



2 November 2015

To whom it may concern,

Please find enclosed a copy of our submission to the WestConnex M4 East Tunnel EIS on behalf of ourselves, our constituents and the NSW Greens.

We strongly object to this project and have serious concerns about the impact it will have on our communities, the environment and the liveability of our city.

There are also serious concerns about the process and governance of this project, with an extremely short consultation time, failure to assess the environmental impact of all stages of the project in a holistic manner as well as serious questions about the conflicts of interest and lack of accountability.

The community concern is also clear, with hundreds of individuals making submissions objecting to this project and raising specific concerns about how it will impact on them. We urge you to pay attention to these individual submissions, which we have listed as an appendix to this submission, as well as the hundreds of others made by local residents impacted by this motorway.

We urge you to take notice of the serious questions raised by experts about this project and not proceed with approval.

Yours sincerely,

**Jenny Leong MP**

Member for Newtown  
NSW Greens WestConnex  
spokesperson

**Jamie Parker MP**

Member for Balmain

**Mehreen Faruqi MLC**

NSW Greens Transport and Roads  
spokesperson



## Submission: WestConnex M4 East Tunnel Environmental Impact Statement

WestConnex is a \$15.4 billion dollar project which will see a massive transfer of public funds into private companies for the construction of a polluting tollway that is not in the community's interest and will not address Sydney's congestion challenges.

Despite billions of dollars of contracts already being signed, there is no publically available business case – in fact it seems to still be in development. While the project is a 33 km tollway, environmental impact – and thus planning approval - is being conducted in stages so the full impact cannot be assessed in a holistic manner.

Community opposition to WestConnex continues to grow, with serious questions already being raised about the governance, transparency, finances and accountability of those responsible for undertaking this work.

Not only is the project itself fundamentally flawed; the process used to consult with the community has been disingenuous and has failed to rigorously assess the impacts of the proposal. The time frame for community consultation has been too short to allow for meaningful engagement and by splitting the project into separate stages, there has been no opportunity to assess the impact of the project in its entirety.

This current 'consultation', which provides just 45 days for submissions to a 1280 page EIS with 88 appendices places serious doubts on the legitimacy of this process. The fact that the Minister for Planning – who is a member of the NSW Liberal/National cabinet which is pushing for this project – is expected to make an independent assessment of this EIS and consideration of whether to grant planning approval makes this process nothing short of a farce.

That said, it is important to make our objections to this project – and specifically the M4 East Tunnel EIS clear, which is why this submission is being made.

This submission does not seek to analyse and respond to every element of this EIS, or to address unpack every assumption. Rather it seeks to highlight four key areas of concern regarding the WestConnex M4 East Tunnel Environmental Impact Statement:

- 1) Governance and Finance
- 2) Impact on the Community
- 3) Public Transport not Tollways
- 4) Climate, Environment and Sustainability

While these points raise serious concerns and should be considered in the assessment of this EIS, along with the significant detailed analyses and contributions made by those with specific expertise, we would urge those assessing these submission to put the most careful consideration on the many individual voices



of distress and concern regarding the impacts that Westconnex will have, not only on them personally, but on our communities.

Whilst the EIS attempts to appease public calls for evidence of the benefits of Westconnex, the big question remains unanswered: why? And unfortunately, this question remains unanswered. It is a question that could perhaps be answered with the release of the business case for this \$15.4 billion project. It is a question that could perhaps be responded to with a genuine community and expert consultation on how best to address Sydney's congestion challenges. But without either of these things, this question remains unanswered, and thus the reason for spending \$15.4 billion dollars on a polluting tollway that the community doesn't want and the Government is unable to justify remains as murky as ever.

It is crucial that any community or stakeholder engagement for a significant project is seen to provide for genuine consultation – it should not be seen as merely a token gesture or a 'tick box' compliance. Given the NSW Government's arrogance to pursue this project, sign contracts and begin works on certain elements of WestConnex, without a finalised business case or planning approval – it is difficult to see this as anything more than lip-service to a process that the community has been completely cut out of. This is unacceptable and we hope that we will be proved wrong; in which case the serious concerns about this project will result in it not be approved.

