know what the future of those are.

The Hon. AMANDA FAZIO: Mr Esman, you spoke about your concerns about the design of the cycle way. Tomorrow we will be talking with some people from bike rider lobby groups. Did you actually talk to anyone from any of those cycling groups in relation to your concerns about those issues, or did you just raise those issues with the RTA as part of their consultation process?

Mr ESMAN: We raised the issue of our concerns about the bicycle path, and council were supportive in that. There was a working group set up with the Lane Cove Tunnel people, with council, and with representatives of Bicycle Australia, I believe. The local communities and the local shopkeepers and local commercial interest had representation there. I do not know that we had a very strong alignment of view on that. I think the bicycle lobby did not agree with what the local community thought was the best option for the area. But I should not speak on their behalf.

CHAIR: Do you think they were happier with it than you were?

Mr ESMAN: That appeared to be the case. The option that the community voted strongly in favour of was one in which there would be a set of traffic lights, and the bicycles would have to cross instead at traffic lights, whereas currently they can cycle through the streets and over the top of the road. That was in exchange for three on-road narrowings and what we considered to be dangerous places that were being included in the current design; they would be taken out, and there would be a single, lit road crossing. So I guess they did not want to go across the crossing.

Mr AHERN: I think one of the biggest shortcomings that the community found about this whole project was that there was no scale model. We were being told where noise walls were. The topography did not allow us access to work out where this thing was going. To date, we still cannot work out quite where things like the bicycle track are going. Our local council demands that developments over a certain size have to have a scale model. It would have been most helpful for the community to have had a scale model for a project of this size.

CHAIR: Did Willoughby Council make any decision on this bicycle route and so on? Did they support it?

Mr ESMAN: Their advice was that they could not make a decision. It is not something that is decision-able by them. They were simply another contributor to the discussion.

Ms LEE RHIANNON: Mr Esman, does the progress association support having bike lanes?

Mr ESMAN: I do not know that we have ever had a sort of official opinion.

Mr AHERN: Yes, we are very supportive of the continuous bike track, yes. That has been the position of the progress association.

Ms LEE RHIANNON: So you have actually worked on this issue as part of the program of the progress association?

Mr AHERN: We have worked with a working party, including representatives from Bicycles New South Wales, local councillors and local businesses in the community to try to come up with a preferred option, and the community voted for the preferred option.

Ms LEE RHIANNON: When you say the community, is that your members, or was a referendum taken? When you say the community, to whom are you referring?

Mr AHERN: There are about 16 shops in the Naremburn area or the Naremburn village area and we had to petition people. We gathered up a thousand signatures against the proposed approved route. From that, council convened a working party to look at other options.

Ms LEE RHIANNON: With the other options, was something resolved? So there was actually a proposed bike lane?

Mr AHERN: There was indeed, yes. It included a bike lane but it was a different route and it was less disruptive to the businesses there as well as other community members.

Ms LEE RHIANNON: Right. You agreed to a bike lane, but that was not adopted by the Roads and Traffic Authority [RTA]?

Mr AHERN: That is correct. The bike lanes route was not adopted.

The Hon. AMANDA FAZIO: Can I ask you about the community being kept informed about the development of the project overall. After we went out to do the site visit this morning to go through a not-yet-completed, or part-way-through, not-yet-completed tunnel, the people from the Lane Cove tunnel project also gave us copies of the newsletter, *Lane Cove Tunnel News*, and they have given us copies of different issues that go from April 2004 to June 2006. Have those newsletters been circulated in the areas where you live?

Mr FARRELL: I can only answer from the sector where I am, on Naremburn Avenue Bridge. I have actually asked Lane Cove Tunnel to supply me with back copies from one to nine because I was not getting them, and I was supposed to be, in my mail. I made a request of the liaison officers who said, "Yes, you are supposed to be on the route", and I am quite affected because I kiss the RTA boundaries on Naremburn Avenue Bridge. Certainly what they are doing there with the cycleway and the noise walls is quite significant. I found that I had to extract information from them rather than have them delivering it to me. I would really like to have a copy of what you guys are reading because you seem to know more about the Lane Cove Tunnel than we do.

