



The Director  
Major Planning Assessments  
Department of Planning  
GPO Box 39  
Sydney NSW 2001

January 29 2016

To the Director,

Please find enclosed a copy of our **submission to the WestConnex New M5 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 in the Christmas holiday period, 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 and transparency.

The community concern is also clear, with thousands of individuals making submissions objecting to this project and raising specific concerns about how it will impact on them. We urge you to give due consideration to all individual submissions, including all those that have come via my office as well as the thousands of others made by local residents, business owners and concerned taxpayers who will all be severely impacted in numerous ways by the WestConnex project.

We urge you also to take notice of the detailed critiques made by experts about this project and not proceed with approval. We do not believe the NSW government has a social license to proceed with this project given the number and range of serious concerns and criticisms of the project.

We expect that all submissions will be clearly published on your website individually (indicating whether the submitter supports or doesn't support the project) and not in an inaccessible manner as occurred with the recent M4 East submissions.

Yours sincerely,

**Jenny Leong MP**  
Member for Newtown  
NSW Greens WestConnex spokesperson

**Jamie Parker MP**  
Member for Balmain



## **Overview**

The WestConnex New M5 EIS has been submitted as a stand-alone development application in the same way as the previous M4 Widening and M4 East Stage 1 project plans. We object to the way these development applications are being submitted in stages because this process does not allow for the whole WestConnex project to be considered in its entirety in terms of the cumulative social, environmental and economic impacts. Cumulative construction and operational impacts for the New M5 and other WestConnex stages have not been adequately modelled or reported as a whole with only a cursory description of cumulative impacts included in each EIS document.

This assessment of construction and operational cumulative impacts does not include past and current developments, in particular existing arterial roads and motorways and current and planned high rise developments and open spaces which will be close to and/or above unfiltered ventilation stacks and WestConnex road infrastructure, including the proposed St. Peters Interchange.

This EIS has not properly analysed the considerable social and economic impacts of the whole project on residents and businesses that will be forced to leave their current locations, or the severe impacts on those who will be left on the perimeters of the proposed toll road.

Numerous significant omissions have been identified in this EIS including at least 10 local schools and day care centres and 3 sports fields - all of which are in the project zone or immediate perimeter and will be significantly impacted by the project.

Additionally the SEARS demand that the impact of the proposed development is measured according to impacts on local traffic and parking in the areas bordering the project boundaries and this has not been done adequately regarding weekday and weekend traffic volumes outside of AM and PM peaks and parking alternatives, given the predicted loss of parking on local streets.

The preparation of the Social and Economic Impact Report in this EIS did not include direct consultation with businesses, individuals, community groups or industry. The primary research was limited to that undertaken by the project community consultation team and desktop inquiries. Furthermore, in crucial areas such as the WestConnex Information Booth at Marrickville Metro Shopping Centre, there were no copies of this New M5 EIS available for examination by concerned local residents.

This EIS does not adequately address the Planning Department's SEARS in relation to alternative public transport and freight options and makes a number of generalised statements about public transport which are not substantiated in any way. It does not adequately assess the volume of freight which will be removed from the road system with the new intermodal terminals at Moorebank and St Marys, along with the planned upgrades to the Port Botany rail freight rail line, will significantly increase the share of freight that can leave/enter Port Botany by rail. The development of the 2<sup>nd</sup> Sydney airport at Badgery's Creek and the subsequent impact on traffic volumes and freight at Kingsford Smith airport, have also not been adequately addressed or analysed in this EIS.



The EIS does not include any objective assessment or modelling of the impacts of the New M5 on pedestrians and bicycles using the local and regional road network particularly with reference to the substantial impacts the proposed St. Peters Interchange on thousands of Sydney Park users and bike commuters to the city from surrounding local suburbs. Pedestrian and bicycle movements have not been included in the strategic model (WRTM) nor the intersection models. There is no forecast of the impacts on walking and bicycling travel times and accessibility.