## **1. GOVERNANCE AND FINANCE**

There are serious concerns about the way the Westconnex project has been developed and progressed with many questioning the lack of good governance, oversight and economic rationale for this major infrastructure project. The lack of transparency around the project including state and federal governments' refusal to table documents detailing the cost-benefit analysis or business case for the project is of great concern.

The NSW Auditor General made some damning findings in relation to WestConnex in the report released in December 2014<sup>1</sup>. The report on the WestConnex project criticised the failure of the WestConnex Delivery Authority to engage in appropriate accountability measures. It has been noted that WestConnex was announced at the same time that Infrastructure NSW introduced a Gateway reporting framework for projects. The WestConnex Delivery Authority and the RMS instead chose to follow a separate and, according to the Auditor General, less rigorous process, with the report stating: "...the processes applied to WestConnex to provide independent assurance to Government did not meet best practice standards." (p. 3), and that there were "shortcomings in the level of independent assurance provided to the Government" (p. 3). The report also states: "Reliance was placed on steering committees and boards with responsibility for project delivery to also provide independent assurance to the Government. There is a fundamental conflict in such an arrangement." (p.3)

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<sup>1</sup> [https://www.audit.nsw.gov.au/ArticleDocuments/351/01\\_Westconnex\\_Full\\_Report.pdf.aspx?Embed=Y](https://www.audit.nsw.gov.au/ArticleDocuments/351/01_Westconnex_Full_Report.pdf.aspx?Embed=Y)



NSW Auditor-General noted that there were, according to the Government's framework, an additional four Gateway reviews should have been conducted. Failure to comply with this recommendation and public expectations about transparency and accountability raise serious questions about the viability of this project.

It is still unclear what actions were taken by the WestConnex Delivery Authority, the RMS or the offices of the Ministers responsible for these projects to address the concerns raised by the NSW Auditor General. Now that the WestConnex Delivery Authority has ceased to operate and the private company Sydney Motorway Corporation has taken over carriage of this project, the issues of governance, transparency, conflicts of interest and accountability are even less clear. It is alarming that the Sydney Motorway Corporation, being a private company, is not subject to Freedom of Information requests. This has moved the decisions surrounding WestConnex further into the shadows and away from public scrutiny.

### ***Conflicts of Interest***

The Planning Minister is in a position of serious conflict of interest as a member of cabinet in a Government that is publically advocating and promoting this tollway; while simultaneously being the independent assessor of this EIS. It is unclear how the public can be expected to accept the Minister will consider this EIS and the submissions in an objective manner before granting approval.

Furthermore, the Planning Minister is aware that the Roads Minister has already announced that contracts have been signed, and knows companies have been engaged to do work before approval has been granted.

### ***Finances***

While state government lauds itself as the 'business state', the financial elements of this significant project are astonishingly lacking. The absence of a finalised and publically available business case is perhaps the clearest example of this.

The EIS highlights the "significant benefits to the local, regional and state economies over the three year construction period" [1A-x]. However, the independent study conducted by the SGS through the City of Sydney Council states:

"The need for economic stimulus through the WestConnex is questionable. Sydney's GDP growth in 2013-14 was 4.3 percent, the highest since 2000-1 and higher than Australia overall. Unemployment in Sydney is currently at 5.1 percent, compared to 6.1 percent nationally. Contributing to this is the highest level of employment ever recorded in the construction industry."<sup>2</sup>

This is a stark contrast to the presumed benefits outlined in the EIS, and brings the economics of the project into serious question.

