

bunkerdeborah@gmail.com
Surry Hills NSW 2010
20th December 2013

To: Major Projects Assessment

Department of Planning
23-33 Bridge Street
Sydney NSW 2000

RE: EIS SUBMISSION CSELR – **OBJECTION** TO THIS PROJECT

Dear Sir/ Madam,

I object to the CSELR project in its entirety.

The misleading information and assumptions on which this project is argued, and the contempt shown by Transport for NSW (herein called TfNSW) and their Minister (Gladys Berejiklian) to the NSW tax payer, is underscored by the:

- 1) **Total lack of transparency from TfNSW in the selection of mode of transport (light rail) and the route (CBD to Randwick via Devonshire Street)** - Many requests have been made by the Surry Hills community to TfNSW, for transport modelling and financial information regarding the selection of the route but this information has not been supplied by TfNSW. Claims made by TfNSW on CSELR passenger capacity and movements, therefore, have little credence and trustworthiness as the assumptions on which they are based have not been publically tested or scrutinised;
- 2) **Pitifully short time to consider a very large and complex EIS document (45 days in total)** – I note that the EIS provides only information on modelling data and some impact in the immediate area of the route. No effort has been made to put CSELR impact into the context of impact to surrounding neighbourhoods i.e. the modelling is constrained to such a degree as to be meaningless;
- 3) **Obvious lack of “buy-in” by so-called “stakeholders”, such as UNSW, Centennial Park Trust, Entertainment Precinct, SCG etc** – I note to date, that the only “stakeholder” putting any money into the project is the City of Sydney Council (herein called CoSC) to the tune of \$220 million. The local property and business owners of Surry Hills are also underwriting the project, through the immediate impact on the value of their properties and businesses. If the project is such a good investment and so beneficial to the community and the large business “stakeholders” of the Eastern suburbs, then why haven’t they been lining up to make a financial contribution to the project?; and
- 4) **Negligence of TfNSW for exposing NSW taxpayers and CoSC rate payers, to years of project risk management, cost blowouts and compensation cases** – The project has been argued on false assumptions supported by a campaign of misinformation from TfNSW and CoSC to businesses owners, citizens and potential PP partners that will have to operate, live and interact with the project while it is being constructed, and ultimately when it fails to meet TfNSW stated maximum capacity.

I will now deal with each of these points in detail.

1) LACK OF TRANSPARENCY FROM TfNSW (AND COSC) AND RESULTANT LACK OF PUBLIC SCRUTINY

Freedom of Information (FoI) requests to TfNSW for comparative detailed route modelling and business case analysis (i.e. cost benefit analyses of all transportation options and route types - including Rapid Bus Transit) to be publically released have been ignored by TfNSW to date.

TfNSW have treated NSW taxpayers and businesses living and operating along the route with contempt by failing to provide even a detailed business case for the CSELR project itself (although this was promised by them). The media has been used to leak selective information to the general public by TfNSW and CoSC, without any overall business case on CSELR, ever being presented to NSW taxpayers and CoSC ratepayers for consideration. The CoSC has committed \$220m of rate payers' money to a project that has not been publicly scrutinised in any way.

This behaviour by TfNSW, the Minister and CoSC towards NSW taxpayers and CoSC ratepayers is not consistent with governmental probity and should be investigated by an independent authority such as ICAC.

“Each public sector agency should have internal mechanisms in place to ensure that probity considerations are routinely taken into account in their decision making processes, so that all decisions can withstand public scrutiny.”

Ref: http://www.dpc.nsw.gov.au/announcements/ministerial_memoranda/1998/m1998-12

Given that this project is also being used as a platform to leverage never-before-seen levels of property development in the eastern suburbs, and given the lack of probity surrounding it, I request that the following information be supplied, in response to this EIS submission so that the public are fully informed about the costs and benefits of the project:

- **Detailed transport modelling and detailed project costing for each CSELR route option (including productivity impact on changes to traffic flows) that were considered for this project.** Why has the CSELR project been put forward for servicing existing and future commuters in the CBD and south east, and what other transport proposals and options were considered and modelled for impact and cost?
- **Detailed business cases (including and cost benefit analyses) for all CSELR route options that were considered for this project.** Why is CSELR deemed to have the best business case for servicing existing and future commuters in the CBD and south east for light rail? Why was Devonshire Street chosen as the TfNSW preferred route over other alternative routes and public transport modes?

