

Northconnex EIS Submission – Executive Summary - SSI 13_6136

The Executive Summary, by its position and intent, is the most read section of the EIS. Although it is a ‘high level’ summary it should nevertheless be full and factual on the subject matter included.

This submission seeks to highlight some areas where this Executive Summary fails the above test.

The provision of a motorway connection linking the F3 (now M1) to motorways within the greater Sydney road network has been a traffic and transport agenda item for thirty years (ref. Alternatives section following).

The Trust and the Pennant Hills Road communities have been active participants in the debate since the F3 to Sydney Orbital Link Study was initiated in 2001. The two full house community sponsored public meetings held in 2006 and 2007 were unanimous in their support for a western pass-by route. This position has been supported in the past by a number of state politicians including current NSW government members Chris Hartcher (Terrigal) and Ray Williams (Hawkesbury).

Local elected representatives have never called a public meeting in the area presumably because they have known the public position. Only under continued community pressure did the Australian Government finally agree to ‘an independent review’ of the SKM Link Study in **2007**. This review concluded with a recommendation, beyond the constraints of its terms of reference, that **“a Type C (western) corridor be planned now”**.

The authors of the Executive Summary decided to exclude this fact.

Government, more specifically **Roads and Marine Services** (the RMS), is now the Northconnex proponent with Transurban’s ‘unsolicited proposal’ having been transformed into a ‘State Significant Infrastructure’. This change would normally require a cost benefit analysis but none is provided. Is this omission related to the projects ‘unsolicited proposal’ origins which have also led to ‘government by announcement’ and will lead to ‘alliance’ agreements and arrangements and an ill-informed public.

This submission seeks to clarify or correct the content of the Executive Summary with the following subjects being covered:

- Responsibilities
- Project Objectives
- Alternatives
- Options
- National highway
- Tender process

With RMS being the proponent we understand that the Department, the Minister and the Government accept responsibility for the EIS and they will be addressing all the matters raised in this submission.

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Responsibilities

The very first sentence of the EIS tells us that **Roads and Marine Services** (the RMS) is proposing to construct and operate a tolled motorway. It is understood, therefore, that **the RMS is responsible for the EIS in its entirety.**

With this being the first ‘unsolicited infrastructure proposal’ to get to this stage the EIS Introduction should detail the roles and relationships of the major players. For example:

- * The **Australian Government** is more than a minor funder. This is a National Highway proposal. The Australian Government was responsible for the SKM Link Study and the 2004 endorsement of the Pennant Hills Road aligned ‘purple’ tunnel option on which Northconnex depends. This endorsement included the commitment to “*world’s best practice filtration*”. The EIS should detail the Australian Government’s role and its conditions, or is their \$405m a ‘**no care, no responsibility**’ contribution’?.
- * The **NSW Government** is also minor funder but, as well as Roads, it is responsible for the Environment and Health. It is these government departments that have the time and resources to examine the EIS in depth. What assurances do we have that they will properly fulfil their responsibilities vis-à-vis a proposal that the Government has been negotiating with Transurban over the past two years? **and** when the Environment department is part of the Minister of Planning’s responsibility?
- * If approved, exactly what resources will **RMS** dedicate to this project? What staffing numbers, qualifications and seniority are to be assigned? It is extremely disconcerting for the public to learn “that *successive governments have cut so much engineering and technical expertise from government agencies such as Roads and Maritime Services they simply no longer have the capacity to hold the private sector to account*” from the Chief Executive of Professionals Australia representing 25000 engineers working across the public and private sector to deliver infrastructure (ref. smh 18/8/14).
- * If, as is expected based on NSRC / ETTT experience, an ‘alliance body’ will be set up what is the ratio of RMS to Transurban staffing, and exactly what role will **Transurban** play in the construction phase now this is now an RMS proposal? As the principal funder does Transurban enjoy any veto powers over the RMS on this project?
- * Will the construction consortium Lend Lease Bouygues report to the RMS as the project proponent with final responsibility for the entire construction project?

Conclusion

These are important questions related to the public confidence in the proposal, and unless they are answered in the EIS process the proposal should be refused.

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Project Objectives

* If ‘**minimising the social and environmental impacts**’ is a key objective, and assuming that environmental impacts include air quality impacts, then the NSW Government needs to explain why there are no filtration plans within this proposal.

To insist on concentrating more traffic through the Pennant Hills Road corridor with a tunnel proposal the inevitable result will be increased levels of toxic air pollution. With increased levels of toxic air pollution and no filtration the surrounding communities will suffer added health impacts..

