

**Notes from a public meeting on the  
WestConnex Stage 3 (M4-M5 Link)  
Environmental Impact Statement (EIS)  
held at Centurion Lounge, Leichhardt Oval  
6:30-8:30pm Wednesday 4 October 2017**

*The meeting commenced at 6:30pm*

In attendance from Council was the Mayor and four councillors, six staff (including the Deputy General Manager) and two staff from Beca Australia, commissioned by Council for the EIS assessment. The State members for Summer Hill and Balmain were also in attendance. Total attendance at the meeting was around 250.

*Welcome by Mayor Darcy Byrne*

- The Mayor welcomed all residents and interested community members to the public meeting convened by Inner West Council for the WestConnex Stage 3 (M4-M5 Link) Environmental Impact Statement (EIS).
- Inner West Council has formally adopted a position of continued opposition in the strongest terms to the WestConnex project, for both the approved and future stages including stage 3. This is consistent with the positions of the former councils of Ashfield, Leichhardt and Marrickville.
- Should Stage 3 proceed, Council will continue to fight for amelioration.
- Council will be investigating the potential to facilitate an independent dilapidation and structural assessment service for home and business owners impacted by tunnelling for the WestConnex project.

*Acknowledgement of Country*

Presentation on EIS and issues raised for Council, John Warburton Deputy General Manager IWC

*Comments made during open-mic session*

*Jo Haylen, State Member for Summer Hill*

- The meeting tonight demonstrates Council will stand with residents again to fight against WestConnex.
- 2015 Ashfield/Haberfield saw the horrors of WestConnex commence in these suburbs and now it is set to spread across the whole Inner West Council area.
- My office has prepared a submission that residents and community members can sign and lodge as their own. It covers key issues for the community if WestConnex Stage 3 is approved.
- If Stage 3 is approved, it is vital to understand that the conditions of approval do not cover associated utilities works. Utilities works can occur at any time of the day or night and there is almost no consideration of the cumulative effects of both sets of work.

**Customer Service Centres**

**Ashfield** | P (02) 9716 1800 | E [info@ashfield.nsw.gov.au](mailto:info@ashfield.nsw.gov.au) | 260 Liverpool Road Ashfield NSW 2131

**Leichhardt** | P (02) 9367 9222 | E [leichhardt@lmc.nsw.gov.au](mailto:leichhardt@lmc.nsw.gov.au) | 7-15 Wetherill Street Leichhardt NSW 2040

**Petersham** | P (02) 9335 2222 | E [council@marrickville.nsw.gov.au](mailto:council@marrickville.nsw.gov.au) | 2-14 Fisher Street Petersham NSW 2049

- The State Government had originally said construction would be finished in 2019 - now it's 2023 for the residents of Haberfield, Ashfield and St Peters.
- Ventilation facilities are all unfiltered.
- Five key points: (1) Construction until 2023; (2) Additional construction sites; (3) Lack of certainty with process, particularly with the Preferred Infrastructure Report not being publicly exhibited; (4) Traffic and parking issues; and (5) Exhaust stacks increased in size for Haberfield.

*Comments from other members of the audience*

- Resident - approximately 100,000 trips per day will be made to the Airport, but the M5 is already at capacity. Why does the airport railway line have a \$13.60 access fee. Council should lobby for the fee to be removed to encourage people to use the train.
- Resident - Council's position needs to be complete opposition to WestConnex, not focused on amelioration. Council's alternative proposal for the tunnel not to surface at Rozelle will just increase traffic pressures around St Peters. Council staff response – Council's idea is to move the St Peters Interchange closer to the airport to serve the airport, as it was originally intended. This would improve traffic conditions around St Peters.
- Resident - impacts around Ashfield and Haberfield are unacceptable. Sharon Laura's research of the EIS identifies up to six construction sites in Haberfield alone for Stage 3. The detail will be in the Preferred Infrastructure Report which is why it is vital for the public to have an opportunity to comment on this report.
- Resident - community members were advised at an SMC community information session that there would be no fans in tunnels. It was advised that cars push the air from one end to another. Council staff response – Council is not aware of this – understands there would be fans in all tunnels.
- Resident - potential damage that would occur in Rozelle needs to be addressed before commencement through dilapidation reports. Inner West residents need to learn from residents who have experienced failings of the dilapidation report and compensation, e.g. at King Georges Road Interchange.
- Resident - SMC's meetings in Balmain raised issues of the future ownership of Rozelle Rail Yards (RRY). Will Council or UrbanGrowth be the owners? I was told the land was unable to be built upon due to the tunnels underneath – is this correct? Council staff response - UrbanGrowth will oversee the development of the White Bay Precinct and may own and maintain the RRY recreation area. At this stage, SMC only has to make the area 'park ready', i.e. does not have to construct playing fields and other community amenities.
- Mayor - some businesses around RRY are fighting compulsory acquisition by challenging RMS in the Supreme Court. The main argument is that land is needed during construction period only, so why can't RMS just lease it for that period? Council will monitor this, as it may provide useful information in relation to residential acquisitions. The Minister for WestConnex needs to provide a timeline for handback of residual lands.
- Resident – has the cumulative effect of the M5 tunnels and airport (aircraft) been addressed in the EIS? No, why is this not included? Council staff response - EPA addresses background noise/air pollution, but impacts in high noise/air pollution environments are difficult to distinguish. The EIS argues that air impacts from the project are minor compared to regional emissions and are still within standards, except

in a couple of instances. Council's air quality consultant advised that aircraft emissions are usually considered as part of regional air pollution, not local.