2) SHORT TIME PERIOD TO CONSIDER THE EIS DOCUMENT

Stakeholders have been given 45 days in total to read and consider a highly complex and large document. I can't see what TfNSW's particular hurry is with getting responses to the EIS in 45 days, but this is a considerably short period of time to evaluate a \$1.6 billion project in terms of its environmental impact. As I understand it an EIS response period can be as long as 90 days. Given the probity issues raised previously (in this EIS submission) there has been little time for public scrutiny to occur in this instance.

In the short time I have been given to read and digest this document, however, a number of issues are obvious. Many of the issues outlined below, have also been highlighted in the CSELR EIS submission by transport modelling specialist Mr Peter Egan (entitled CSELR EIS – Commentary on capacity and demand contained in the Transport Operations Report volume of the EIS).

a) Poor (or non-Existent) Transport Modelling in the EIS Document

- There has not been any critical analysis how the CSELR will cope with peak demand. How will CSELR cope with transporting up to 90,000 football supporters from Central to the SFS/SCG, (when there are multiple simultaneous sporting fixtures), and still simultaneously move commuters from the CBD to their homes in Randwick and Kingsford or to their jobs in the CBD?
- There has been no timetabling work completed to show the actual service schedule to match with the capacity estimates being stated by TfNSW. In order to assure the public as to the feasibility of CSELR operational capacity this modelling should have already occurred clearly showing how CSELR will **actually** meet stated passenger capacity whilst still maintaining cross route traffic flows and pedestrian and bicycle movements, in shared zones i.e. CBD, Surry Hills, Randwick etc. This modelling should also extend to clearly show the impact on existing neighbourhoods. For instance when the CSELR moves down Devonshire Street it crosses, Chalmers, Elizabeth, Riley, Crown, Bourke and South Dowling Streets. All of these streets are main arteries in and out of the CBD and Surry Hills. Any significant disruption to traffic flows on these streets will have impacts that will be felt as far afield as Brighton, Rosebery and Mascot. TfNSW has not release any information on what will occur in other locations as a result of this project;
- There has been no capacity modelling or impact assessment on proposed cuts to bus services. As a result of the CSELR (as stated by Jacob Saulwick in the Sydney Morning Herald - 20/11/2013) :
 - About half of buses from the inner west - along Parramatta Road or from King Street, Newtown - would terminate at the planned light rail stop near Central;
 - Routes M10, M50, 373, 376, 395, 396 would no longer operate in the eastern suburbs;
 - Routes 391, 392, 394, 399 would terminate at Kensington;
 - Route L94 now operates to/from Edgecliff via Taylor Square/Oxford Street.
 - Route 374 would operate to Edgecliff via Taylor Square/Oxford Street;
 - Route 372 would operate to/from Central to connect with 412/413 as a cross-city service;
 - Route 376 would be replaced with new route 375 providing access between Maroubra Beach and Sydney Uni;
 - Route 397 now operates to/from Sydenham via Mascot/ Sydney Airport.
 - Route 377 would terminate at Randwick Interchange; and
 - Route 395, 396 would be replaced with an extended Route 343 providing access to the City via Rosebery, Zetland and Waterloo.

It should be a matter of priority for TfNSW to clearly model and show how passenger numbers from these cancelled or altered bus services (at specific times) will factor into

CSELR passenger capacity based on up-to-date capacity modelling, if the general public is to have any confidence in this proposal.