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<sup>2</sup> [http://www.cityofsydney.nsw.gov.au/\\_data/assets/pdf\\_file/0008/227690/140511-Final-Report\\_150409.pdf](http://www.cityofsydney.nsw.gov.au/_data/assets/pdf_file/0008/227690/140511-Final-Report_150409.pdf) p 44



The financial viability of the project is also a serious question. Recent tollways in Australia have been economic failures with traffic modelling inaccuracies and toll projections out of line, and WestConnex is likely to be no different. Recent modelling undertaken by Engineer and Greens Transport spokesperson Dr Mehreen Faruqi found that WestConnex will be a financial disaster even worse than the Lane Cove Tunnel or Cross City Tunnel. It will result in either very high tolls, which will discourage people from using it, or need a massive publicly funded bail out to the tune of half a billion dollars. The possible scenarios outlined in this research are:

***Scenario 1: Minimum toll cap required to break even***

*The minimum toll cap would have to be at least \$26, almost 3 times the toll cap promised by the government (\$7.35 in 2013 dollars or \$9.60 in 2023 dollars), even with every car and truck and pay the maximum cap every day of the year.*

***Scenario 2: Revenue shortfall with toll cap currently promised by the Government***

*With a toll cap of \$9.60 in 2023 dollars, there would be an annual shortfall of \$626,000,000 to even break even.*

***Scenario 3: Number of cars needed to break even with toll cap currently promised by the Government***

*285,000 cars each day, every day of the year would need to use the WestConnex and pay the government promised maximum toll cap (\$7.35 in 2013 dollars or \$9.60 in 2023 dollars).<sup>3</sup>*

When motorways fail, it is the taxpayer who ends up bearing the financial liability of the failed economic case for public private partnerships and similar arrangements.

***Lack of coordination with other projects***

It is baffling that the EIS makes only passing reference to the work being done by Urban Growth NSW on the Parramatta Rd renewal. The fact that one Minister, planning, and his corresponding department is responsible for this urban renewal, while another Minister, roads, and his department is responsible, via a private company for the other raises serious concerns about how integration will occur on this project. This is further exasperated by yet another Minister, transport, and his department, is handling the public transport elements that cross over between these two areas.

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<sup>3</sup> See more at: <http://www.mehreenfaruqi.org.au/westconnextolls>



### ***A note on AECOM***

The community is rightfully concerned that this EIS was produced by AECOM, a company listed on the New York stock exchange that according to reports recently paid more than \$250 million to settle a case for negligent traffic modelling on a Brisbane tollway project.

It seems AECOM's involvement with WestConnex has included promotion, developing traffic projections for a business case to support the project since 2013 and other commercial interests in each stage of the entire WestConnex. Given this, it is understandable that there are concerns about AECOM's involvement in the WestConnex EIS.

## **2. IMPACT ON THE COMMUNITY**

It is clear that community opposition to WestConnex is growing as more and more people learn about the negative impacts it will have on their homes, their health and their communities.

Consultations with local Councils were only done on the concept plan regarding the M4East and were not repeated in 2015 after the final route was announced. Therefore councils were not given the opportunity to address the issues of loss of housing or concerns about loss of heritage and impact on the community of the final route.

The compulsory acquisition of residential homes to secure the passage for the Westconnex is a serious concern and whether the true 'impact' of this has been assessed by this EIS is highly questionable. Building Westconnex will mean that suburbs all along the 33 km route will be carved up by huge multi-lane roads, destroying community cohesion and access to amenities. The social impact statement barely recognises the impact that this will have on many residents and neighbourhoods, and the inconvenience, not to mention the financial loss that many people will surely experience.

The EIS finds that a total of 291 properties will need to be purchased for the project, with a total of 203 dwellings affected and an estimated 168 households forcibly relocated. Further, the project requires the acquisition of 23 commercially zoned properties, including one residentially zoned property containing a total of 20 buildings used commercially.

Haberfield will lose over 50% of its apartment dwellings, home to mostly single and elderly long term residents, who will find it impossible to find similar accommodation nearby. The WestConnex Stage 1 will dump 3 lanes of traffic from the M4 onto Wattle Street Haberfield, to connect to the already congested City West Link. Many will have to move away from their established communities that have been home for years.

