To: The Chair
Review of the F3 to M7 Corridor Selection

From: Pennant Hills District Civic Trust Inc. and others.

Subject: **Review of the F3 to M7 Corridor Selection**

This **Submission #3** is made on behalf of the members of the Pennant Hills District Civic Trust Incorporated and the local community including all those local residents listed in Attachment A.

The Trust is an association of concerned residents that aims to preserve the qualities of the area, to improve the amenities of the area and to provide a community voice to achieve these aims.

This submission focuses on the **Terms of Reference** (TORs) of this Review:

Giving due consideration to the information of the Interim Report – F3 to Sydney Orbital Corridor Review M*arch 2006, consider and advise on:*

- *whether the assumptions and data used in the F3 to Sydney Orbital Link (SKM) Study 2004 were valid and reasonable at the time of the study*

- *whether changes since the report's publication affecting land use and transport flows in Western Sydney would support any significant changes to these projections, and*

- *whether any significant changes to those projections would alter the conclusions reached in the F3 to Sydney Orbital Link Study of April 2004.*

General Comment

* These TORs are focused on assumptions, data and projections, and as evidenced by the *Interim Report*, this means traffic forecasting and modelling.

* This approach might be appropriate for the world of the road building bureaucracies, infrastructure building, financing and operations industries, and traffic and transport consultants but it is not appropriate for the general public.

* The Submission Guidelines suggests that persons preparing to make submissions should read two technical reports totally close to 2000 pages, before making "brief, simple and clear" and "specific, rather general" submissions. It is very clear that this Review has been set up to make the participation of local residents next to impossible.

* The Review is advised that an FOI request was submitted in March 2006 for '*documents relating to the specific matter of traffic modelling"*. The DOTARS response in July 2006 quoted a $20000 charge, including the cost of 896 hours of decision-making and consultation with 200 third parties. A request for relief from this charge on public interest grounds was eventually refused in November 2006 by Minister Lloyd without explanation.

  So not only is it very difficult for the general community to respond to the TORs but when they seek the information that would have assisted them to do so they are obstructed.

  The Independent Review is asked to secure the release of the requested information and to provide a time extension to facilitate a supplementary submission.

* With the *Interim Report* the Review has the assistance of an 'independent' assessment of the inputs to SKM traffic modelling conveniently in place. The Review will need to explain how it was available to Government for eleven months before being released to the public. In comparison the public had five weeks, between the one and only advertisement in the Hornsby Advocate and the submission deadline, to make their submissions to the Review.

* These TORs are indicative of an inward looking, narrow approach to this Review similar to the recommendation they are set up to defend. The Purple option has been criticised as 'a localised road project in isolation from the wider issues of access between Sydney regions and the regions to the north' and now we have a Review in isolation of the overall Link Study process and community impacts.

<u>Question 1</u>

* If it is accepted that the SKM assumptions and data were valid and reasonable at the time of the study this does not mean that they were necessarily sufficient nor that they were used appropriately. There are a number of matters raised in our Submission #2 particularly concerning heavy traffic and surface road assumptions and modelling.

* The <u>assumptions</u> that concern the effected community are the following:

  1. the assumption that the Link Study objective as per the SKM Background Report (July 2003) and earlier Newsletters was genuine, that is "*to identify a feasible and acceptable high standard transport link that would <u>replace</u> pennant Hills Road as the National Highway* ".

     The Purple option of a tunnel under Pennant Hills Road cannot be considered a replacement for Pennant Hills Road as the National Highway since the tunnel and surface road will unquestionably operate together.

2. the assumption that the promise of the Federal Government's Auslink program, to *revolutionise the planning and funding of Australia's national roads and railways taking* *a long-term, strategic approach* *for the long-term future,* was genuine.

   The Purple option with its effective life of 6/7 years is in clear contradiction of the Auslink program to the detriment of the Pennant Hills Road communities, the victims of this decision.

   Who made the decision to deviate from the Auslink program and why? Where is the evidence that the appropriate level of consideration was given to this decision?

3. the assumption, expounded by Lloyd and Ruddock, is that the Purple option addresses the immediate congestion and safety pressures on Pennant Hills Road and therefore it has their support. What is the proof of this assumption? Will the Review call for the supporting evidence of traffic modelling and assumptions considering the two lane each-way tunnel and surface road and the significant heavy traffic component?

* The Process. Minister Lloyd's statement in his Media Relaease (19/02/07) refers to "*the focus is this review is about the technical underpinnings and the robustness of the process followed"*. So where does process register in the TORs?

If it is limited to process within the traffic forecasting and modelling processes then once again this Review will be seen to be ignoring the community perspective.

1. At some point in the process, but certainly before the September 2003 Value Management Workshop (VMW) SKM were instructed that longer term options were outside the scope of the Link Study.

   Who authorised and issued this instruction and will the Review call for documentation of the ministerial considerations and authorisation preliminary to this instruction?

2. The above referenced instruction was reported in the Record of the September 2003 Value Management Workshop, which was reported as 'the opportunity to consult with the government agencies and obtain input to the decision making process'.

   This Workshop Record (a) questions why the study was structured to a 20 year timeframe, (b) identifies Type A as short term and Type C as long term and (c) states that Type C needs to be convincingly rejected before any Type A option can be seriously addressed listing considerations including rail duplication, strategic value, national highway objectives, and progressive implementation.

In spite of the above it was subsequently revealed that the Corridor decision was made in or prior to October 2002 (reference the Options Development Report 2002) which was confirmed by Minister Lloyd by letter in June 2006.