- Resident – pro-forma Leichhardt Against WestConnex (LAW) submissions available for residents to lodge. Compulsory acquisitions are occurring prior to EIS approval, but Council has not taken this on as a legal issue. 27 properties were taken on Victoria Road Rozelle and now RMS is speaking to homeowners on Darley Road in Leichhardt. Can Council comment on why this is occurring prior to approval. Mayor's response – this is to be addressed in a Mayoral minute.
- Resident – the RRY ventilation stacks are 35m high. The RRY site is 3.5m above sea level, but areas around the site are around 30mm above sea level. There is thus a very real risk of air pollution going straight into homes. The EIS predicts the total number of construction truck movements on City West Link will be in excess of 700 heavy vehicles – adding to congestion.
- Resident – concerns over the effects of tunnelling on Royal Prince Alfred Hospital (RPA) particularly with regard to impacts on hospital/university equipment, including linear accelerators. Can the NSW Government guarantee construction works won't unbed the accelerators?
- Resident – look at the history of defeating tollways, such as in Melbourne. In WA it opposition to motorways almost bought down the sitting government. In Western Sydney tolls are considered to be a toxic issue. Council needs to build an alliance with Western Sydney councils and against tolls and against WestConnex.
- Mayor – will seek a meeting with the Western Sydney Regional Organisation of Councils (WSROC) to establish constructive engagement with this group. A broader coalition will be sought, as it must be recognised that some Western Sydney areas do want to commute faster to the city and this must be respected. A meeting with WSROC will be addressed by a Mayoral Minute.
- Resident – the Federal Government should be funding motorways, not the private sector. The Federal Government would obtain tax breaks and productivity benefits from new assets. We need to recognise that Western Sydney residents have low incomes, so can't afford the tolls.
- Resident – WestConnex is expensive insanity. Don't agree with Council's previous approach of arguing against the project at three levels. Council should be totally opposed.
- Resident – need to look at the Stage 3 EIS's Active Transport Plan, particularly around what is planned for Railway Parade / Buruwan Park near The Crescent at Annandale. The park will decrease size post operation and the cycleway needs to remain on flat terrain. Beattie Bridge will go. Need for a bike path down Victoria Road to connect both Terry and Roberts Streets at Rozelle. A flat cycle path along the waterfront through to Hawthorn Parade is needed.
- Resident - Johnston Street and The Crescent can accommodate cycleways, even though the Western Harbour Tunnel would increase traffic. On those streets. The EIS shows cycleways on those streets. The Leichhardt Council tried nine times to get cycleways on Johnstone Street and RMS would not support it.
- Resident – 'The People's EIS' on the No WestConnex Public Transport website has useful information and ideas for submissions.

*The meeting concluded at 8:30pm*

## Notes from Council staff workshops for WestConnex Stage 3 (M4 – M5 Link) Environmental Impact Statement (EIS)

August 2017

Team member	Comments
Environmental engineer	<ol style="list-style-type: none"> <li>1. Ventilation Stacks <ul style="list-style-type: none"> <li>▪ Ventilation stacks up to 20m and 30m at tunnel portals (near interchanges at three locations) would have significant visual impacts. These would not be blending with the adjacent high profile infill development sites (such as the Bays Precinct)</li> <li>▪ The proposed tunnel ventilation is based on natural dispersion of polluted air by using very high stacks. There will be requirements for the treatment and disposal of the extracted air from the tunnels, which would not require high ventilation stacks. The capital costs and visual impacts for high ventilation stacks would be high although the operating costs would be low. The alternative option will have low capital costs and insignificant visual impacts, but with a higher operating costs. The life cycle cost of the alternative option is likely to be lower than the proposed option for tunnel ventilation.</li> </ul> </li> <li>2. Flooding, drainage, water quality and water treatment reported in the EIS are based on preliminary assessment. Further details will be required to comment in these areas</li> <li>3. Water quality improvement <ul style="list-style-type: none"> <li>▪ There are opportunities for using the treated tunnel seepage water for irrigational purposes at Easton Park. Sydney Water is also involved in a similar project at Easton Park. Development and delivery of similar facilities by both proponents will not be required. Need to optimise the asset delivery.</li> </ul> </li> <li>5. Groundwater <ul style="list-style-type: none"> <li>▪ Saline water intrusion into the foreshore areas due to depletion of groundwater table along the proposed tunnels and climate change have not been addressed adequately in the EIS</li> </ul> </li> <li>6. Air Quality Model <ul style="list-style-type: none"> <li>▪ need calibration &amp; validation results to determine impacts</li> </ul> </li> <li>7. Traffic modelling – currently at a high level</li> </ol>
Urban ecologist	<ol style="list-style-type: none"> <li>1. Lack of alignment with relatively progressive state plans (in content of climate change)</li> <li>2. Lowers Sydney International Liveable City rating i.e.: embarrassment on global stage. Single issue mid 20 century thinking to 21<sup>st</sup> century content</li> <li>3. Lack of measurement of cumulative impacts: <ul style="list-style-type: none"> <li>▪ Air – adding to Airport &amp; general IWC construction impacts</li> <li>▪ Water – hard surfaces, old fashioned drainage rather than Water Sensitive Cities approach</li> <li>▪ Death of 1 000 cuts to lively infrastructure and biodiversity</li> </ul> </li> <li>4. Offsets – all LATMs, wetlands &amp; tress need to be green, recreation &amp; focus on urban forest</li> <li>5. Lack of planning for the future, more planning for the past (de-agglomeration, electric car), waste of \$40+ billion would be better spent on health and education</li> </ol>
Traffic & transport engineers	<ol style="list-style-type: none"> <li>1. Final design for Lilyfield Roads, share path overhead bridge on Victoria Road</li> <li>2. Construction parking areas need to be provided to protect residential streets</li> <li>3. Adequate compliance/enforcement of work parking &amp; truck routes</li> </ol>