I request that the following information be supplied, in response to this EIS submission:

- A public response to the issues raised in Peter Egan's EIS submission which clearly highlights the many problems with, and limitations of the TfNSW modelling for this project;
- All available traffic and passenger capacity modelling on the impact of south east and inner-west buses being cancelled or re-routed to other parts of the CBD as a result of CSELR; and
- Creation and public release of a timetable (plus assumptions on which it is based) of current and future CSELR operations (including special events) by an independent transport timetabling expert. The timetable would need to incorporate passenger capacity from cancelled (and re-routed to CSELR hub) bus services as well as changed traffic light phasing and estimated numbers of transfers (as a result of the impact of the CSELR project) back to private car usage and the resultant impact of this on traffic flows. This information should be made freely available to the general public so that they clearly scrutinise and understand the impact of the CSELR project operations on their public transport options. As the NSW government is proposing rampant property development (and thus an increase in population) in the Eastern suburbs, the public availability of this timetable is critical to assess the impact of the CSELR on public transportation options.

b) CSELR Construction and Operational Safety Issues in Surry Hills

The CSELR route through Surry Hills (should it go ahead) passes along a very narrow road corridor on which is situated a methadone clinic, numerous licensed venues, 2 child care centres and has a primary school adjacent to the lines on Bourke Street. Building and operating a double rail line with the largest LRVs ever to be used, at 45km per hour in such close proximity to these venues, and a single lane traffic flow represents a significant, known and unacceptable danger to the Surry Hills community.

TfNSW is well aware of this danger in terms of noise level, heavy vehicle movements and site safety as the CSELR construction cannot be "quarantined" from businesses, residents, passing vehicles, pedestrians or bicyclists during this phase. As TfNSW cannot claim to be unaware of these issues then when resultant injuries or deaths occur (especially to individuals who are not contracted to the project) these deaths or injuries can be deemed to be caused by NSW government negligence.

The Ward Park stop design is also an indicative example of TfNSW CSELR operational negligence. It has been placed in the middle of the very narrow thoroughfare of Devonshire Street (opposite Ward Park) which sees entering and alighting passengers crossing the CSELR tracks to the south of the stop and the tracks and one line of traffic to the north. The design of this stop is dangerous to say the least. With LRVs moving at 45km per hour and, cars, pedestrians and bike riders all sharing this very narrow space the chance of an accident occurring is high. There are 2 particular bottleneck intersection that will see a very dangerous combination of LRVs, cars, pedestrians and bike riders all come together in one place (corner of Crown and Devonshire streets and corner of Clisdell and Devonshire streets). As there are buildings on either side of Devonshire street at these points, and as the NSW government will not be acquiring these properties for demolition, the road cannot be widened to accommodate the LRV tracks and the designated west-east traffic flow. Add to this the major flow of traffic

and pedestrians in to and from the CBD along Crown street, then you have an unacceptable level of danger to the local community as a result of this project.

I request that the following information be supplied, in response to this EIS submission:

- What arrangements will TfNSW and CoSC put in place to secure the construction sites of the CSELR along Devonshire Street?;
- What arrangement will TfNSW and CoSC put in place to ensure that deaths or injuries do not occur as a result of CSELR operation under such dangerous conditions? ; and
- As TfNSW and CoSC is aware of the dangers of engaging in this type of construction in terms of noise level, heavy vehicle movements and site safety, and as they are also aware of the dangerous conditions of operating LRVs at 45km per hour along a very narrow and mixed use transport corridor, if legal action is taken by someone as a result of injury or death from CSELR construction or operation, what will be the NSW government's response?

c) Proposed LRV's Size, Vibration and Noise Impact

The CSELR vehicles are more than 50% longer than those used on the existing Inner West light rail route (which operates in a dedicated corridor). They are by far the largest trams to ever operate in Australia and will result in passing light rail vehicles creating noise of up to a maximum of 75-83dB at up to (claimed) 2.5 minute intervals.

Surry Hills is a quiet residential neighbourhood with occasional noise from passing traffic, weekend visitors and infrequent groups walking to events in the sporting and entertainment precincts. Each LRV will create vibration and "daytime" noise levels until 10:00PM. As the light rail is proposed to run from 5AM until 1AM this is clearly an unacceptable change to Surry Hills residents' experience of noise levels. Light rail vehicles will also be moved throughout the night to return to the stabling yards for repairs.

I request that the following information be supplied, in response to this EIS submission:

- What arrangements will be put in place by the NSW government to compensate the residents of Surry Hills along the CSELR route for the loss of value to their properties as a result of the project construction and operation?; and
- What arrangements will be put in place by the NSW government to compensate the residents of Surry Hills along the CSELR route as a result of increased levels of noise and vibration from the LRV operations?