Furthermore, forty one properties in Brown Street, Campbell Street, Campbell Road, and Florence Street in St Peters have been slated for compulsory acquisition before an EIS for Stage 2 of the project, which covers that area, has been released.



The impact on local businesses will also be felt, not just along Parramatta Rd, but along the expanse of the whole 33km project - including King Street and Enmore Rd that face the serious risk of clearways.

The impact of this tollway and the acquisition of homes will not just affect those forced to move, but also the neighbours surrounding them. Local communities will be divided by multi-lane roads separating one side of suburbs from another making it difficult for residents to access social infrastructure.

The statement that “acquisition may present opportunity for some households to downsize, upsize or otherwise move on” (1B 14-21) is an insult to many in the community who have voiced their upset about this issue.

The EIS does not detail any significant consultation process with those affected to assess the impact, and seems to completely ignore the dismayed voices that have been reported by the media.

Disturbingly, reports have been suggesting that those who have been paid off for their homes have been offered far below market value.<sup>4</sup> Reports suggest they have been given as short as a 90 day time frame for a negotiated settlement to be finalised before court proceedings will commence. The EIS offers no insight into the impact of this process on the community, nor does it appear to adequately represent the concerns of those involved.

The fact that homes have been acquired – and the acquisition process has commenced – prior to the public release of the business case and before planning approval has been granted, demonstrates again the flaws in the management and oversight of this project.

### ***Air pollution health risks***

There is strong evidence about the dangers to human health from a wide range of vehicle exhaust pollutants, especially tiny particulate matter. These tiny particles can penetrate deep into the throat and lungs and are known to cause premature mortality, worsen heart disease and asthma, and cause cancer. They are much smaller than one human red blood cell which is about 7 microns in diameter.

There are genuine questions about the independence of the air quality assessment section of the EIS. The Human Health Risk Assessment found in Volume 2D, Appendix J relies on the findings of the Air Quality Impact Assessment (Volume 2B, Appendix H), which in turn relies on the Westconnex Road Traffic Model. There is no interrogation of the findings of the Air Quality Impact Assessment, so no assessment of the health risks that will result from induced demand on Parramatta Road, which is a very likely outcome of the project. An independent study would define ‘hot spots’ to be monitored by NSW Health, with careful consideration of problem areas, residential corridors, schools and workplaces.

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<sup>4</sup> <http://www.smh.com.au/nsw/residents-offered-far-below-market-value-for-homes-needed-for-westconnex-lawyer-says-20150702-gi3puf.html>



The risk assessment neglects to acknowledge that the air quality standards or guidelines used in the EIS may be superseded by stricter ones at the end of 2015 when the new National Environment Protection (Ambient Air Quality) Measure (NEPM) standards should be passed.

In the WestConnex air quality modelling for PM<sub>2.5</sub>s (particulate matter that's less than 2.5 microns in diameter); the results show that the air quality at the 31 sites modelled across the M4 East area will greatly exceed the proposed national standard of 8 microns per cubic metre of air by 2021.

The WestConnex modelling also shows the air quality for a large section of Sydney including Haberfield, Five Dock, Ashfield, Burwood, Strathfield, Concord, Canada Bay, Homebush and Flemington, which is home to tens of thousands of residents, will be about 25% worse in the next 6 years than the target air quality standard for these dangerous pollutants.

Unfiltered ventilation exhaust stacks will be located less than 500 metres from public schools, childcare centres and nursing homes in the west, south west and inner west suburbs on the WestConnex route.

Modern diesel exhaust consists mostly of particles sized PM<sub>0.5</sub> and smaller (i.e. less than 0.5 micrometres and at least one fifth smaller than PM<sub>2.5</sub>). There is no measurement in the M4 EIS of the quantity of these particles that drivers will be exposed to in tunnels.