	<ol style="list-style-type: none"> <li>4. Removal of shared path Victoria Road with bike lanes on Victoria Road before motorway opens</li> <li>5. Details (final) for Linear Park &amp; connections to Lilyfield Road including transverse crossings for active transport</li> <li>6. Bike lanes for Johnston Street, Annandale</li> <li>7. Integration of draft transport master plan</li> <li>8. Dangerous goods transport on service roads</li> <li>9. Identify tolling locations for bypass induction local streets</li> <li>10. Peer review post opening average data traffic monitoring</li> </ol>
Traffic engineer	<ol style="list-style-type: none"> <li>1. Worker parking</li> <li>2. Off-street parking sites next to or near construction sites</li> <li>3. Truck haulage routes on State Roads</li> <li>4. Construction management plan</li> <li>5. Transport for Workers – shuttle bus service</li> <li>6. Traffic calming <ul style="list-style-type: none"> <li>▪ During &amp; after construction</li> <li>▪ Future years</li> </ul> </li> </ol>
Building & health compliance staff	<ol style="list-style-type: none"> <li>1. Air Quality <ul style="list-style-type: none"> <li>▪ Concerns on stacks being unfiltered, why is this allowed?</li> <li>▪ Impacts of increased traffic on local roads</li> </ul> </li> <li>2. Contamination (Rozelle Rail Yards) <ul style="list-style-type: none"> <li>▪ Need to look at what was undertaken at Homebush (&amp; Sydney Olympic Park), contaminated land rehabilitated but evidence now that it has not been totally contained. In particular the water ways are showing signs of contamination</li> <li>▪ Contamination maybe gone but hard for Council to know what has and is going on. NEED A PLAN B</li> </ul> </li> <li>3. Noise <ul style="list-style-type: none"> <li>▪ Construction area noise and vibrations from tunnelling</li> <li>▪ Operational noise from – traffic and ventilation stacks</li> </ul> </li> <li>4. Land Management <ul style="list-style-type: none"> <li>▪ Parks &amp; recreation</li> <li>▪ Wetlands</li> </ul> </li> </ol>
Strategic planner	<ol style="list-style-type: none"> <li>1. Urban Design - visual impact of the ventilation stacks a concern</li> <li>2. Improvements in active transport/linkages to existing bike pathways/Greenway</li> <li>3. Air Quality Monitoring of surface roads around portals needs to be considered/what type of monitoring will be in place – AQCCC <ul style="list-style-type: none"> <li>▪ Monitor – Evaluate - Improve</li> </ul> </li> <li>4. Open space Rozelle Rail Yards <ul style="list-style-type: none"> <li>▪ What is the percentage of deep soil planting? (targets/opportunity)</li> </ul> </li> <li>5. Mapping of the pollution released through ventilation stacks at different FL's</li> <li>6. Opportunity to review land use around the portals i.e.: height mapping for building around the portals to minimise pollution impacts <ul style="list-style-type: none"> <li>▪ LEP/DCP integrated with project</li> </ul> </li> </ol>
Urban design planner	<ol style="list-style-type: none"> <li>1. Open space is very fragmented at Linear Park</li> <li>2. Identifying any fenced off areas (minimise and locate to avoid fragmentation)</li> <li>3. Allow pedestrian interaction and crossing with water course/wetland (not fenced or screened off) – is it naturalised?</li> <li>4. No regional playground or waterpark</li> <li>5. Limited designation of uses / program functions</li> <li>6. Should be able to get two playing field coupled (i.e.: where synthetic playing fields or linked with existing Easton Park)</li> </ol>

Property officer	<ol style="list-style-type: none"> <li>1. Ventilation stacks <ul style="list-style-type: none"> <li>▪ Need for filtration</li> <li>▪ Design needs to be in keeping with local environment &amp; community</li> </ul> </li> <li>2. Contaminated land <ul style="list-style-type: none"> <li>▪ Mitigate against odour issues i.e. St Peters Interchange odour issues have been poorly managed and not anticipated</li> <li>▪ Use of deodoriser – masks issue only need to be proactive</li> </ul> </li> <li>3. Compulsory Acquisitions – Leasehold/Freehold <ul style="list-style-type: none"> <li>▪ Need to maximise return for council</li> <li>▪ Need to formalise commitments to council beforehand</li> <li>▪ Timely dilapidation reports</li> </ul> </li> <li>4. Planning conditions <ul style="list-style-type: none"> <li>▪ Residual land – Linear strips</li> <li>▪ Land contamination – remediated to open space standards</li> </ul> </li> <li>5. Compound sites/work zone – i.e. Tempe Reserve <ul style="list-style-type: none"> <li>▪ Lack of consideration for environmental impact management plans/aboriginal and non-aboriginal heritage and heritage – just ticking boxes</li> <li>▪ Insufficient lead in times when ‘temporarily’ compulsory acquiring council land</li> </ul> </li> </ol>
Economic development officers	<ol style="list-style-type: none"> <li>1. Commercial impact on existing businesses <ul style="list-style-type: none"> <li>▪ No previous attempt to assess or compensate (as seen in Stage 1 with Haberfield strip shop precinct)</li> <li>▪ Why not look to subsidising relocation for affected enterprises (permanent or temporary)?</li> </ul> </li> <li>2. Sympathetic re-zoning to facilitate new business post construction – agglomeration?</li> <li>3. Consultation to be about reparations to affected enterprises <ul style="list-style-type: none"> <li>▪ Start now – not when the impact has commenced</li> </ul> </li> <li>4. Post construction options – think commercial not just retail / other community uses (child care/health services etc.)</li> </ol>



LAW - Leichhardt Against  
WestConnex

Email: [lawactiongroup@gmail.com](mailto:lawactiongroup@gmail.com)

**Attention:** Director, Infrastructure Projects, Planning Services Department of Planning and Environment, GPO Box 39, Sydney, NSW, 2001

**Submission in relation to:** Application Number - SSI 7485

**Application name:** WestConnex M4-M5 Link

**Submitted by:** Leichhardt Against WestConnex (LAW)

**Convenors:**

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**16 October 2016**

*Please include your personal information when publishing this submission to your website*

*Declaration: None of the signatories on whose behalf this submission is tendered has made any reportable political donations in the last two years*



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# Introduction

Leichhardt Against WestCONnex (**LAW**) is a community group formed in August 2016 in response to unconfirmed reports that Sydney Motorway Corporation (**SMC**) had earmarked 7 Darley Road, Leichhardt (the now Dan Murphys site) as a possible mid-tunnel construction ('dive site') for the M4-M5 Link, WestConnex. As a community very familiar with the constraints of the site and its history of traffic accidents and fatalities, and unable to obtain any information from the Government about this proposal, we formed a community group to obtain information and communicate to the Government our serious concerns with this proposal and the Westconnex project as a whole. LAW is not affiliated with any political party and is run by volunteers, without government funding. LAW has over 1,000 members from the Leichhardt and surrounding area.

## Objection to Westconnex and the Project

This submission is an OBJECTION to the entire WestConnex proposal (**Westconnex**), including the unapproved M4-M5 Link (**Project**) the subject of the Environmental Impact Statement (**EIS**). Any statements in this submission which refer to amelioration of predicted impacts should not be interpreted as endorsement or support for any aspect of the Project. It is LAW's position that it is patent from the EIS that the impacts of the Project are unacceptable and cannot be managed in such a manner that is acceptable. For the reasons set out in this submission, we do not believe that the EIS meets the Secretary's Environmental Assessment Requirements (**SEARS**) and therefore no part of the EIS should be approved.

