



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

To the Director,

Please find enclosed a copy of our **submission to the WestConnex M4-M5 Link 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.

Global experience of major toll road construction has demonstrated conclusively that these projects are enormously expensive and counter-productive.

WestConnex will increase air pollution and global warming and encourage more car use, quickly filling the increased road capacity. It is not a sustainable solution to Sydney's congestion problem. The impacts on the health and well-being of local community's both in the construction and operation phases are unacceptable.

The fact that this Environmental Impact Statement (EIS) was released just 2 weeks after submissions closed for comment on the M4-M5 Link Concept Design, has undermined community confidence that this is a genuine consultation process.

Additionally, the eight week consultation period for this EIS is inadequate and has not allowed sufficient time to assess and articulate why this project must not proceed. 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. The documents and processes are clearly prepared in such a way to defer or limit community engagement and input.

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.



Despite the obstacles to engagement put in place, the community concern is 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 our 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, particularly the City of Sydney submission, 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 as well as the organisation and position of the person making the submission (indicating whether the submitter supports or doesn't support the project).

Yours sincerely,

Jenny Leong MP
Member for Newtown
NSW Greens WestConnex spokesperson

Jamie Parker MP
Member for Balmain
NSW Greens Corruption spokesperson

Mehreen Faruqi MP
NSW Legislative Council
NSW Greens Transport spokesperson



Overview

The WestConnex M4-M5 Link EIS has been submitted as a stand-alone development application in the same way as the previous M4 Widening, M4 East and the New M5 EIS project plans. We object to the way these development applications have been 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 M4-M5 EIS 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 developments and open spaces which will be close to and/or above unfiltered ventilation stacks and WestConnex road infrastructure.

No Longer Meeting Initial Proposed Purpose

This whole project has been characterised by a multitude of assumptions, an alarming lack of clarity in its overall purpose, a failure to build in continuous evaluation and auditing to ensure that project goals are viable and appropriate, a disgraceful refusal to assess it within the context of an overall transport plan and an unwillingness to properly consider and evaluate its impact on the amenity of the communities through which it has been bulldozed. We see now as well that the original rationale for WestConnex as laid out in all the SEARS documents - to provide a link from Sydney's western suburbs to Mascot airport and to Port Botany- has been removed along with the Sydney Gateway stage which would have facilitated this aim.

This significant alteration to the original premise of WestConnex should alone demand that the project is stopped and that the Business Case and all traffic modelling be reviewed so that the public is given an accurate indication of the real impact of this changed project. This is not the only major alteration to the original scope and plans for WestConnex which demonstrates clearly that this project lacks any proper planning and process.

This lack of proper planning and process has reached its apex with the M4-M5 Link EIS which is by its own admission only an 'indicative' plan. The lack of detailed plans in this EIS for what would be the most complex and expensive stage of WestConnex, is staggering.



Impacts on Local Communities

This EIS has not properly analysed the considerable social and economic impacts of the whole project on residents and businesses which 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 on roads like King Street in Newtown or The Crescent in Annandale.

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. 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.

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. The EIS considered alternative options in isolation however consideration should have been made regarding whether combinations of improvements to arterial roads, investment in alternative transport modes, and demand management might be more cost effective than building WestConnex.

The EIS 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, which will significantly increase the share of freight that can leave/enter Port Botany by rail. The development of the 2nd Sydney airport at Badgerys 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 Westconnex and the M4-M5 Link on pedestrians and bicycles using the local and regional road network. 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 Link, local traffic will be substantially worse indefinitely.



Financial Risk and Tolls

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. Recent reports predict a 10% over-estimation of traffic volumes on WestConnex by 2031.

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 the M4East, the New M5 and the M4-M5 Link will feed into already highly congested local roads and any small time savings will be lost in substantial on and off ramp congestion.

Not in the Public Interest

In summary, the project is not in the public interest. It will be used by less than 1% of the NSW population each day but cost an exorbitant amount. 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 or unpack every assumption. Rather it seeks to highlight some key areas of concern regarding the WestConnex M4-M5 Environmental Impact Statement:

- 1) Privatising our transport**
- 2) Original rationale for WestConnex removed**
- 3) Inaccurate project scope**
- 4) Unacceptable risk with 'indicative' EIS**
- 5) Health impacts**
- 6) Traffic congestion**
- 7) Traffic modelling**
- 8) Impact on local businesses and non-Aboriginal heritage**
- 9) Impact on Aboriginal Sites**
- 10) Climate Change Risk**
- 11) Inaccurate Business Case**
- 12) Lack of good governance**



1) Privatising our transport

WestConnex is part of a plan to drastically increase privatised toll road transport throughout Sydney rather than to build long term environmentally sustainable, public transport. The recommendation to approve this infrastructure is dependent on the construction of more large, prohibitively costly tollroads north and south of Sydney which will lock out cheaper and more desirable public transport options for many decades. The Environmental Impact Statement does not safeguard communities from the impacts and expense of this project and those future private tollroads which are predicated on its construction.