The claim that there will be less emissions and pollution with WestConnex due to free flowing traffic just doesn't stack up. Total traffic east-west across this part of Sydney will jump 53% by 2031. Such an increase is hardly going to improve air quality.

### ***Heritage impacts***

Westconnex will negatively impact on some of Sydney's most important heritage sites which are zoned as Heritage Conservation Areas by the NSW Government and are significant not only to local communities but nationally. Many homes and heritage sites are slated for demolition in Ashfield and Haberfield as part of Westconnex Stage 1 and the heritage suburbs of Newtown, St. Peters and Enmore will all be hugely impacted by Stage 2 of the proposed project.

It is telling that the National Trust of Australia (NSW) Advocacy Director Graham Quint objects to the heritage aspects of this project, and has voiced this in his objection to the M4 Westconnex EIS. The Trust has expressed their concern for over 15 years, of the heritage impacts caused by inner urban motorway proposals, supporting instead public transport option including light and heavy rail.

Westconnex will cause the destruction of heritage listed areas by virtue of its location. An emissions stack will be built on Parramatta Rd between Wattle and Walker St in Haberfield and will emit toxic emissions from the Stage 1 tunnel running from Homebush to Haberfield and also the Stage 3 tunnel from Haberfield to St Peters. There will be no filtration in the stacks and along with the health impacts of these emissions,





all local buildings and homes will be negatively impacted by the tunnelling (down to 35 metres) and the effect of the emissions on the building fabric.

Haberfield was designated a State Conservation Area in 1985 and was added to the register of the National Estate in 1991. The M4 East EIS notes that 53 properties within the Haberfield Conservation Area will be demolished, “permanently (removing) a substantial portion of the built heritage items fronting Wattle Street..” As the list stands, it includes:

- 11 and 23 Sydney Street, Concord, Rare examples of Victorian houses in Canada Bay
- 64 Concord Road, Concord, example of transitional Victorian/Federation house
- 9 Wattle Street, Haberfield, an example of John Spencer-Stansfield’s Design No 1
- 19 Wattle Street, Haberfield
- 21 Wattle Street, Haberfield
- 23-25 Wattle Street, Haberfield
- 35 Wattle Street Haberfield
- 37-39 Wattle Street Haberfield
- 41-43 Wattle Street, Haberfield
- 51 Wattle Street, Haberfield
- 53 Wattle Street, Haberfield
- 46 Martin Street, Haberfield
- 164 Ramsey Street Haberfield.
- 92-94 Chandos Street, Haberfield
- 96 Chandos Street Haberfield

Further, there are 53 houses proposed for demolition within the Haberfield Conservation Area. 29 of these are considered contributory to the Heritage Conservation Area. Sydney and Edwards streets are also proposed to be demolished; two of Sydney’s intact tree-lined streets. Further, within the Powells Estate Conservation Area, 11 dwellings are to be demolished; 10 of which are contributory to the Conservation Area. Two of these are individually listed Heritage Items. Wesley Uniting Church on 81 Concord Road is identified for partial demolition, with major heritage impacts.

The exhaustive list of heritage and contributory buildings identified for demolition demonstrates an embarrassing lack of understanding of priorities and values. Such developments hold tremendous significance to the aesthetics and culture of a community, placing it within its historical roots and its emerging identity. These areas must be protected.

The apparent lack of consultation with appropriate heritage bodies, such as the National Trust of Australia, highlights the faults of the project all too clearly. Whilst the EIS has highlighted its community consultation framework, the genuineness of this consultation must be seriously questioned.

### ***3. PUBLIC TRANSPORT, NOT TOLLWAYS***



More roads result in more cars. Sydney's traffic congestion challenges will not be solved by building more tollways. Globally, cities are moving away from building motorways, in favour of public transport solutions. The expert evidence is in more roads encourage more people to drive. There will not be more space on the roads; there will simply be more traffic.