## Darley Road site should not be assessed as part of this EIS

LAW calls on the Department of Environment and Planning (**Planning Department**) to refuse to approve any part of the EIS relating to the proposed dive site at Darley Road. We seek that Darley Road is ruled out for consideration from this EIS because of the circumstances of the Government lease extension to Tdrahhciel Pty Ltd (Leichhardt spelled backwards) in 2011, which has now been referred to the Independent Commission Against Corruption (**ICAC**) by both the State Member for Balmain, Jamie Parker and the Leader of the State Opposition, Luke Foley. Serious probity issues have arisen with respect to the decision by Transport for NSW (TfNSW), to extend the lease without a competitive tender process and contrary to probity advice. It would amount to gross negligence and maladministration of public funds, for reported compensation of up to \$50 million to be paid to claimants where the matter of their tenure has been referred to our State's top corruption watchdog. [See Media Statement dated 11 October 2017 issued by Luke Foley, Leader of the Opposition [http://www.lukefoley.com.au/premier\\_continues\\_to\\_hide\\_from\\_the\\_truth\\_on\\_darley\\_road\\_site\\_in\\_leichhardt](http://www.lukefoley.com.au/premier_continues_to_hide_from_the_truth_on_darley_road_site_in_leichhardt)]

There are further maladministration of public funds issues related to the Darley Road site that support its removal from consideration as part of this EIS. Documents obtained by LAW (and State

Labor) under FOI laws disclose that the site was renovated *after* the leaseholder was informed in writing by RMS that it would to be acquired. In fact, trade at Dan Murphys commenced just before Christmas 2016, with the PAN issued to the leaseholders on 4 November and the sub-lessee, Dan Murphys (Woolworths) on 22 November 2016. If acquired, this new business will be shut down and the building entirely demolished (renovated for a reported cost of \$7 million), within 18 months of it opening - all at the taxpayer's expense.

There is a compelling public interest in ruling out consideration of the Darley Road site until the probity and value for money issues with this site have been satisfactorily explained and relevant investigative bodies such as ICAC have publicly stated their findings. To persist with consideration of this site for the Project in these circumstances will erode public trust in Government, in the Project and not be reflective of the community's best interests and its right to a proper process. The public interest in this issue is borne out by its media coverage over the past week:

Channel 10 Eyewitness news (lead story 11 October 2017)

<https://tenplay.com.au/news/sydney/2017/10/sydney-news--11-oct-2017>

<https://www.facebook.com/tennewssydney/videos/10155548410840259/>

Daily Telegraph:

<http://www.dailytelegraph.com.au/newslocal/inner-west/nsw-premier-denies-involvement-in-westconnex-lease-deal-that-has-been-referred-to-the-icac/news-story/4fe7db56fa442cc1a005c5b7f2e7ebd5>

News.com

<http://www.news.com.au/national/breaking-news/nsw-premier-referred-to-icac-by-greens/news-story/3260dad8699ff24c5b8e6808a4ced632>

Other media coverage by the SMH in 2017:

<http://www.smh.com.au/nsw/kerry-chikarovski-helped-leichhardt-lease-owner-in-deal-that-has-complicated-westconnex-plans-20170228-gundu7.html>

<http://www.smh.com.au/nsw/westconnex-to-tunnel-at-inner-west-bottle-shop-not-next-to-school-20170331-gvatox.html>

<http://www.smh.com.au/nsw/the-mystery-of-the-bottleshop-the-westconnex-tunnel-and-the-50m-bill-20170514-gw4cy2.html>

<http://www.smh.com.au/nsw/transport-for-nsw-gets-probity-warning-on-leichhardt-lease--so-gets-new-advice-20170607-gwmmsi.html>

This matter has also been raised both in State and Federal Parliament:

Question on Notice tabled in Federal Parliament by Mr Anthony Albanese (**see Attachment**)

Questions Without Notice (NSW Parliament):

<https://www.parliament.nsw.gov.au/Hansard/Pages/HansardResult.aspx#/docid/HANSARD-1323879322-97917>

<https://www.parliament.nsw.gov.au/Hansard/Pages/HansardResult.aspx#/docid/HANSARD-1323879322-97915>

<https://www.parliament.nsw.gov.au/Hansard/Pages/HansardResult.aspx#/docid/HANSARD-1323879322-97976>

<https://www.parliament.nsw.gov.au/Hansard/Pages/HansardResult.aspx#/docid/HANSARD-1323879322-97865>

<https://www.parliament.nsw.gov.au/Hansard/Pages/HansardResult.aspx#/docid/HANSARD-1323879322-97863>

<https://www.parliament.nsw.gov.au/Hansard/Pages/HansardResult.aspx#/docid/HANSARD-1323879322-93155>

Example of media coverage on Darley Road issues.

TUESDAY, APRIL 11, 2017 | INNERWESTCOURIER.COM.AU **NEWS 09**

**WESTCONNEX**

# Huge bill for bottleneck land

## Dan Murphy's store could cost taxpayers \$50m for tunnel site

**Jim O'Rourke**

NEGOTIATIONS will begin this week to acquire land for WestConnex now used for a Dan Murphy's bottleshop, which could leave NSW taxpayers with a \$50 million bill.

Roads and Maritime Services wants to grab the property in Darley Rd, Lilyfield, to build a construction tunnel for the motorway's underground M4-M5 Link.

But the firm leasing the site from the State Government, and then subleasing it to Woolworths for the shop, said it wanted to be "compensated appropriately".

The Endeavour Drinks Group (EDG), Dan Murphy's parent company and part of the Woolworths Group, confirmed it would also seek compensation from RMS.

The shop opened on December 2 and has a lease until 2038.

Shane Barr, a partner in Tdrahceiel Property Development, which holds the head lease on the RailCorp-owned land, said a compensation figure of \$50 million was "in the ballpark".

On March 31, WestConnex Minister Stuart Ayres announced the Dan Murphy's site was the only option for the midpoint access tunnel to build the M4-M5 Link.

Mr Barr said his compensation claim would take into account the rent his organisation would have received from Woolworths until 2038.

"We've just got to hope we get treated fairly and compensated appropriately and don't have to go to the Land and Environment Court," he said.

RMS is meeting Mr Barr's legal advisers this week.