3) LACK OF BUY-IN FROM LARGE BUSINESS STAKEHOLDERS

So far, NSW government taxpayers, CoSC ratepayers, small business operators and residents along the route are the only stakeholders to underwrite the risk of this project so far. They have also been locked out of "roundtable" discussions on the project route selection and design.

Many small business operators and residents will be forced to move during construction due to the impact on, access to and amenity of their properties and the area of Surry Hills that will be impacted directly by the route operation (the very reason that people have moved into Surry Hills in the first place). Small business operators and residents are being asked to shoulder the burden of the cost and risk of the project. We are told by TfNSW and CoSC that many other large "stakeholders" also stand to gain from the operation of the CSELR, and they have also been invited to give their input to the project (in contrast to residents and small business operators). I am surprised that none of these "stakeholders", so far, have been

willing to fund the project in any way. If the project has so many benefits to the community and business then why are taxpayers, ratepayers, small business operators and affected residents carrying all of the cost and risk for the project?

I request that following information be supplied, in response to this EIS submission:

- What arrangements will the NSW government and CoSC put into place to recover costs of construction and operation of the CSELR from large business beneficiaries of the project?

4) TfNSW NEGLIGENCE

TfNSW and the CoSC have systematically engaged in a campaign of misinformation in the media, in official documents to businesses and residents and also in the CSELR EIS documentation.

The crux of CSELR justification (and indeed the misinformation campaign) is based around maximum operational capacity per hour (which is also reliant on vehicle headway) of the CSELR light rail service. The fact that operational capacity has been overstated by around 50% in the EIS and other TfNSW and CoSC documents, leads me to believe that in any PPP arrangement, that the NSW taxpayer will be left to pick up the shortfall.

The CSELR EIS states:

- “a highly reliable service with the capability to carry up to **9,000 passengers per hour in each direction**” (Section 1.2.1)
- “Supporting continued population and employment growth in the region by providing up to **18,600 morning peak hour boardings in both directions in 2021**, growing to around 23,400 by 2036 (Section 3.5.1)
- “The CSELR proposal would provide a ‘turn up and go’ service **every two to three minutes** during peak periods (Section 5.4.2)
- Should demand require it, the Central Station stop to Moore Park stop service could include two LRVs joined together to form a 90 metre LRV with special event services running in combination with regular services at a frequency of up to **every 2.5 minutes** (Section 5.4.2)

These figures are fallacious in the extreme. On the basis of expert modelling and overseas experience (see examples below) the CSELR will be a public transport system with such limited capacity and flexibility, that commuter demand will be in excess of available capacity from day 1 of its operation.

A report addressed to Infrastructure NSW (herein referred to as iNSW) from MRCagney of 2nd August 2012 (entitled Final Report: Inner Sydney Transport Strategy – Technical Support Services – Infrastructure New South Wales) states:

“While the current Light Rail study is not yet released, it is understood that previous studies have proposed LRT headways of 2.5 minutes or less and stated that the only way to increase the resulting one-way peak hour capacity of 3,600 passengers would be double the length of the light rail cars (double sets). It is noted that there is some doubt as to the physical practicality of such a strategy because of the need to double the platform lengths. As a comparison, operational experience with on-street tram service in Toronto, Canada suggests that even **a 2.5 minute headway is impractical.** Advice from staff of the Toronto Transit Commission is that based on their extensive experience, **a headway of approximately 4 minutes is the maximum** that can be operated if bunching and uneven service is to be avoided on congested central city streets *even with signal priority and prepaid ticketing in*

place. Based upon a vehicle capacity of 250 passengers, the order of **3,750 passengers per hour would be the upper limit of such a line under reliable conditions**” – page 4.

So who is telling the truth here?

I would also like to draw your attention to page 1 of the CSELR EIS submission by transport modelling specialist Mr Peter Egan (entitled CSELR EIS – Commentary on capacity and demand contained in the Transport Operations Report volume of the EIS). In his submission Mr Egan presents extensively modelled passenger capacity of the proposed CSELR project (based on the technical specifications of the project as outlined by TfNSW) and he estimates a maximum capacity 3,900 passengers per hour in either direction (**this is consistent with the MRCagney assessment – see above**).