One of the most inaccurate parts of any previous motorway proposal has been the traffic modelling – with trip reduction times and reduced traffic on already congested streets being used to 'sell' the overall benefits of a project. However, time and time again the benefits are overstated.

From the EIS it appears that:

- Traffic on Parramatta Rd at Homebush will increase by 46% with average weekday traffic climbing from 33,600 to 49,800 by the year 2031.
- East-west traffic along Lyons Rd, Dobroyd Parade, Parramatta Rd and New Canterbury Rd will jump by about 48% if WestConnex is built, averaging around 193 cars a minute, 24 hours a day.
- More than 31,000 extra cars will feed into the inner-west every day, onto small residential streets and into Newtown and Enmore, where increased clearways will be inevitable
- The proposed tunnel linking the M4 and M5 in Stage 3 of the project will result in very high traffic densities. WestConnex's own modelling shows that by 2031 the M4 East will reach capacity.

The EIS suggests that by 2021, Parramatta Road will see benefits of half the traffic volume to its current state. However, an independent analysis from Leichardt Council<sup>5</sup> has already put this into disrepute, confirming that by 2021, traffic along Parramatta Road will come to a standstill. Traffic impacts have been proven most drastic along Sloane Street, Crystal Street and Norton Street, all intersecting with Parramatta Road.

When it comes to traffic modelling, analysis and impacts, the Westconnex EIS is contradictory to many reports, including the City of Sydney SGS independent study<sup>6</sup>, which also confirms worsening traffic conditions as a result of WestConnex.

In addition to these two council reports, many traffic and transport experts have made submission to the EIS outlining in detail the concerns around this element of the report and we urge these to be taken seriously and considered in detail.

The EIS does outline many local impacts of increased traffic, but takes no responsibility for mitigating the impact of dumping thousands of additional cars onto suburban streets. Instead, the EIS makes a series of costly and difficult recommendations for councils to accommodate the huge increase in traffic. (2A, 11-7)

Even the best case scenario modelling in the EIS shows that the Westconnex tunnel will be full by 2031: "The opening of the M4-M5 Link is forecast to result in high traffic densities within the tunnel in the 2031

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<sup>5</sup> <http://www.leichhardt.nsw.gov.au/News-and-Events/Media-Releases/2015/WestConnex-M4-East-Heading-to-Traffic-Gridlock>

<sup>6</sup> [http://www.cityofsydney.nsw.gov.au/\\_\\_data/assets/pdf\\_file/0008/227690/140511-Final-Report\\_150409.pdf](http://www.cityofsydney.nsw.gov.au/__data/assets/pdf_file/0008/227690/140511-Final-Report_150409.pdf)



modelled period, particularly westbound in the AM peak where capacity is reached” (2A, 11-5). It is illogical to spend \$15.4 billion dollars on a project that will guarantee traffic gridlock by 2031.

The EIS states that there were alternatives considered to the Westconnex, and that (1A iv) public transport was considered as an alternative. However, the consideration of alternatives needs to be done at a higher level than this part of one stage of the WestConnex project.

What Sydney needs is a world class public transport system and active transport solutions such as walking and cycling, not more polluting tollways that will not address our congestion challenges.

#### **4. CLIMATE CHANGE, ENVIRONMENT AND SUSTAINABILITY**

Westconnex poses a threat to the environment at many levels, from its construction through to its completion, and its subsequent daily use. Chief among these concerns are the impacts to climate change, the adverse impacts on sustainability, and the impact on our green space, natural habitats and waterways.

Westconnex is a clear example of the NSW Government not taking climate change seriously. Transport activity, and more specifically road transport, is a major source of fossil fuel emissions.<sup>7</sup>

The rise in emissions as a result of the Westconnex motorway is moving in the completely opposite direction than we need to be when it comes to addressing causes of climate change and is completely out of touch with the global trend that prioritises environmentally-sustainable approaches to urban transport.