The EIS does not provide a complete “assessment and modelling of operational traffic and transport impacts”, it only offers an assessment of motor vehicle and public transport impacts within small sections of the affected areas which nevertheless shows that in many cases, and with the completion of the M4/M5 section, local traffic will be substantially worse indefinitely.

The project has a high financial risk. The flaws and optimistic assumptions in the traffic modelling mean that toll revenue is likely to be significantly lower than forecast. AECOM has a history of providing over-optimistic traffic forecasts for toll roads, resulting in previous financial failures.

The experience of other toll roads in Sydney, such as the Cross City Tunnel and the Lane Cove Tunnel has not been factored into the analyses in this EIS. The claim that WestConnex will create more than 10,000 jobs is spurious because an equally large public transport project would also create a similar number of jobs and far more ongoing operational jobs. The claims to savings in travel time and reliability are highly dubious and cannot be factored into this development application because both the M4East and the New M5 will feed into already highly congested local roads and any time savings will be lost in substantial on and off ramp congestion.

In summary, the project is not in the public interest. It will be used by less than 1% of the NSW population each day. The rest of the population will pay hugely in terms of higher traffic impacts, poorer air quality, and state and federal taxes being diverted from public transport and other crucial transport infrastructure initiatives towards the ballooning costs of WestConnex.

**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 some key areas of concern regarding the WestConnex New M5 Environmental Impact Statement:**

- 1. Impact on the Community and local amenities**
- 2. Impact on climate, environment and sustainability**
- 3. Health impacts**
- 4. Financial concerns**
- 5. Lack of transparency and accountability**
- 6. Lack of alternative scenarios**
- 7. Lack of adequate response to SEARS**



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 all the thousands of individual submissions to carefully consider 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 should have been answered with the release of the amended business case for this \$16.8 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 unfortunately this question remains unanswered, and thus the reason for spending \$16.8 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, prior to the finalised business case or planning approvals – it is difficult to see the EIS process 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 its rejection by the Department of Planning.

Additionally, considering the way the thousands of submissions against the M4East EIS were posted on the Department of Planning's Major Projects website in an ad hoc and unsatisfactory way, we trust that this time, the New M5 EIS submissions will be dealt with in good faith and displayed, analysed and responded to properly, as is the expectation of the submitters and the commitment made on the website.



## **1) The New M5 will have devastating impacts on our local communities and local amenities**

The New M5 will have irreversible detrimental impacts on surrounding suburbs and communities. It will result in worsened traffic congestion on existing key roads; major projected increases in traffic volumes into local roads and streets; increased pollution; displacement through forced acquisitions; negative impacts on business precincts due to inevitable clearways on major commercial strips; and significant loss of green spaces, existing parklands, mature trees and biodiversity.

From 2019, the New M5 and the existing M5 will be routed through to the proposed St. Peters Interchange. Up to 100,000 extra vehicles will spill onto local roads, particularly onto south King Street in Newtown, Euston Road, Mitchell Street, McEvoy Street, Bourke Road and Campbell Street leading to Edgeware Road in Enmore, which will be unable to accommodate such a massive increase in traffic. Stage 3 of WestConnex (joining the M4 and M5) is not planned to be completed until 2023 and is completely unfunded and predicated on the sale of Stages 1 and 2 and the imposition of significantly high toll fees for decades. There is no certainty that it will be built leaving local inner west suburbs in constant gridlock and residents subject to unacceptable levels of dangerous pollution and destruction of their amenity.

There are over 80 homes and businesses that have been listed for compulsory acquisition in St. Peters alone. Residents are not being offered equitable prices for their homes and will be unable to find new homes in the area.

The construction of the New M5 and of all stages of WestConnex will have severe and lasting impacts on local communities. Just in St. Peters alone there will be more than 2,200 extra heavy and light truck movements per day for years. And this figure does not include the following construction period impacts of the M4/M5 link which will mean that the St. Peters, Alexandria, Newtown and surrounding areas will experience at least 7 years of severe impacts. This has not been addressed in any way in this EIS. In the same way, residents in Kingsgrove and Beverley Hills have already been subject to years of construction work for the original M5 and this has not been adequately taken into account nor has the fact that the New M5 will destroy most of the environmental remediation work residents initiated as a response to the impacts of the original M5.