Motorway critics have questioned why Dan Murphy's spent millions of dollars to continue building the shop after it was advised the land may be compulsorily acquired. Taxpayers may be exposed to a greater financial liability because the property is renovated.

EDG head of risk and reputation Andrew Wilsmore said work on the building began in January 2016 and continued after it was advised last August that RMS was keen on the site.

Mr Wilsmore said the lease meant Dan Murphy's was "legally compelled" to finish building and to open.

Leichhardt Against WestConnex co-convenor Christina Valentine said the Government should not be paying up to \$50 million of taxpayer dollars to a private company in circumstances where the leaseholder knew the site was likely to be acquired – and then pushed through with major renovations.

An artist's impression of the tunnel entrance at the St Peters interchange, with the ventilation facility behind the trees in the centre.



## GREEN DREAM DRAWN UP FOR PARK

RESIDENTS living around the WestConnex interchange being built near Sydney Park have been given their first glimpse of what new open space and recreational facilities will be provided.

The New M5 Draft Urban Design and Landscape Plan also provides details of ventilation stacks to be built above the motorway tunnels at the corner of Canal Rd and the Princes Highway.

Released by the Sydney Motorway Corporation on Friday, the plan shows that the former Alexandria landfill dump at St Peters is being transformed into 8.5ha of community space.

A 2.5ha slice of that space will include a full-size soccer field as well as options for multipurpose sports courts and walking paths linked to Sydney Park via a bridge.

About 6ha of the open space will be built in and around the spaghetti road junction where the new M5 will meet the M4-M5 Link.

WestConnex Minister Stuart Ayres said the State Government was proud to have the former landfill site enjoyed by local residents, while also delivering vital infrastructure for motorists.

Motorway critics said the ventilation stacks would disperse non-filtered, diluted vehicle exhaust emissions.

WestConnex Action Group's Pauline Lockie said the stacks would spew unfiltered toxic fumes over homes and schools.

"This so-called 'open green space' will be surrounded by the noise, stench and pollution caused by WestConnex's unfiltered stacks, giant flyovers and six-lane highways," she said.

• An information session is being held at the New M5 Community Information Centre, 27 Burrows Rd, St Peters, tomorrow from 5-8pm.

## Fundamental flaws with the EIS

It is LAW's contention that the EIS should be rejected in its entirety on the basis of its fundamental flaws, as set out below.

### EIS is Indicative only

As is stated in the EIS:

*'the detail of the design and construction approach is indicative only based on a concept design and is subject to detailed design and construction planning to be undertaken by the successful contractors'.*

The impact of proposing an 'indicative' only design is that the community is deprived of the opportunity to comment on confirmed plans. This is significant because there is no other formal consultation process mandated under Part 5.1 of the *Environmental Planning & Assessment Act (EPA)*. Only where there are major changes identified as such in the Preferred Infrastructure Report (**PIR**) is there the possibility of the PIR being made public (section 155Z, EPA). Even where this occurs, there is no requirement that further community input will be permitted and no guarantee that any public comment on the PIR will occur prior to finalisation of the contractor contracts. When this issue was raised with representatives of Roads and Maritime Services (**RMS**) and Sydney Motorway Corporation (**SMC**) they stated that the EIS was provided in indicative form because 'this is what the community asked for,' assumedly because of concerns at earlier Stages that the design had been agreed with contractors and could not be amended. We reject this assertion and believe that the EIS is fundamentally flawed. The community has asked for more consultation and input, not to be locked out of decisions about how the project will be implemented.

As the contractor is not bound to take into account community impacts outside of the strict requirements, and as the contractor will be trying to deliver the project as quickly and cheaply as possible, it is likely that the additional measures cited with respect to construction noise mitigation for (example) will not be adopted.

### Lack of ability to comment on the urban design as part of the approval process

The EIS, if approved, does not provide any opportunity for the public to comment on the urban design and landscape component of the project. It states that: *'a detailed review and finalisation of the architectural treatment of the project operational infrastructure would be undertaken during detailed design'*. The quality of this detailed design will influence the impacts of the project on the community. The Community should be given an opportunity to comment upon and influence the design.

In addition, the EIS should not be approved on the basis that it does not provide a reliable basis on which to base the approval documents. Because of its indicative nature the EIS is riddled with caveats and lacks clear obligations and requirements on project delivery. It is, at most, a dressed-up 'concept design'. A further impact of an indicative design is that the EIS acknowledges that the contractor may decide upon additional 'construction ancillary facilities' to the 12 identified in the EIS. The EIS should not be approved on the basis that there may be more unidentified sites taken, as residents will have no opportunity to comment on their impacts. The approval condition should limit any construction facilities to those already notified and detailed in the EIS.

## Non-Compliance with the SEARS

We object to the Project because it does not comply with the SEARS requirements. The EIS must include, but not necessarily be limited to, a description of the project and all components and activities (including ancillary components and activities) required to construct and operate it, including the location and operational requirements of construction ancillary facilities and access.

Insofar as it describes the Darley Road civil and tunnel site (C4) at Leichhardt, the EIS does not meet this requirement because it does not describe the components and activities that have been described to the community either in meetings with LAW or at the WestConnex Community Reference Group established by SMC.

The EIS has been released before the proponent is able to describe how it actually plans to carry out construction activities at Darley Road, Leichhardt, in particular the plan for staging the arrival of spoil trucks. The proponent via its agent Peter Jones (SMC) has advised on several occasions that spoil haulage trucks will be staged from the Sydney Ports land on Glebe Island via James Craig Road. This is to avoid the situation at Haberfield where trucks circle the Northcote St site as they are not able to queue to enter it creating congestion and noise impacts as they drive slowly into Wattle St and Ramsay St. before making a second run at the Northcote St site from the Parramatta Road entrance. No details of this staged spoil haulage proposal at Darley Road, Leichhardt are provided other than that *'construction traffic may also access the Darley Road civil and tunnel site (C4) at Leichhardt via the westbound lanes of City West Link'*.

Peter Jones (SMC) has advised that he is in the process of finalising an agreement with Sydney Ports which will enable him to stage trucks from a location on Glebe Island via James Craig Rd. The EIS should not have been released before this plan was finalised. Peter Jones has advised that he is only required to describe the 'worst case scenario' in the EIS, which is trucks arriving ad hoc via the eastbound lanes of City West Link. The EIS should describe what the proponent actually plans to do, as well as the worst case scenario, so that the impacts of all options being considered can be assessed and commented on.