On the basis of these expert opinions on maximum capacity of CSELR as being less than 4,000 passengers per hour in each direction, I request that following information be supplied, in response to this EIS submission:

- What contractual arrangements will be put in place by the NSW government to underwrite any shortfall in the stated CSELR capacity i.e. will taxpayer and ratepayer money be used to underwrite any shortfall in the TfNSW stated maximum capacity of CSELR ?; and
- If legal action is taken by investors who are investing “in good faith” in the PPP arrangement, based on the maximum passenger capacity of CSELR (as stated TfNSW figures) what will be the NSW government’s response?

Finally, as I am a resident of Parkham Street, if the project is to go ahead (in spite of my objection to it on the basis of the lack of transparency, probity and public scrutiny of TfNSW and CoSC), I request that the following changes be made to the design of the route in order to make life safer and more bearable for those of us who will have to live on, and move around and about a double rail line, instead of on a quiet inner-city street. These changes include:

- Use of subsurface technology and construction methods to isolate vibration caused by the LRV operational movement;
- Use of continuous rail technology at surface to limit LRV noise generation on tracks;
- LRV operational speeds of no greater than 20km per hour along the Devonshire route (as per CBD safe operating speeds);
- Evaluation of the Olivia Gardens site for the use of asbestos or any other dangerous or harmful materials used in its construction. Establishment of “iron clad” contracts with any company responsible for the Olivia Gardens site demolition to safely demolish and dispose of any building materials containing asbestos or any other harmful components;
- Parkham Place to remain open to allow access by service vehicles from Nobbs Street. This will also allow traffic dropping off children at Bourke Street Primary School to exit to South Dowling Street and not back into the heavily restricted Surry Hills area. This will also reduce noise pollution into the properties along Parkham Street;
- If Parkham Lane is opened up to through traffic, I request a right turn onto Bourke from Parkham Lane as well as a left turn i.e. open up Bourke to 2-way from Parkham Lane to Devonshire. This will again reduce the traffic being forced into the very congested Bourke and Cleveland Street junction. It will also reduce traffic passing the front of Bourke Street Primary School making it a lot safer;
- The northern most route through Olivia Gardens should be used for the CSELR as it provides the straightest route from Devonshire Street across to Moore Park reducing noise

and making it easier for the public to anticipate where the LRVs are moving. I believe this area is to be converted into a park which will have the potential for many people to be crossing the CSELR lines whilst distracted. TfNSW are building a double rail line through a community environment at a time when individuals are more distracted than ever due to the use of mobile technology. The straightest route with trains limited to 20 km per hour with at least 5 minutes between them is imperative;

- Vegetation screening between South Dowling and Bourke Streets is required to limit the visual impact of the light rail for residents in Parkham and Nobbs Streets;
- As TfNSW have categorically refused to consider the erection of sound barriers to block the noise of the CSELR then Parkham Street residents should be allowed to increase the floor space ratio of their properties by extending their houses to the rear of their properties in order to build a garage or granny flat to block noise and vibration (and also to compensate for the loss of value to their properties caused by the CSELR project);
- Demolition of Olivia Gardens – I am not sure why this is going to take 14 months as per the schedule in the EIS but this demolition at such a high noise level for such a long period of time is not acceptable. The project manager should ensure that demolition is limited to 7am to 5pm Monday to Friday and 8am to midday Saturday. No work should take place on Sunday. Noise and dust mitigation should be of the highest standard.
- Langton Centre parking. There should be close consultation with residents to design and locate parking in a satisfactory manner.

Unfortunately this CSELR project has all of the hallmarks of an ill-conceived, and poorly thought out transport planning project. It has not been properly costed or modelled by TfNSW, nor properly scrutinised by NSW taxpayers, or CoSC ratepayers who are footing the bill. It is poorly integrated into other transport and planning infrastructure and will put cars back on the road when frustrated commuters cannot get on this extremely limited capacity and archaic method of transport.

I urge the Department of Planning to reject this project based on the objections raised in this EIS response, and to request that the Department of Planning and TfNSW consult with transport planning experts to seek more effective methods of providing public transport to the taxpayers, businesses and citizens of NSW.

Yours sincerely,

A handwritten signature in blue ink, appearing to read 'DB', followed by a horizontal line and a large, stylized flourish.

Deborah Bunker