

Wood Richard

From: Seow Nick
Sent: Friday, 27 April 2012 11:15 AM
To: Wood Richard; Jagers Andrew
Subject: FW: Freight train pollution in Sydney [SEC=UNCLASSIFIED]

Could we please discuss.

From: [REDACTED] Seciton 47F
Sent: Tuesday, 24 April 2012 18:42
To: Seow Nick
Subject: Freight train pollution in Sydney

Nick:

We spoke. You asked me to jot down some remarks about the above matter, which is principally a NSW matter but it does go to specific and general issues in relation to Federal funding of initiatives that have the effect of ruining lives in terms of aggravating already horrendous pollution issues (noise, air, vibration) arising from freight train movements on the Northern Main Line as well as in the Liverpool area (Casula specifically) and in the Marrickville and Botany areas due to the movement of freight from the north down to Pt Botany and Pt Kembla.

As Infrastructure is funding the rail upgrades (Northern Sydney Freight Corridor), it should be ensuring minimum environmental standards exist in relation to the noise from rail freight, including clearly enforceable noise limits in licences and approvals that at present do not exist in any meaningful way. The new Moorebank freight terminal is also going to be a big an issue for his the Minister's own electorate as it is for the Northern Suburbs.

Just to convey the issue at a human level:

- noise is all day but especially in the off-peak period and all weekend with high screeching ('wheel squeal') ranging from 60dB to 95dB (as recorded by Railcorp)
- vibration rocks our homes
- diesel particulates from 50 year old freight trains (which NSW law cynically excludes from the scope of the relevant license)

The NSW Government is blithely continuing with its plans and is even quietly facilitating through legislative amendments the current flawed regulatory framework. O'Farrell is determined to facilitate construction. Unfortunately, we are in a Liberal electorate as are most of those in the north affected. Obviously south and west they are Labour electorates so psephologically-speaking this issue cuts across the divide.

I don't think we are seeking 'advice' per se; we are seeking some intervention and some leverage applied by the Government in the context of its significant contribution (\$¾bn) to get human beings some dignity about the way in which their governments approach questions of health (this isn't merely peace and quiet we are seeking – that is now a nice to have).

In the face of no Government interest in helping, we have instructed a barrister and the NSW EDO. Once we have secured our litigation funder, we will launch a class action under common law for nuisance.

Kind regards,

[REDACTED]

Section 47F