It is not clear from the EIS how the alternative plan for the staged arrival of spoil trucks from Sydney Ports will be documented and how stakeholders will have an opportunity to assess its impacts. The EIS does not specifically state that this staged arrival plan will be documented in the CTAMP, the Ancillary Facilities Management Plan or the Preferred Infrastructure Report.

## Project Alternatives



There is no need for a dive site between Haberfield and Rozelle for the Project to be built; on SMC's own admission, its sole justification is a time saving (tunneling) of several months. It is unacceptable that the community should be forced to endure five years of severe disruption to accommodate the timetable of these private contractors, no doubt with bonuses pegged to completion dates. The EIS should not be approved on the basis that it contains no real justification for the Darley Road site.

We also note that the EIS fails to demonstrate that feasible alternative sites (which are less impactful on the community) have been properly considered. In 4.6.2 Construction Ancillary Facility Locations, the EIS states:

*"Throughout the development of the project, a number of potential construction ancillary facility sites were investigated but were excluded from the project for various reasons. These sites and the reasons they do not form part of the project are outlined in Table 4-7. The location of these sites is shown in Figure 4-17. Other design refinements related to construction ancillary facilities included limiting construction activities at Darley Road civil and tunnel site (C4) to standard construction hours only, where out-of-hours works were initially proposed. The refinement was included to minimise noise impacts on surrounding receivers and minimise heavy vehicle movements on local roads outside standard construction hours. This refinement was made following consultation with relevant stakeholders and the community."*

Table 4-7 references Blackmore Park (Oval) and an unspecified site on the City West Link, Lilyfield:

Site name	Works proposed	Reasons for excluding this site	Project function provided by
Blackmore Park, Leichhardt	Tunnel and civil site – support tunnelling of the mainline tunnels including launching road headers and spoil management and haulage	Would require temporary loss of passive and active open space and vegetation removal. Community and stakeholder feedback requesting that impacts on public open space be avoided was also taken into consideration during relocation of the ancillary facility site. Access to the site was constrained by a narrow road (Canal Road) and the restricted height clearance under the light rail bridge.	Darley Road Civil and tunnel site (C4)
City West Link, Lilyfield	Tunnel and civil site – support tunnelling of the mainline tunnels including	The temporary access tunnel between the site and the mainline tunnels would be around 750 metres in length. Constructing this temporary access tunnel before tunnelling of the mainline could begin from this site would have	Rozelle Civil and Tunnel site


launching road  
headers and  
spoil  
management  
and haulage

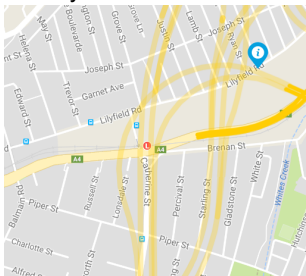
resulted in substantial construction  
program delays.

There is the potential for the site to  
be contaminated given current and  
previous land uses. The site is in  
proximity to active light rail corridor  
facilities and would require  
tunnelling under the light rail line.

There are level differences  
between the site and surrounding  
roads which would constrain  
access.

Our response is as follows:

EIS	Issue	Submission
1. The EIS omits to refer to a number of alternative sites that were considered for dive sites in Leichhardt and Lilyfield such as Pioneer Memorial Park, the Bus Museum and a site near le Montage. These are sites that Peter Jones of SMC has directly informed LAW.	The EIS therefore does not provide the necessary level of detail to allow the impacts to be appropriately assessed.	Darley Road should be rejected as a dive site because the alternatives have not been appropriately explained in the EIS.
2. The EIS suggests that the restriction on out of hours work was made following consultation with the relevant stakeholders and the community.	There was actually no consultation with the community before this decision was made. LAW met with Peter Jones for the first time in November 2016 and was advised at that meeting that there would be no spoil trucks after hours. The EIS is misleading and therefore does not provide the necessary level of detail to allow the impacts to be appropriately assessed.	Darley Road should be rejected as a dive site because its selection is based on the misleading suggestion that the community have been adequately consulted at all stages when this is not the case.
3. The reasons given for ruling out alternative sites are incorrect, incomplete or vague: <ul style="list-style-type: none"> <li>Blackmore Park (Actually Blackmore Oval) is subject to inundation and that is why it was ruled out according to SMC. This reason is not even mentioned in the EIS.</li> <li>The Inner West Council's independent engineer, Jim Holt, identified the "City West Link, Lilyfield" site in the Western Rozelle Railyards (shown adjacent) as a more viable and 'less impactful' alternative than Darley Road and Derbyshire Road, yet the EIS does not adequately explain why this site</li> </ul>	The EIS is misleading and does not provide the necessary level of detail to allow the respective impacts of the various dive site options to be appropriately assessed and should not form the basis of accepting Darley Road as a dive site location. 	Darley Road should be rejected as a dive site because the alternatives have not been adequately considered. <p>The proponent should be required to provide options that would make the "City West Link, Lilyfield" site a viable alternative.</p>

<p>has been ruled out. The site in the railyards is where the 2 large sheds are in the image below.</p> <ul style="list-style-type: none"> <li>The EIS states that 'There are level differences between the site and surrounding roads which would constrain access.' Peter Jones is considering a way of loading up spoil trucks directly onto the City West Link via a hopper from the Darley Rd site (not detailed in the EIS but disclosed to Leichhardt Against WestConnex).</li> </ul>		
<p>4. The EIS states that 'The temporary access tunnel between the site and the mainline tunnels would be around 750 metres in length. Constructing this temporary access tunnel before tunnelling of the mainline could begin from this site would have resulted in substantial construction program delays.'</p> <p>The EIS does not state what these delays would be or how they could be mitigated.</p> <p>There is no discussion of how the proponent could make the alternative site work.</p> <p>There is no explanation as to why the tunnel alignment could not be changed to be nearer the alternative site.</p>	<p>The basis for rejecting the City West Link site is incorrect, as it is directly over the alignment of the tunnel off the City West Link.</p>  <p>It should be a requirement that the proponent investigates how to make the alternative site viable.</p> <p>The residents near Darley Rd and others should not be impacted just because the proponent wants to save time.</p> <p>The EIS is incomplete and inadequate and should not form the basis of accepting Darley Road as a dive site location.</p>	<p>The Darley Road site should be rejected on the basis that the proponent has not adequately considered less impactful alternatives.</p>
<p>5. The EIS states that potential contamination is a reason not to use the City West Link site</p>	<p>7 Darley Rd is a known contaminated site (it is on the EPA register of contaminated sites). 7 Darley Rd is also closer to waterways than the City West Link. If contamination is a reason to reject one site then it is a reason to reject the other site.</p> <p>If no sites without contamination can be found then the proponent must execute the project without a mid-point dive site.</p>	<p>The Darley Road site should also be rejected due to contamination and the risk of contaminating our waterways.</p>
<p>6. The EIS is incomplete, deficient and superficial in its explanation of the reasons for alternative sites not being</p>	<p>The EIS does not compare the impacts of the alternatives vis a vis the chosen sites. We are therefore unable to assess whether the proponents site choice</p>	<p>The Darley Road site should be rejected on the basis that the proponent has not provided a comparison of the impacts</p>