## **2) The New M5 will be a massive contributor to greenhouse gas emissions, while destroying important habitat and greenspace.**

This proposal will be a huge contributor to greenhouse gas emissions and global warming. Like all new roads, it will encourage greater use of private cars, leading to increased fuel consumption and air pollution throughout Sydney.

The impact of the New M5 on the largest green space in the inner west, Sydney Park is critical - as well as losing a significant portion of this park, there will be tunnels, ramps, ventilation stacks and multi lane roads with fast moving traffic, right alongside the park. Many residents and visitors



to this iconic area of Sydney will be cut off from the park by the St Peters interchange and the widening of Euston Road to seven lanes between Sydney Park Road and Campbell Road. All park users and local residents will be subject to high levels of pollution and noise.

The WestConnex project will also lead to the destruction of more than 75 hectares of vegetation, including endangered Turpentine Iron Bark Forest and the critically endangered Cooks River Castlereagh Iron Bark Forest. The habitat of the vulnerable Green and Golden Bell Frog at Kogarah Golf Course at Arncliffe will also be destroyed by the New M5. This is unacceptable.

### **3) Air pollution from the New M5 will be hazardous for our health**

There is strong evidence about the dangers to human health from a wide range of vehicle exhaust pollutants, especially tiny particulate matter less than 10 microns in diameter (known as PM10s), and particulate matter that is less than 2.5 microns in diameter (PM2.5).

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.

The [WHO guidelines](#) state that small particulate pollution has health impacts even at very low concentrations and that 'no threshold has been identified below which no damage to health is observed. Therefore, the WHO guideline limits aim 'to achieve the lowest concentrations of PM possible.'

Research has shown that people exposed to diesel exhaust at high levels in enclosed spaces for long periods of time – such as truck drivers, railway workers, and miners – face up to 30 per cent increased risk of lung cancers, even after the effects of smoking are taken into account.

Most state regulatory bodies in Australia accept there is no safe level of exposure to diesel exhaust. As well as cancer, other health hazards are respiratory illnesses and heart disease.

The results of air quality modelling for annual average PM2.5 in the WestConnex New M5 EIS, indicate that there will be an increase in the levels of this particle pollution at 63% of receptors along the proposed route.

During the construction period, the New M5 EIS states that there will be up to 1,000 extra heavy vehicle movements (trucks) per day in the Kingsgrove and Bexley surface works area and approximately 1,240 extra light vehicle movements (presumably small trucks). The health impacts on the community and on workers from this amount of concentrated particulate pollution from diesel fuelled vehicles will be significant and is not adequately accounted for in the EIS or the updated Westconnex Business Case.

By 2031 when the whole WestConnex project is slated for completion, total traffic demand will rise significantly, for example, demand in St Peters will increase by up to 33% and there will be significant increases in traffic on key roads within the project perimeters including sections of Parramatta Road, Broadway, King Georges Road, Stoney Creek Road, Bexley Road, Forest Road, Euston Road and many more smaller roads in local suburbs.

The claim that there will be less emissions and pollution with WestConnex due to free flowing traffic just doesn't stack up. Total two-way traffic east-west across this part of Sydney will jump



53% by 2031. Such an increase is hardly going to improve air quality. The inevitable traffic jams at tunnel entries and exits due to the fact that traffic will spill out into unsuitable local roads with numerous traffic lights and insufficient road capacity to take increased traffic volumes, means that the emissions predictions in the New M5 EIS are seriously incorrect.