Mr MICHAEL DALEY: I hope so.

Mr FARRELL: You are all flipping through it and I think there is something in there that we do not know.

CHAIR: Did any of you get these newsletters in your letterboxes?

Mr ANDERSON: No, only as an officer of the progress association. I have never had one put in my letterbox.

Mr ESMAN: It was very patchy. I am only a couple of hundred metres away and I got a couple of copies but missed loads of them as well. It was very patchy. I have rung up and complained about not being able to get copies of it.

The Hon. AMANDA FAZIO: Can I also ask in relation being kept in the loop whether your organisations, both Artarmon and Naremburn, were given a contact person to deal with or to get information from either the RTA or at the Lane Cove tunnel company? Did they give you a point of contact, or did you just have to ring up an information line?

Mr ANDERSON: We have always had a line to anybody, to the people of importance. Our problem has never been finding someone to talk to and finding someone of sufficient seniority to talk to.

The Hon. GREG PEARCE: Plenty of sponges around.

Mr ANDERSON: The problem is discussing the issues and resolving the issues. I will take this opportunity while I am speaking of endorsing the comment about the plans or the models not been provided. You would have seen this morning from your inspection the mass of roads between Reserve Road and the tunnel and the Pacific Highway. There are roads going everywhere. As I mentioned in the paper, we were looking to get a direct connection from Reserve Road to the highway each way if we could because all that traffic goes through Artarmon. But all they do is provide you with a flat map.

When you look at the flat map, you have lines everywhere. They are not coloured and you cannot work out—you have no idea of the relativity because you have roads coming this way and roads going that way, and the capacity to move from one lane to another is not clear unless you see a scale model. They have declined to provide anything which will help people understand. It is apparent effectiveness rather than actual effectiveness.

CHAIR: And it would not be very expensive to make a model.

Mr FARRELL: Councils that are doing developments have scale models. You can go there and view them as a part of the community and you can have a look at the maps and the drawings, et cetera, et cetera, and the scale model. I made a request to Thiess-John Holland if they had any artists impressions; and did they have something that I could view from the Naremburn Avenue shops to the Naremburn Avenue Bridge, where there is an exit and entry lane—and this is literally 4 metres from my front door, my front fence—so that I could visualise where this cycle path/pedestrian crossing would look like, what would it be. We have had a few on-site meetings and they can certainly say, "Well, it is going in there and it will pop up here, and this is where it is."

Now, as you may have seen today, we drive around where the Naremburn Avenue Bridge is, certainly on the approaches into Naremburn, and it has the last exit of the cycle road before it comes to the CBD. It has the first exit coming out of the CBD. If you wanted a rest, you would pull out at Naremburn and have something to drink at the village coffee shop there, but in drawing 2, you are going straight to the city. So I presume it is going to be quite populous. One of the things that I have tried to work on is the lighting for it, the noise problems with it, kids and graffiti—because that is a fairly big problem in our area. North Shore kids are like any other kids—they like their spray cans and their texta colours. Even the idea of visualising the bridges and the pedestrian cycleway literally in our area, you are given a drawing, a .PDF file which in turn you can blow up, and blow up, and blow up

so that you can read all the details to it. You really did have no sense of what it is going to be. The bulldozers have been at the beginning of Naremburn certainly for the last eight months. The volume of work has shocked everybody—certainly in our community. Nobody realised it was the sort of project.

CHAIR: You mentioned noise barriers. Are they being installed?

Mr FARRELL: They are being installed. I think we have the great wall of Naremburn now. I think we can add that to the greatest wonders of the world because we have a wall that is 3.6 metres high and escarpments on the runway into the tunnel. They have chosen a darker colour because I presume that this will stop the graffiti artists who tend to like black spray cans on white backgrounds. I just think that the North Shore kids will pick up yellow cans or white cans. I do not think we are really going to fox them too much, Mr Chairman.

The areas of concern—ment are that it looks a bit like prison walls. From the community end, where the streets come to a dead end, there is literally a wall. We have made letters of recommendation by the local member to them to say if we can have some transparent walls so we can maintain and preserve the visual vista and the sunlight, et cetera, et cetera. It is fairly high ground as the topography goes.