considered or no site at not being considered.	is justified as the one with the least impact.  Peter Jones advised Leichhardt against WestConnex that Darley Road was not an ideal site and rated it as 50%. The proponent is forcing an unsuitable and inappropriate site onto the community in its haste to complete the project.	of the alternatives vis a vis the chosen site.
7. The EIS does not present the impacts of having a mid-way tunnelling site between Haberfield and Rozelle compared to the impacts for having no mid-way tunnelling site at all.	The impacts of construction with and without a mid-way tunnelling site should be clearly set out.  Innovative tunnelling methods should be assessed to see if a mid-way tunnelling site can be avoided.	The Darley Road site should be rejected on the basis that the rationale for a mid-way tunnelling site and the alternatives have not been adequately investigated.

In conclusion, the EIS does **not** adequately explain the alternatives to a dive site at Darley Road or the rationale for their rejection. The proponent should be required to better explain the case for subjecting the community to very severe impacts for five years. The proponent's EIS in this respect is superficial and inadequate. The noise, safety and congestion impacts and health risks associated with a site at Darley Road (exposure to silica, increased asthma) may be better mitigated at the City West Link site.

The reasons given for ruling out the City West Link site, or indeed the need to have any dive site, are open to challenge. To allow this site to be selected, where there are other known, less-impactful site, is negligent and unacceptable.

If the impacts on either site noted above cannot be satisfactorily mitigated (and we contend that it is evident in the case of Darley Road that they cannot be), then neither site should proceed and the proponent should be required to redesign the Project (and reassess its timeframes) without a dive site between Haberfield and Rozelle. The fact that it may be quicker and cheaper to build the Project with a dive site is not a sufficient justification where the impacts to the community are severe and long-term, and not mitigated to an acceptable level, as is the case with the Darley Road proposal.

### Flawed reliance on future toll roads

The EIS is flawed because of its inappropriate and misleading reliance on future, unapproved and unfunded toll roads which the EIS (repeatedly) claims will reduce the impacts of the Project (in particular traffic impacts). The building of more toll roads is even presented as a benefit of the Project, with the Executive Summary providing:

*'future opportunities for improved connectivity in Sydney's transport network to be realised by allowing for connections to proposed motorway projects, including the Western harbour*

*Tunnel and beaches Link project to the north, the Sydney Gateway project (via the St Peters interchange) and the F6 extension (via the New M5 Motorway to the south'. (EIS, vi).*

Throughout the EIS, when measuring and commenting upon potential impacts, are statements that the identified negative impacts will be lessened or ameliorated when these additional toll roads are built. However, it is flawed and misleading to rely on the building of future toll roads when explaining and assessing the impacts of this Project. These toll roads are mere concepts at present and, if approved, would not be built for many years (a matter which is not properly explained in the EIS). The State Opposition has publicly stated on numerous occasions that if it takes office in March 2019 these toll roads will **not** be built. The details of these toll roads are not known; they are mere concepts at best. To take into account - in **any** manner when assessing this Project - possible future toll roads is completely inappropriate. Planning should not permit possible future toll roads to be taken into consideration in assessing the Project's possible impacts.

## Failure to address overlap in Project impacts

There are overlaps in the construction periods of the New M5 and M4 for Haberfield residents that are not properly explained nor their impacts analysed in this EIS. The EIS makes no attempt to measure or mitigate the cumulative impact of these prolonged periods of construction noise exposure. This will significantly worsen impacts for residents close to construction areas. No additional mitigation or any compensation is offered for residents for these periods. (Executive Summary xxvii). It is unacceptable that residents should have these prolonged periods of exposure to more than one project. Failure to comply substantially with the SEARS requirements

Throughout this submission we will outline the manner in which the EIS consistently fails to meet the legislative requirements contained in the SEARS (issued 3 March 2016, 9 November 2016 and 3 May 2017). As such it is our contention that the Planning Department should **not** approve this EIS for the Project.

## Why is it needed?

This question is asked (and apparently answered) in one page in the Executive Summary (v). We reject the assertions and justifications for Westconnex and the Project in their entirety. Westconnex is based on a business model that relies upon increased car use; it entrenches car dependence. The NSW Government should be planning to reduce car dependency to avoid further deterioration in our air quality. No amount of so called parks, cycleways or pedestrian walkways will mitigate the polluting impact of this Project.

Throughout this EIS, RMS fails to substantially address key components of the SEARS, which suggests that it has been rushed out in order to meet the Government's time frame for selling 51% of the mainline tunnel component of the Project.

RMS do not explain how this Project is a solution to transport freight, which was the justification for the entire Westconnex project. It is unbelievable that Westconnex does not actually go to the port or the airport and it is now obvious that the reason is so that Lendlease can make an unsolicited proposal to build the Sydney Gateway in order that an additional toll revenue stream can be generated. Once sold, the Government will have no control over what is built.

RMS fails to explain how congestion will be dealt with in this EIS. The EIS states that the road network will improve once the Western Harbour Tunnel and Beaches Link opens, which means that residents will have to endure worsened traffic conditions for up to 10 years. While the traffic on the City West Link is forecast to decrease by up to 40 per cent once the project is completed, this is based on unsubstantiated evidence that commuters will choose to use the tollway. There is limited evidence to support these statistics and it is likely that many people will choose to use local roads to avoid the toll which will result in significant rat-running (and there is no plan in the EIS to manage this issue).