Unfiltered ventilation exhaust stacks will be located less than 500 metres from homes, public schools, childcare centres, sports fields, aged care facilities and hospitals in the west, south west and inner west suburbs on the Westconnex route. Vehicles that use diesel fuel are responsible for around 80 per cent of fine particle pollution from vehicles. According to a recent [ABC health report](#), the high hazard zone for health is considered to be 150 metres either side of busy roads – particularly within 50 metres. And, depending on the number of vehicles on the road, the levels can be up to 10 times higher than the usual city background – which is already at levels which are considered unhealthy. So the increases we can expect in dangerous air pollution by encouraging more vehicle trips and locating dangerous ventilation stacks next to homes, schools, playing fields and hospitals, are completely unacceptable.

The correlation between rises in particle concentrations and death rates from a variety of causes is proven with impacts that accumulate over a lifetime. Children are at greatest risk along with the elderly, and people with emphysema, asthma, and chronic heart and lung disease.

#### **4) WestConnex and the New M5 is a financial black hole that won't solve Sydney's traffic congestion**

Global experience of major toll road construction has demonstrated conclusively that these projects are enormously expensive and counter-productive. Here in Sydney, taxpayers have pumped billions into the failed Cross City Tunnel and the Lane Cove tunnel, use of which is still well below project projections.

Recent research from the Institute of Transport and Logistics Studies at Sydney University has warned the Government that Sydney motorists are unwilling to pay for more tollroads. Instead, motorists will look for free back-road routes, pushing more cars onto local streets.

The WestConnex tollroad has blown out from an initial projected coast of \$10billion to \$16.8 billion and climbing. It will increase air pollution and encourage more car use, quickly filling the increased road capacity. It is not a long-term solution to Sydney's traffic congestion problem and as the most expensive transport infrastructure project in Australia, it does not address key community demands for efficient, inexpensive and world class public transport options. Rather it locks Sydney commuters into car dependency and use of privatised toll roads and for decades to come while sucking funds from public transport developments.

WestConnex does not offer sustainable solutions for the transportation of freight from Pt Botany or the airport which is one of the primary rationales for the whole project. It does not offer faster transportation to Mascot airport from the western suburbs and even the projected travel times using WestConnex are longer than the travel times using the existing rail infrastructure. The recently mooted Sydney Gateway motorway is not part of the WestConnex project, is completely unfunded and has published tentative plans which would require moving the rail freight line near the northern boundary of Mascot airport about 500 metres north. This single rail line connects



Port Botany to Sydney's west and the idea of moving it is absurd. WestConnex was tasked to provide sustainable transport solutions for freight from Pt Botany and the airport but has spectacularly failed to do so. The New M5 EIS could be rejected outright just for this glaring omission.

## **5) The WestConnex project including the New M5 EIS lacks transparency and accountability**

The fact that the WestConnex Delivery Authority and now the Sydney Motorway Corporation have already signed multi-billion dollar contracts before this EIS and the previous M4 East EIS were placed on public exhibition, let alone given Development Consent, undermines community confidence that this is a genuine consultation process.

There are serious concerns about the way the WestConnex project has been developed and progressed regarding the lack of good governance and assurance processes at the concept stage, independent oversight and transparent 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 and traffic modelling used in the business case, is unacceptable. Also unacceptable is the NSW Government's refusal to release the MOU that has been signed between it and the federal government concerning funding arrangements. This is public money and the public have a right to access this information.

Given the growing list of failed tollroads around the country one would assume that a project of this size and cost would have undergone extremely rigorous planning and budgeting, that strong governance and independent review mechanisms would have been in place right from the concept stage, but in fact the reverse has been the case as highlighted by the NSW Ombudsman's [report](#) from December 2014 or the City of Sydney's independent [report](#) from Oct 2015.

Meanwhile hundreds of residents in Haberfield, Ashfield, Strathfield, & St Peters are facing the loss of their homes, months before any Planning approvals have been given for work to commence on either the M4 East or the New M5. They are being forced out of their homes, reluctantly accepting compensation payouts far below market price, because they can't afford to run costly appeals. And under a process we now discover was found to be wanting in a [state government report](#) from 3 years ago.

Construction has proceeded in areas contaminated with asbestos without adequate safety procedures in place nor proper community notification. And there are glaring omissions in the Environmental Impact Statements that have been prepared with numerous local schools, some sports fields and key community facilities and organisations not even identified in the New M5 EIS, much less consulted.