There is a child care centre on the opposite side in Naremburn Avenue that requested them because, I was told, the children wanted to see the cars go past. I thought, from our community, on the eastern side of the freeway, "Can we see the cars go past too; are we allowed?" and we were not, purely because of cost and because of foundation problems because they had to be narrower and they were going to be more disruptive. If anything is going to be in more disruptive, I would like to see, because this is just a nightmare.

Mr MICHAEL DALEY: Much of what the gentlemen have to say this afternoon relates to local traffic, Mr Chairman, and it is good that you are here representing communities. I note, although I cannot put my finger on the records, that there were local area traffic management schemes [LATMs] done in conjunction with this and, as I understand the structure of those, councils are meant to represent local communities and seek the views of local groups such as yours when preparing LATMs. Was this done or was it done effectively by councils that represented you and your groups?

Mr ANDERSON: As far as Artarmon is concerned, there has been a detailed LATM process. The problem is—and the council and the RTA has been on it—that already we have a saturated traffic situation. We already have as many roadblocks, diversions and traffic lights as can be accommodated in that small area. It is not as if you are coming into a green fields area and making changes which will discourage traffic from coming through. The maximum has already been done, so there is no more that can be done, except at Mowbray Road.

Mr MICHAEL DALEY: My question really related to the level of consultation that was given to you gentlemen and your groups as part of the LATM. Were you satisfied—

Mr ANDERSON: But, with respect, it is a narrow question. Yes, they have gone through the process and they can tick the box, but the outcome is irrelevant and when it comes to Mowbray Road, the RTA has agreed that there should be changes made—not as many as we would like, and we will continue to work on that—but the LATM rules say that you cannot do anything until six months after the road is introduced. Here we have a situation where it is acknowledged that there is a problem. The EIS acknowledges that there is a problem. The Government had the opportunity of including that stretch of road in the proposal because this is all fear and consequences of the Lane Cove tunnel but it has chosen to exclude that, so funding becomes an issue. But six months prior what happens?

Mr MICHAEL DALEY: The Lane Cove community wanted it excluded; they did not want it included.

Mr ANDERSON: Artarmon is the area which is suffering a big disadvantage. Everyone is getting an advantage and I cannot help just driving more strongly the substantial disadvantage which Artarmon is suffering and I commend to you the points that I have listed. I also emphasise again that the Government has shown a preparedness to be flexible ala North Sydney Council and the overhead

bridge ala Lane Cove Council and the bus station and various issues, but when it comes to Artarmon all we have been given is a wider ramp to accommodate more traffic while they wait to turn right.

We believe that with the volume of traffic going through that tunnel, the changes we want made, expensive as they might be, would only represent an extension of the contract by about 12 months. There is precedence on the M5 where they have done that already. If there is a will to do it, it is able to be done. That left-hand turn we are seeking is a major issue and solves a lot of other traffic issues at the same time.

Mr MICHAEL DALEY: The left-hand turn that you are seeking was never part of the—

Mr ANDERSON: It is provided by this bend back.

The Hon. GREG PEARCE: On that left-hand turn, I am holding up a plan that shows the intersection of the Gore Hill Freeway and the Pacific Highway. Is it this loop around here?

Mr ANDERSON: Yes.

The Hon. GREG PEARCE: You say that does not have a left-hand turn on it?

Mr ANDERSON: That has a left-hand turn on it, but the road beside it is the existing off ramp or a reconstructed in the same place off ramp from the Gore Hill Freeway to the Pacific Highway. That was a standalone road before and you could turn left or right but now, because we brought up this other road beside it, which has three lanes turning right, the left-hand turn from the Gore Hill Freeway exit has been denied.

The Hon. GREG PEARCE: So that is something specific.

Mr ANDERSON: Our case for putting a more direct ramp from the tunnel onto the left-hand lane of the Pacific Highway means that traffic can flow into the highway; it does not have to wait for traffic lights. If it waits for traffic lights there, it has to get to Mowbray Road and make a right-hand turn and wait for traffic lights again, which are already at capacity. The simple solution is to drive another 200 metres down the road and turn off at Reserve Road and go up through the back streets.