Where is the robustness of the process in the above example. The Review needs to investigate who took the Corridor decision and obtain the related evidence.

3. As a corollary to the above, who made the decision that the National Highway should take a right-hand turn at Dean Park causing traffic to travel 20 kilometres east/west and compete with Sydney suburb and commuting traffic?

* Data . The data that interests the community is basically limited to that shown in the Newsletters provided during the Link Study and the Summary Report. See attachment – Sample Link Study Data.

With the Review's emphasis on data we call for the questions posed in this attachment to be answered.

* Community Impacts are conspicuous for their omission from the TORs. Without consideration of impacts,such as **Congestion, Safety, Toxic Pollution and Noise** resulting from the further concentration of traffic through the Pennant Hills Road corridor and the combination of the tunnel and the surface road, this Review offers nothing for the effected community who will be the victims of the Purple Option decision.

Congestion and Safety on Pennant Hills Road reduced to two lanes will be aggravated not reduced by the increasing by heavy vehicles.

Noise pollution will not be alleviated along Pennant Hills Road which includes a number of schools, kindergartens, aged facilities as well as residential properties.

Pollution and its related serious health impacts will be exacerbated by the further concentration of traffic and the anticipated four tunnel emission stacks (with no NSW RTA commitment to filtration) causing serious health exposures for the local community.

Question 2.

There are a number of land use changes since the Link Study was conducted during the 2001-4 timeframe and there are other land use issues that we submit this Review should take into consideration.

It is impossible for the community at large to translate these changes into traffic flow numbers but nevertheless we submit that all of the items listed below are significant in themselves and worthy of consideration.

* The *Interim Report* provides a good assessment of the movement of manufacturing, warehousing and transport industries to the Western Regions adjacent to the M7 but they fail to consider this change in a long term context.

* The Metropolitan Strategy further emphasises the future development of the Western Sydney regions with 390500 new dwellings and 214000 new jobs by 2031.This 59.8% of Sydney's dwelling growth and 47.2% of new jobs growth.

* The phasing out of Sydney harbour as a working harbour with the port of Newcastle assuming more freight and port related activities will necessitate the provision of quicker, cheaper and more reliable freight transport to the heart of Sydney's manufacturing, warehousing and distribution industries.

* There are Land Use considerations related to future road and rail freight requirements being planned to share a transport corridor and the opportunity to address the combination with one essentially greenfield solution as opposed to two retrofit solutions most be taken now before it is too late.

* There are Land Use considerations related to the provision of a true by-pass road allowing the 'enjoyment' of Sydney's roads by Sydney's resident rate and tax payers.

* There are Land Use considerations related to Sydney's Airshed Problems. The MAQS (Metropolitan Air Quality Study) issued by the NSW EPA (Environmental Protection Authority) in March 1996 confirmed that the Sydney Basin triangular air current system could not continue to accommodate expansion of vehicle use without causing severe pollution and associated health impacts. Continued adoption of road solutions that further concentrate rather than distribute the traffic is to ignore the findings of this government study. A Type C option would work toward relieving this problem and considering the heavy freight component is an opportunity not to be missed by delaying the inevitable.

  The April 2005 NSW Auditor General Performance Audit Report 'Managing Air Quality' confirmed that 'no single NSW agency has responsibility and accountability for improving air quality' (see www.audit.nsw.gov.au) but this is no excuse for major projects proceeding without due consideration of this issue.

* There are Land Use considerations in tunnel versus surface road solutions such as the rights of residents to live without the threat of toxic pollution from unfiltered exhaust emission stacks. In inner city areas short tunnels might be an acceptable option but where a surface option is available it should surely be taken and long should be avoided for safety reason recognizing the catastrophe risk of bushfires and major accidents causing backup problems within the proposed 8 km tunnel.

* This TOR refers to ‘these projections’ but the question is ‘what projections’, and without any indication as to what this refers to how can the public make a ‘brief, simple and clear, specific and factual’ submission.

Question 3.

We submit that the above demonstrates that there are serious data, assumption, modeling, process, decision-making and land use issues but without access to the modeling information requested under FOI how can one possibly judge whether changes to ‘these unspecified projections’ would alter the conclusions reached by the SKM Link Study.

Conclusion

We therefore conclude that the direction established by the Terms of Reference, including the foreword relating them to the *Interim Report,* diverts attention to the mire of traffic forecasting and modeling while in parallel the community is obstructed from access to related information. The true need is to examine the Link Study process, from start to finish, in order to understand the decision making processes that resulted in the Type A tunnel option recommendation.

For all the reasons above, and all the points and questions raised in this submission, we object to the Independent Review as set up and we call for an proper open judicial inquiry.

Attachments

The following are to be considered as attachments to this submission:

1. The Register of Objectors (provided with our Submission #1) is provided as evidence of our representation of the effected community.

2. The Trust Membership list (provided with our Submission #1) is provided as evidence of our bona fides as a community organisation

3. The Public Notice posted with the Monthly Chronicle, a local newspaper covering the Pennant Hills Road suburbs effected (provided with our Submission #1).

4. Attendance forms from the March 12, 2006 Public Protest Meeting that unanimously rejected the Purple Option and called for an independent public inquiry (provided in hardcopy form with the hardcopy coversheet) is provided as evidence of the communities continuing opposition to the tunnel proposal.

5. Sample Link Study Data and Questions (ref. Data section, Page 4 of this submission)