The project's future planning and implementation is now managed by the newly created private corporation, the Sydney Motorway Corporation. This will further obscure crucial information about the project which should be openly available to the public.

The fact that the NSW Minister for Roads, Maritime and Freight and the NSW Treasurer hold shares in this corporation is a conflict of interest, given that their role as public officers should be to ensure that public funds and public/private projects are placed under the highest scrutiny.

## 6) The WestConnex project comes with no real evaluation of alternative options such as world class public transport

The Department of Planning's Secretary's Environmental Assessment Requirements (SEARs) demand that the New M5 EIS provide 'an analysis of feasible alternatives to the carrying out of the proposal and proposal justification, ... including an assessment of the environmental costs and benefits of the proposal relative to the alternatives and the consequences of not carrying out the proposal), and whether or not the proposal is in the public interest.'

There is no apparent assessment of the environmental costs and benefits of the New M5 proposal relative to the alternatives and no adequate appraisal of whether the proposal is in the public interest.

Wild claims predicting that by 2031, 72% of journeys will be made on the road network are made within the EIS without adequate references -

*Public transport is best suited to serving concentrated, high volume flows of people to and from established centres. It is less suited to serving dispersed cross-city or local trips. Even with significant investment and high levels of patronage growth forecasts for Sydney's public transport network, 72 per cent of journeys in 2031 will be made on the road network each weekday by vehicle, equal to an additional 4.3 million new trips compared to current traffic movements (Infrastructure NSW, 2014).*

This statement is misleading as there is no analysis of the framework used in the source study - did the survey or forecast factor in significant improvements in Sydney's public transport and freight infrastructure in the next 16 years? Were new work patterns such as local business hubs taken into account or the anticipated employment figures for the 2nd airport at Badgery's Creek? And why are no independent studies sourced? Why is public transport less suited to serving cross city or local trips?

The analysis of feasible alternatives to the project is woefully inadequate with the section on public transport and rail freight improvements (Alternative 3) comprising only 5 pages (Chapter 4, pp 4.11 to 4.15) within the multi-volume EIS document.

This section does not show that public and active transport and rail freight options are not a feasible option to the New M5 road toll project. In fact, the summary statement admits that, '*Public and active transport options would be feasible alternatives to the project should the objectives of the WestConnex program of works be largely concerned with transporting people to and from centres.*'

The summary statement goes on to make the claim that:

*...the commuting demand is only a proportion of the demand along the M5 East Motorway corridor. The key customer markets identified for the project include highly dispersed and long distance passenger movements, as well as heavy and light freight and commercial services and businesses whose travel patterns are also highly dispersed and diverse in nature. These customers have highly varied requirements when it comes to the transfer of goods and services. These requirements include the transport of containerised freight by rigid and articulated trucks, light trucks, vans, utility vehicles and cars.*



This argument is highly flawed in that it does not posit a significant reduction of commuter traffic on existing roads given improved public transport and active transport options and therefore the increased capacity on the existing road infrastructure would support the transport of goods and services that are not accommodated by increased rail freight services.

When specifying the 'key customer markets' as 'highly dispersed and long distance passenger movements' the EIS implies that this market requires privatised vehicle road transport with no supporting evidence to back up this claim. In fact to the contrary, long distance passenger movements are highly suited to rail transport options. The claim that movements on this corridor are 'long distance' are also questionable given that the complete WestConnex project is 33 kms and many motorists will not use the entire tollroad.

It further claims that heavy and light freight and commercial services have travel patterns that are 'highly dispersed and diverse in nature' and therefore require road transport infrastructure. However, claiming that travel requirements are dispersed and diverse does not necessarily preclude the development of public transport and freight systems that can accommodate such requirements - these requirements are the same for any sizable city and international best practice shows that there are sustainable solutions to these transport challenges which do not rely on privatised road transport.