Under ‘**Health**’ the EIS claims that these pollution will be well below the levels at which significant adverse health impacts could be expected, but the World Health Organisation has reported that “there is no evidence of a safe level of exposure to fine particulate matter below which no adverse health effects occur”.

Concentrating traffic means concentrating vehicle emissions and pollution, but then, to concentrate this pollution through a single stack at the end of a 9 kilometre tunnel stretches belief. Transurbans ‘no filtration’ explanations must be thoroughly tested. The NorthConnex community information sessions have failed to convince the general public and independent experts must be heard.

A tunnel proposal is an opportunity to take direct action to reduce toxic air pollution and there are international examples of in-tunnel filtration being cost advantageous. Government’s rejection of this opportunity is clearly **a duty of care failure.**

* If improving “**the efficient movement of state and national freight**’ is an objective then why does this proposal include the **flawed proposition** of a 20km east – west diversion across NW Sydney that brings this traffic into conflict with Sydney suburban traffic, and Central Coast commuter traffic?

And, why does this proposal **fail** to recognize the known F3 (M1) capacity issues south of the Gosford interchange (ref. SKM Link Study)? This objective needs a western (ring road) corridor connecting the M7 at Dean Park with the M1 (F3) north of the Gosford interchange over a new Hawkesbury River bridge crossing.

* Providing “**improved public transport**” opportunities might be an objective but it is impossible to achieve with a tunnel proposal that delivers an ‘unchanged’ traffic load to Pennant Hills Road south of the M2 intersection.

Conclusion

This proposal should be refused for failure to provide in-tunnel filtration.

This proposal is for an ‘isolated’ road project that in reality is no more than a Pennant Hills Road bypass. Federal funding should be focused on a National Highway ring road, and State funds should be focused on improving the performance of the regional road network generally, and this proposal should be refused.

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Alternatives

Why is it needed?

There is no question that something needs to be done about Pennant Hills Road and the National Highway, but the proposition that the two are inexorably linked is an absurdity.

What alternatives were considered?

The claim that “the project has a long history of identification and evaluation of alternatives and options commencing with the F3 to Sydney Orbital Link Study 2001-2004 (SKM)” is **false**. The SKM link study was not the start of alternative route identification it was the end.

Linking the F3 to the Sydney road network has a long history. The following is largely extracted from the DOTARS submission to the Pearlman Review:

- * In the 1980's the NSW RTA investigated route options deciding on a route, known as the B2/B3 option, directly south from the F3 at Wahroonga through the Lane Cove Valley. Land reservations were in place but State politics scuttled this plan.
- * In the 1990's options were investigated for the National Highway, known as the Liverpool – Hornsby Highway Strategic Study. The preferred option emanating from this study was an outer western route through Cecil Park and Riverstone.
- * The SKM study was a joint State and National government initiative circa 2000. Over time it was **subverted** in terms of mission, horizon and scope with the federal bureaucracy instructing SKM to ignore what were described as ‘long term’ options including western corridor options.
- * The ‘so called’ SKM preferred ‘purple’ option was therefore a compromise solution. Our politicians **failed** to call a public meeting in the Pennant Hills Road corridor during the four year (2001-2004) study process. Two full house community initiated public meetings were overwhelmingly in favour of a western route, with a number of State MPs in agreement.
- * The preferred alternative was challenged twice, firstly in 2005 by The Hills Motorway Limited (later Transurban) submitting that the ‘yellow’ option provided a better solution and secondly in 2007 by the ‘Independent Pearlman Review’ brought about by the public pressure for a western corridor.

For the EIS to suggest the ‘purple’ option was a ‘universally’ preferred alternative is a **misrepresentation** of the history concerning this controversial missing link in the National Highway.

Conclusion

It is important that an EIS truthfully records the background history. This EIS does not and should therefore be rejected.

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Corridor Options

During the SKM study process a Value Management Workshop recorded that the western corridor “*Type C needs to be convincingly rejected before any of the Type A options can be seriously considered*”. This was countermanded with the SKM reports showing “*the instruction from DOTARS was that the Australian Government felt that examination of longer term options was outside the scope of the Link Study*”.

Now, over 10 years on and the ‘long term’ is still no closer and for the EIS to suggest that there was a proper and open investigation of all the options is wrong.

Options Review

The EIS **fails** to mention the Masson Wilson Twimey (MWT) March 2006 ‘F3 to Sydney Orbital Corridor Review’ commissioned by the Australian Government. This review was in response to the Hills Motorway Limited (and later Transurban) submitting that the ‘Yellow (more easterly) Option’ could provide a better solution than the ‘Purple Option’ based on their traffic modelling.