Given the NSW government will sell the majority share ownership of this project as part of the sale of the Sydney Motorway Corporation, the costs and consequences of the project will be non-transparent and put the public's interest at risk by handing the responsibility and control for the delivery of the project to a private consortium.

2) Original rationale for WestConnex removed

The rationale and justification for WestConnex as a link from the west to the airport and Port Botany is no longer current. The WestConnex project and the M4-M5 Link has been justified as a State Significant Infrastructure (SSI) project by providing a link to Sydney's west with the airport and the Port Botany precinct. This link is not now included in the WestConnex project plan and therefore the justification for the project is no longer valid and the whole project should be reassessed and withdrawn as SSI. Additionally, as this link to the airport and port is unplanned and unresolved, it is impossible to determine the effect on demand of the unknown pricing regime that will apply to the Sydney Gateway, nor the impact on the WestConnex modelled travel times.

3) Inaccurate project scope

The Rozelle and Iron Cove Interchanges do not meet the project objective of linking M4 East and New M5 (Part 3.3 of EIS) and should not have been included in the Project. The Rozelle Interchange is only relevant in terms of the Western Harbour tunnel and the Northern Beaches tollway but neither of these are included in this EIS because they are no more than aspirational at this time.

The indicative design of the Rozelle Interchange is inherently dangerous and exorbitantly costly and the fact that no company has tendered for its construction shows that the industry recognizes that this underground interchange is an unsafe proposal.



Existing motorways (Cross City Tunnel and Eastern Distributor) have not been analysed as viable options for traffic to avoid the city centre. Regarding the M7, A6 and A3 existing road connections - there has been no modelling provided to show whether with appropriate upgrades, these connections might provide far more cost effective and time efficient connections, especially as their alignments would service multiple demand corridors.

4) Unacceptable risk with 'indicative' EIS

The level of uncertainty and risk which have to be resolved after planning approval for this project to eventuate is unacceptable. The M4-M5 Link EIS does not contain detail of the design and construction approach but is only indicative with significant elements of the project, including the actual route and real construction impacts, not planned. It is unacceptable to seek planning approval for a project of this size, cost and social and environmental impact, without supplying this essential detail.

The proposal to construct three layers of tunnel and interchange under homes in Lilyfield and Rozelle is untried anywhere in the world and there are no existing safety guidelines for such a construction. Allowing a future private construction company to make fundamental decisions about infrastructure of this size is unacceptable and will place the community at severe health, social and environment risk.

5) Health impacts

WestConnex will impact negatively on the health and wellbeing of residents in the inner west specifically increasing toxic pollution levels near the proposed unfiltered ventilation stacks which are located in residential areas and also near schools and parks. Particulate Matter affects more people than any other pollutant and the most health-damaging particles are those with a diameter of 10 microns or less, (\leq PM10), which can penetrate and lodge deep inside the lungs which are those which will be concentrated in highly densely populated areas as a result of WestConnex.

This project will lock Western Sydney residents into non-active transport which will have long term negative health impacts on generations of people. Additionally the negative health impacts of using this series of long tunnels over the short and long term are unacceptable due to the increased levels of toxic exhaust pollution concentrated in these tunnels.



6) Traffic congestion

The construction of tollroads has been shown to induce more traffic rather than to decrease it. This plan will lead to decades of unacceptable traffic congestion in the inner west.

The EIS shows that the project will cause increased congestion on the existing road network in already congested key road arteries in the inner west including parts of Mascot, on Frederick Street at Haberfield, Victoria Road north of Iron Cove Bridge, Johnston Street in Annandale and on the Western Distributor until other unfunded and unplanned major road projects are completed.

There will be major impacts on the Anzac Bridge (projected 60% increase in daily traffic) and the Sydney city centre. The EIS forecasts major impacts on bus travel time and reliability. This increase in traffic congestion and associated pollution and public transport systems is unacceptable.

7) Traffic modelling

There is no statement on the level of accuracy and reliability of the traffic modelling process. This is a major issue as the traffic modelling is crucial to the rationale for the project and to the Business Case as a whole. By not providing accurate and defensible modelling this EIS is not fulfilling the Secretary's Environmental Assessments Requirements.

Westconnex traffic modelling relies on implausible traffic volumes that exceed the capacity of the road links and intersections at several key locations.

The traffic modelling in this EIS has been done by a company called AECOM. AECOM no longer does such modelling due to a successful legal action against them which found they were responsible for inaccurate modelling on the Brisbane Clem 7 freeway. Citigroup recently released a report for potential investors in WestConnex and the Sydney Motorway Corporation indicating that there was at least a 10% discrepancy in the traffic modelling predictions for traffic volumes in 2031.



8) Impact on local businesses and non-Aboriginal heritage

The plan will lead to significant increases in traffic and a real risk of the imposition of extended clearways on key high streets in the inner west including, King Street which will destroy businesses and impact negatively on the social and cultural fabric of the community.

The plan will impact on key high level heritage protection areas and sites in Newtown with a significant number of heritage protected buildings in the project's footprint. The impact on these buildings is not quantified and damage to them will seriously impact our national cultural history.