## **7) The New M5 EIS does not adequately address the Secretary's Environmental Assessment Requirement Section 115Y of the Environmental Planning and Assessment Act 1979**

Under SEARS application SSI 6788 is required to make:

- *an assessment and modelling of operational traffic and transport impacts on the local and regional road network (in consultation with affected councils), ... and the impacts of potential shifts of traffic movements to alternative routes outside the proposal area (including as a result of tolls);*
- *or adequately address the impacts on property and business access and on street parking provision, including permanent and temporary (construction) changes to access and parking, and traffic management measures such as clearways*

The New M5 EIS has not adequately examined or analysed existing traffic volumes on key roads that connect directly to the project area at all times. Major linking roads like McEvoy Street, Mitchell Road, Bourke Rd, Edgeware Road, King Street, Unwins Bridge Road to name just a few significant roads in the perimeter of the project boundaries, consistently operate at near peak volume capacity and any serious analysis of the impact of putting up to 100,000 more vehicles on these roads per day, would inevitably conclude that the existing local and regional road network cannot accommodate the predicted increases.

In fact, the Sydney Motorway Corporation (SMC) has admitted that the WestCONnex New M5 will cause incalculable traffic congestion unless other unplanned and largely unfunded toll road projects – including the WestCONnex M4-M5 link, the Sydney Gateway and southern extension – are built as well.



In an email sent to a member of the Alexandria Residents Action Group (ARAG), Louise Bonny of the SMC admitted only 80% of the “significant increase” in traffic they expect the New M5 will generate around the St Peters Interchange, could be accommodated by the existing road network. Ms Bonny went on to explain they were relying on the other toll road projects, saying:

*“...the construction of the additional road network components proposed as part of the WestConnex M4-M5 Link, Sydney Gateway and Southern extension projects provide the additional road space and increases the ability to distribute and accommodate the predicted increase in traffic.”*

In the same email, Ms Bonny said that the model the SMC is using to forecast traffic flows was unable to predict what would happen if these additional toll roads are not built, because *“the model does not function properly and presents results that can be misleading.”*

This crucial information is missing from the New M5 EIS and given that the proponent, the SMC has modelling that indicates that the traffic impacts will be completely unsustainable in the medium to long term (given that the additional ‘road network components’ will not be completed for decades), it is highly problematic that this information is not clearly indicated in the New M5 EIS.

The EIS does not cite any consultation with affected councils and the situation is that virtually all affected councils have publically completely rejected the WestConnex project in its entirety. The City of Sydney’s submission on the new M5 EIS is scathing and highly critical of both the claim and lack of professionalism of this document.

## **Conclusion**

The New M5 EIS is seriously deficient in a number of crucial areas not least that it is presented in isolation and cites positive outcomes of the whole WestConnex project while not adequately assessing the overall negative impacts and fundamental flaws of the whole project. The social, economic and environmental impacts of this Stage have not been fully or adequately addressed in isolation nor have they been addressed in relation to the cumulative construction effects over many years between Stages 1 and beyond into the unclear timeframes and ad hoc additions to the WestConnex project.

This EIS does not address key project rationales (ie. transport to and from Botany Port and Mascot airport) and the traffic modelling and analysis presented by AECOM is patchy and inadequate and lacking transparency so that all the claims made cannot be independently verified.

The conflict of interests that companies such as AECOM have as recipients of development contracts for the WestConnex project should have precluded this company from having any input into this or the M4 East EIS.

AECOM claims that the Social and Economic Impact assessment was the result of a cumulative assessment of direct, indirect, and cumulative social and economic impacts of the project on communities, residents, businesses, users of education, health, open space and other community facilities and road users and to have identified means of mitigation. However, there are glaring



omissions in this assessment and most impacted businesses, community groups, schools and residents were not directly consulted in the preparation of this document.

The negative impacts of this project on the environment and the community, the absence of clear benefits for the people of Sydney, the exorbitant costs to the people of NSW and Australia and the completely flawed analysis and assessment contained in this EIS all support the complete rejection of this application and the proposed project.