The intergenerational Panel on Climate Change (IPCC) has stated that the transport sector was responsible for approximately 23% of the world’s total energy-related CO2 emissions in 2010<sup>8</sup>. The IPCC report finds that “Without aggressive and sustained mitigation policies being implemented, transport emissions could increase at a faster rate than emissions from the other energy end-use sectors.” (p.603)

The EIS has some unbelievable claims regarding the alleged benefits of Westconnex for the environment, including apparent *reductions* in emissions. This is based on the claim that lower fuel use due to increased speeds will actually improve greenhouse gas emissions. However this claim that less stop-start car activity will be beneficial for emissions is has been disproved. It is the vehicle kilometres travelled (VKT) that impacts on emissions, and Westconnex is a 33km motorway that under the EIS figures, light vehicle traffic will increase by 41% by the year 2031. The VKT for heavy vehicles is forecasted to jump from 27 million to nearly 57 million by 2031. Further, the claim that cars will be travelling at speed, based on the assumption that it will be a motorway does not account for the traffic jams that Westconnex will encounter, due to the high traffic densities that it will create.

#### ***Impact on our green space and biodiversity***

<sup>7</sup> <http://www.abs.gov.au/AUSSTATS/abs@.nsf/Lookup/4613.0Feature+Article1Jan+2010>

<sup>8</sup> [https://www.ipcc.ch/pdf/.../ipcc\\_wg3\\_ar5\\_final-draft\\_fgd\\_chapter8.pdf](https://www.ipcc.ch/pdf/.../ipcc_wg3_ar5_final-draft_fgd_chapter8.pdf)



WestConnex will greatly impact upon our environment and biodiversity. Open space and parklands will be lost including some of the last remnants of natural bushland in the Inner West and South West. The threats have been insufficiently summarised under the EIS according to external research that indicates the breadth of impact.

The EIS is underwhelming in its field studies, which accepts that it has only performed a “short duration of surveys” (1B, 20-3), as well as stating that “it is possible that seasonal species were not identified” (1B, 20-3). It is unacceptable that the EIS that by its own admission lacks the detail that could have a drastic effect on species populations.

In July 2015 the RMS lodged a Referral under the Environment Protection Biodiversity and Conservation (EPBC) Act with the Australian Department of the Environment resulting in a direct threat by the WestConnex M5 works to the endangered Green and Golden Bell Frog habitat at Kogarah Golf Club in Arncliffe and up to 75 hectares of vegetation including the Cooks River Castlereagh Ironbark Forest. The impact of WestConnex on this species will be significant.

The Grey-Headed Flying-Fox is another species that is under threat through lands acquired for Westconnex. The foraging habits of this species has been discussed in the EIS, captured in the comment “These planted trees do not constitute habitat critical to the survival of the Grey-Headed Flying-Fox” (1B, 20-16), however detail of the assessment of what determines critical habitat for this species is unclear.

The EIS speaks of migratory birds that will not be directly impacted, however the huge disturbance of building Westconnex will most certainly (if not directly then indirectly) affect many wild populations. The EIS has inadequate information on the impact upon biodiversity along the toll road corridor and its surrounding areas.

It is clear that endangered species are at risk along with significant numbers of mature native trees, and other large trees that are part of Heritage Conservation Areas. Further, established tree lined streets in Concord, Edward and Sydney will be negatively impacted by the M4East project works. The M4 widening at Auburn is already having severe impacts on stands of eucalypts and other mature trees that bordered the original tollway. As developers are obliged to do, the EIS should have a thorough arborist report to assess the impact and current health of all trees affected by this project.