This EIS has not modelled the localised impact of settlement due to tunnelling and excavation which will lead to groundwater withdrawal. Localised modelling is possible but has been deferred to be undertaken by the construction contractor even though this modelling comes under the Secretary's Environmental Assessment Requirements

(SEARs) which requires the assessment of *"impacts from any permanent and temporary interruption of groundwater flow, including then extent of drawdown..... and the potential for settlement"* (SEARS (10(b))).

The studies undertaken for the EIS predict ground water withdrawal will permanently impact ground water levels at the end of construction up to 500 metres on either side of the tunnel alignment (Appendix T p xii) and up to 1.4km over the longer term in some areas. This modelling predicts that at the end of construction, steep localised cones of depression will develop beneath Newtown and St Peters within the Ashfield Shale. (P19-29).

As no localised groundwater modelling has been undertaken at the EIS stage there is no transparency regarding which properties may be subject to potential exceedances of settlement criteria. The EIS does not state who will undertake the precondition surveys, how the findings will be published and who will be liable for 'make good' should the criteria be exceeded in practice. The EIS implies this may be the responsibility of the construction contractor which would be a clear conflict of interest.



9) Impact on Aboriginal Sites

There are at least 13 significant Aboriginal sites within 500 metres of the WestConnex project corridor and the Iron Cove Link including rock art and shelters, middens, open artefact sites and potential archaeological deposits which may be negatively impacted by the M4-M5 works especially as the specific routes and construction methods are unknown and so the potential impact could be severe.

10) Climate Change Risk

There are significant high risks identified to the operation of the project related to climate change, including an increase in the intensity and frequency of extreme rainfall and an increase in frequency and intensity of extreme heat events. Of note is the extreme risk of flooding at Rozelle as a result of intense rainfall combined with sea level rise and an increase in extreme storm surges into Rozelle Bay. These risks have not been properly assessed and no mitigation proposals have been included in this plan. The expenditure of billions of dollars of public money on a project with risks such as these is irresponsible.

The climate impacts of large scale unsustainable infrastructure such as WestConnex are unacceptable.

11) Inaccurate Business Case

The Business Case for this project is inaccurate and misleading and has not been amended to reflect the significant changes to this project's scope from the March 2016 SEARS to revisions in Sept and then November 2016 which include extra kilometres of tunnel and stub infrastructure to link to further proposed infrastructure. Additionally the removal of the proposed portals in Camperdown, means that the existing traffic modelling is more inaccurate particularly in relation to the St Peters Interchange and therefore the predictions of usage of WestConnex are also inaccurate. As noted above, the recent Citigroup report indicated that the traffic modelling figures had overestimated usage of WestConnex by 10%. Given this and previous expert analyses of the WestConnex Business Case showing its deficiencies and inaccuracies, this EIS cannot be properly assessed until the Business Case is reviewed and updated.



12) Lack of good governance

There are multiple examples of a lack of good governance and probity with this project. These issues have been raised in a series of investigations by all of the key independent government watchdogs as well as investigative journalists working for reputable publications and media outlets such as the Australian Financial Review, the Sydney Morning Herald and the ABC.

The NSW Auditor General has just announced that a second investigation into WestConnex will be undertaken because of the project's huge costs, risks and the ongoing public interest in this project. This new investigation comes on top of the recent Citigroup report showing that the Business Case predictions are out by 10%. In addition, the circumstances concerning the leasing and proposed acquisition of the Darley Road site in Leichhardt have been referred to ICAC.

In 2014, the NSW Auditor General raised serious concerns about the governance, finance and independence of the initial WestConnex Business Case in 2014.

In February this year, the Australian National Audit Office brought down its report which made a series of strong criticisms of the federal government's financial support for Westconnex. The report showed that the rationale for funding this project was deeply deficient. It condemned both the Liberal Coalition and the ALP, who had been promoting the WestConnex project since 2012, well before even an initial business case was presented to the appropriate government departments for consideration.

The Report found that despite the consistent early advice from the Department of Infrastructure and Regional Development and Infrastructure Australia that the project could not be recommended for federal funding, both the ALP and the Coalition provided significant support for it.

The report showed the government bypassed key governance structures in pushing through up a \$2 billion, 34 year concessional loan and providing a \$1.5billion grant. And that the public's interest was not fully represented in the terms of the concessional loan.



Conclusion

The M4-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 each stage of the project.

The serious governance issues which have been exposed along with the deficiencies and inaccuracies in the Business Case are strong reasons why the M4-M5 EIS should not be approved.

Additionally, the lack of serious investigation into viable options along with the negative social, environment, economic impacts of this proposal and the large and growing expert opinion indicating that this project will not ease congestion in the city nor facilitate shorter travelling times, should also mandate planning refusal.

We urge you to reject this proposal for this 7.5km, 8 lane tunnel that is part of a plan to build a polluting tollroad that no longer meets its initial aims and will not solve Sydney congestions problems.