The Hon. GREG PEARCE: That is quite important. This is the plan that the Lane Cove tunnel people gave us today headed Pacific Highway interchange on eastern port of entry. Do any of the other gentlemen have anything specific that they would like to see come out of the inquiry? Mr Anderson has given us one specific matter.

Mr AHERN: I have made a number of dot points and I have supporting documentation that I would like the Committee to take on board.

CHAIR: You have a submission.

Mr AHERN: Yes, and background information about it. I will quickly run through the dot points. The Minister's condition of approval contained 257 conditions. We believe that some of those conditions are not even being looked at, including that there was some talk about bus lanes today. We are not convinced that there will actually be bus lanes.

Ms LEE RHIANNON: Why are you convinced that there will not be bus lanes? That is a huge comment to make.

Mr AHERN: Coming to this meeting beforehand, we were passed information that suggests that the RTA plans to take no action on priority bus lanes.

Ms LEE RHIANNON: And that is included in the information you are leaving with us?

Mr AHERN: Yes. That was our understanding.

Mr MICHAEL DALEY: Perhaps Mr Ahern could point that out to us now so we could ask him a question, as it is a pretty important aspect of the evidence.

Ms LEE RHIANNON: And tell us what your source is?

Mr AHERN: We have learned this by Artarmon as well. We are not sure—and I stand corrected if it is the case that there will be dedicated bus lanes.

CHAIR: It is hearsay; you have heard something?

Mr AHERN: Yes; well, it is not hearsay. I got it back from one of our members, who had researched it. I am sorry, I cannot say the source of it.

Ms LEE RHIANNON: So you have got documents about this?

CHAIR: It is hearsay that another person has told you this. You have not spoken to an RTA person?

Mr ANDERSON: I can add to that, if I am allowed. We did put this question and, in our case, we are talking about the Pacific Highway between Longueville Road and Miller Street, North Sydney, where there was a proposal that if the traffic on Pacific Highway became too heavy, that they would put in the bus lanes to reduce the capacity to carry traffic. Because of our concern that that traffic would continue and that it would come through Artarmon instead, we asked the RTA—probably Gary Humphrey, but do not hold me to that—but in a meeting we had with them, what the position was with this proposed bus lane.

Ms LEE RHIANNON: On the Pacific Highway?

Mr MICHAEL DALEY: That is not the Lane Cove tunnel.

Mr ANDERSON: No, it is on the Pacific Highway. It is one of our issues.

CHAIR: Is that the same point that you were making, Mr Ahern? Are you discussing the same thing or a different thing?

Mr AHERN: It is a different thing, but I stand corrected, if that is the case that there will be dedicated bus lanes.

Mr MICHAEL DALEY: There will be bus lanes on Epping Road.

Mr AHERN: And going through the Lane Cove tunnel.

Mr MICHAEL DALEY: Not in the tunnel; on the surface.

Mr AHERN: There is a Minister's condition of consent 229 that relates to the provision of a southbound bus priority lane and that is the point that I was trying to make.

Mr MICHAEL DALEY: It is envisaged that express buses will go through the tunnel but that there will be priority bus lanes in both directions on the surface.

Mr AHERN: No. 229 says that the proponent shall investigate the installation of bus lanes or other suitable bus priority measures for southbound traffic between the end of the T2 lane on the Gore Hill Freeway and the existing southbound bus lane on the Warringah Freeway.

Mr MICHAEL DALEY: It says "investigate" on the freeway?

Mr AHERN: Yes. There is a comment about recessive colours on the noise walls. We seem to be getting what has been described as insulation architecture, which is large grey concrete with white crosses. With landscaping, we have made a reference that there were good stretches of good plantings along the route. There is concern about compacted earth being used to grow things. Thiess

John Holland is putting some soil and mulch above the compacted earth, and experience elsewhere in Naremburn has shown the compacted earth provides less than satisfactory plantings. We have had a couple of notes from residents, who have been quite affected by works very close to their properties. I have copies of that correspondence.

Agreed that Mr Ahern's covering sheet and attached documents be published.

(The witnesses withdrew)

(The Committee adjourned at 5.20 p.m.)