The acquisition of homes, discussed above, also has environmental implications, with the large-scale degradation of the biodiversity surrounding these suburbs. Many homes in these areas have substantial yards filled by mature trees and green areas, which will be demolished along with the homes themselves. The impact of destroying biodiversity on private land was not considered in the EIS. The EIS states: “It is noted that vegetation within private land has not been mapped. All vegetation within the project footprint (including on private land) is assumed to be removed...” (1B, 20-15)

In fact, the EIS has not properly assessed the impact of small patches of land and the biodiversity that exists within them. There are species that thrive under small pockets of land, and are under serious threat with the destruction of the many suburban gardens and street plantings that will be removed. The EIS does not



adequately address this impact, or the impact on species such as the Superb Parrot, Blue Wren and Blue Tongue Lizards. The comment that existing patches of land “may be used as ‘stepping stones’ for fauna movement” underplays their inherent value and only serves to downplay the impacts that WestConnex will surely have on a great variety of species.

Sadly, this is occurring with the Cooks River Castlereagh Ironbark Forest, with 1.4 of the 1.8 hectares of land slated to be destroyed under the Westconnex bulldozer. This was protected land when the first M5 was built, designated as a ‘critically endangered ecological community’. This move demonstrates the complete disregard for proper procedure and a lack of compliance with biodiversity protection measures.

### ***Contamination of waterways***

The M4 East project will impact on four main waterways and their associated sub-catchments with a fifth waterway close to the project footprint. A total catchment area of 1,553 hectares will potentially experience significant surface water quality impacts and other environmental impacts including soil erosion, pollution of groundwater, potential asbestos contamination in soils and stormwater runoff and contamination of water quality in local waterways.

There are a number of issues surrounding the impacts on water quality with a project of this size, due to the impacts from surface works, construction and demolition works. The EIS admits these dangers, stating the dangers of “sediment transport and sedimentation, and potential contamination of downstream watercourses” (1B, 15-12). The risks that are said to be mitigated through “standard controls and methodologies” remain risks nonetheless. By virtue of its scale, Westconnex remains a serious risk for endangering our waterways both through the construction phase and beyond.

The EIS explores in some detail the varied effects that these works can have on waterways. These are many and varied, some of which include runoff during storms, removal of existing vegetation leaving soil vulnerable, erosion and sedimentation, leakages and spills, the transferral of soil through vehicles entering and exiting different locations, asbestos, heavy metals, chemicals, dust and airborne pollutants and a host of other potential issues.

It clearly identifies the danger:

“The runoff could contain concentrations of pollutants that would ultimately be discharged into the receiving waterways downstream, **which would have potential negative impacts on the water quality and natural habitats in these receiving waters.**”

These “potential negative impacts” remain, no matter the mitigation process, they remain as serious risks tethered to the project. The EIS states its measures to control these risks, however unless strict EPA guidelines are enforced during the construction period, contamination of downstream waterways and groundwater will occur, impacting aquatic and riparian habitats and a marine ecosystems.



During operation, the main potential impacts on water quality are associated with discharge of treated groundwater, stormwater runoff during rainfall events and direct deposition of airborne particles, causing acute or chronic contamination of water quality in downstream waterways.

To mitigate the potential surface water quality impacts WestConnex is proposing to create water treatment plants, gross pollutant traps and spill-containment and water treatment basins.

According to the M4East EIS, the project will include the installation and operation of 6 water treatment plants to treat tunnel groundwater and dirty construction water prior to being discharged into local canals.

During the operation of the project, a bio-retention basin of around 500 square metres is proposed at the Homebush Bay Drive interchange.

Huge permanent sediment basins will have to be located at the Homebush Bay Drive interchange to accommodate contaminated runoff from the interchange in storm events.

Despite these measures, waterway pollution remains a significant risk to marine ecosystems and human health.

## **Conclusion**

Based on the above concerns, we are opposed to the approval of this stage of the WestConnex.

The issues with the governance and financing of the project, the negative impact on the community, the destruction of heritage, the implications for health, the damage to the climate and environment are all serious cause for concern.

This submission is one of many raising serious objections to this project and urges the Minister for Planning to consider the concerns raised in the submissions on their merits and not grant approval for WestConnex until the completed business case is released and the entirety of the 33 km project can be assessed for environmental impact. We urge you also to take into consideration the individual submissions made by hundreds of people through our offices as listed in the appendix.