As a late inclusion the MWT review also considered Type C corridor options connecting the F3 north of the Hawkesbury River with the western part (or M7) of the Sydney Orbital. The EIS **fails** to include the fact that MWT reported that “*our analysis supports SKMs view that a six-lane F3 would be overloaded in peaks by 2021*’ and ‘*consequently, a decision will be required about a long term solution to traffic capacity in the Sydney Orbital to Central Coast corridor, and this will revolve around ‘an eight-lane F3’ and a “Type C option’*. **This is a significant omission.**

The EIS wrongly refers to the 2007 Pearlman Review as being at the request of the Australian Government, in fact the Australian Government was very reluctantly dragged to this review under public pressure. The review, titled the ‘Review of the F3 to **M7** Corridor Selection’ was essentially a review of the SKM Link Study. The late Justice Pearlman was directed to give consideration to the above referenced MWT review, although it was called for an entirely different purpose, when considering:

- (a) whether SKM’s assumptions and data were valid and reasonable at the time of the study,
- (b) whether there were any changes in western Sydney land use and transport flows that would significantly change the SKM projections and
- (c) whether any significant changes to SKM projections would alter SKM’s conclusions.

Justice Pearlman was seriously constrained by the above 3 terms of reference, but stepped well beyond them with her final recommendation that – **a Type C corridor be planned now** (ie. in 2007).

Conclusion

This recommendation grows in significance as time passes but governments fail to acknowledge it while giving significant credence to the Pearlman review when it suits them. This proposal should be refused for failing to address the F3 capacity issue.

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National Highway

Background

The following is an extract from the Federal Department of Transport and Regional Services (DOTARS) submission to the Pearlman 'Review of the F3 to M7 Corridor Selection' in 2007.

“Until 1993 the National Highway network terminated at the outskirts of major cities. In 1993 the Federal Government announced that it intended to extend the National Highway to link the termination points across major cities. In 1994 the Government announced that the Cumberland Highway, including the Pennant Hills Road section, would be the interim National Highway route through Sydney until a superior route was available for traffic.

During the planning and development of the Western Sydney Orbital (WSO) the Government recognized the need for a route study to identify a link between the WSO and the F3 Freeway. This link would replace the interim National Highway and would have adequate capacity for forecast traffic to 2025.

The new route would provide a continuous motorway link to the north of Sydney for the predicted large increase in commercial freight vehicles, and provide traffic relief to Pennant Hills Road with accompanying long term benefits for the communities affected by the current high level of traffic congestion and loss of amenity”.

Under the SKM Link Study, which was completed in 2004, the horizon date was changed to 2021, relief to Pennant Hills Road became principle criteria, and DOTARS instructed *‘that examination of longer term options was outside the scope of the Link Study’* (Ref. SKM VM Workshop No2 Record).

The former National Highway was subsumed into the Auslink National Network in 2005.

Question

With the prospect of the NorthConnex tunnel, will Pennant Hills Road continue to be part of the Auslink National Network and be maintained consistent with this classification?

The fact is that the tunnel and surface road along the Pennant Hills Road corridor will share the ‘national / inter-regional traffic’ load.

Conclusion

This question must be addressed in the EIS process so that the Pennant Hills Road communities are not surprised by any potential future consequences.

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Tender Process

For the Government to set up a tender process with a fixed upfront capital budget of \$2.65 billion is an interesting approach leaving one wondering just what the various responders might decide to exclude.

The cost of a M2 to F3 (M1) link has a history:

In 2004 the SKM Link Study summary report included “*the project would cost between **\$1.6 bn and \$2.15 bn** (in 2003 dollars) to construct*”.

In 2007 the Pearlman Review, in response to submissions concerning the cost estimates in the SKM Link Study and after investigating recently completed, included “*the cost of building tunnelled motorways is now about \$400m per kilometre*”, that is **\$3.6** bn for the 9 kilometre Northconnex.

In December 2008 Infrastructure Australia (IA) reported on the ‘projects for further analysis’ which included the F3-M2 Link project proposed by the NSW Government with “**approximate construction cost of \$4.75 bn**”. This project was subsequently reported to be generally inadequate, lacking detail on its benefits and costing. Its further progress through the IA process is not known.

Conclusion.

The above history and Australia’s vexed record of similar infrastructure project cost overruns suggest the Northconnex \$2.65 bn construction cost price might be similarly exposed. Therefore the question arises concerning the funding of any excess. The EIS should detail how the taxpayer is protected from this eventuality.