There is nothing in this EIS that suggests that the toll road will improve connectivity with public transport or how this toll road will link in and improve public transport options. The proposed 8-lanes of tolled roads do not even contain a bus lane! The Project in fact negatively impacts on future public transport options, involving for example the removal of the historic goods tram lines from the Rozelle railyard to Balmain. But the Project is of course predicated upon increased use of private vehicles, with public transport alternatives presenting a risk to future toll road revenue.

It is patent that this EIS is intended to procure an approval to sell to the private sector, not an approval to build the project under certain conditions. Significantly, if approved, there can be no real enforceable conditions because the design is not complete.

Another key failing is that the EIS does not adequately address Project risk. For example, no expressions of interest have been lodged to build the Rozelle interchange. Yet there is only one sentence in the whole EIS about the risk of not being able to complete the Rozelle interchange. Again RMS is ignoring inconvenient facts and is minimising its analysis of risk to NSW when it doesn't suit the Government's agenda and timeframe for completion of this Project. The outcome of this failure to properly manage risk will be very poor for our community. Costs blowouts are inevitable, which will further erode an already questionable business case.

There is critical lack of financial justification for Stage 3. In the original Business Case, Stage 3 was required to connect Stages 1 and 2 but RMS now state in the EIS that Stages 1, 2 and 3 don't make financial sense unless we also build the F6, the Western Harbour Tunnel, the interchange in the Warringah Freeway and the Northern Beaches link. In addition the Government will have to toll the Sydney Harbour Tunnel and the Sydney Harbour Bridge for an extra 30 years to make this Project break even. RMS's justification is that if we keep on building more roads then Westconnex Stage 3 will make financial sense. This is malfeasance in public office, nothing less.

RMS's discussion on strategic alternatives is inadequate and is not evidenced by any analysis or data. RMS state that that *'Individually none of the alternatives would effectively replace the need for Westconnex'*. This ignores the fact that if you add the alternatives together they more than replace the need for Westconnex. The EIS should be rejected because it fails to acknowledge the circumstances in which the Project would not be necessary.

We note that there is limited short or long-term benefit for residents in the vicinity of the Darley Road dive site flowing from this Project. The EIS provides that Darley Road traffic will actually increase by 4% following the completion of the Project in 2022. Leichhardt residents, particularly those close to Darley Road, will be forced to endure years of highly intrusive construction impacts to then derive no benefit from the Project.

## SEARS requirement - Consultation: Project is developed with meaningful and effective engagement during project design and delivery

The SEARS (March 2016, item 2) states that *'the project is developed with meaningful and effective engagement during project design and delivery'*. The EIS does not comply with this requirement, as discussed below.

The Executive Summary heading asks: *'How did the community participate in selecting the preferred project?'* Our response to this question (and to its answer on pages xiii-ix) is that the community has **not** been provided with an opportunity to meaningfully comment on the Project. This is because of the paucity of Project information, the lack of adequate response to direct questions and indeed, actual misinformation that has been provided by representatives of both SMC and RMS. Nor has the public been provided Project information in a user-friendly and appropriate manner.

### Public comment period

The decision to allow only 60 days for submissions to this EIS was unrealistic and unfair given the length and complexity of the document and the inclusion of school holidays during this period, when many families are away. The Inner West Council elections were held during this period (as a result of this Government's forced mergers), which severely disrupted the ability of the Council to prepare a submission, with Councillors sworn in less than three weeks ago. Despite writing to the Planning Department on several occasions, the Council's requests for an extension of time have been refused. A key stakeholder has been denied the opportunity to effectively represent the community's views with respect to local impacts.

### Failure to provide content in user-friendly, accessible manner

In addition, the 7,000+ plus pages of highly-technical information comprising the EIS has not been presented in a manner that is user-friendly (and with few hard-copies provided). The difficulty in digesting and understanding this mammoth and complex document compelled local community groups to create a website where the information could be easily accessed (<https://thepeopleseis.wordpress.com/>). Community groups such as LAW also held their own 'information sessions' where relevant content could be communicated via Powerpoint slides and summary handouts. This should not have been the community's responsibility - the EIS could have been provided in a manner that made it easier for members of the public to understand the impacts, with appropriate summary documents and a user-friendly dedicated webpage..

### Poor community 'consultation'

In LAW's experience the quality of community consultation on the Project has been very poor. It has not been *'informed by consultation, including with relevant local, State and Commonwealth government agencies, infrastructure and service providers, special interest groups (including Local Aboriginal Land Councils, Aboriginal stakeholders, and pedestrian and bicycle user groups), affected landowners, businesses and the community'*. (SEARS, March 2016, item 4). The Executive Summary of the EIS sets out what is touted as 'community consultation' (pages xiii-ix), stating:

*'project-specific consultation with stakeholders began following the lodgement of the SSI application report in January 2016. Stakeholders (including the community) have been provided with project specific information and opportunities to raise questions and provide suggestions and feedback.'*

### 'Information' Sessions

It is simply wrong to state that 'consultation' commenced in any meaningful way from January 2016. The first 'information session' for members of the public relating to the Project was not held until August 2016. This session was notable for its lack of information, with members of the public encouraged to write comments on yellow sticky notes. A true information session would involve a presentation with summaries of key impacts; an open forum for Q&A and information presented in an accessible and user-friendly manner. The staff on duty were not from the relevant project team and clearly knew nothing about the technical details of the Project, seemingly being temporary staff engaged for the day via seek.com. The actual information, such that it was, comprised glossy artist's renditions on the walls, with little information on negative impacts. The posters themselves were inaccurate, lacked detail and were sloppy. For example, St Columba's Primary School (which is 400 metres from the proposed Darley Road site) was not included on the poster depicting schools in the areas affected (despite having been established in 1870). When I raised this at the time I was told the maps were 'indicative only.' Eventually I was issued with an apology by Kylie Cochrane of SMC, but the failure to include impacted schools is indicative of the lack of information and misinformation which has been the hallmark of the entire consultation process. Interestingly, despite repeated statements that SMC had consulted with key stakeholders, the St Columba's School was never contacted by SMC or RMS, and eventually took it upon itself to do so in September 2017.

At this information session in August 2016 there was no information whatsoever as to the number or location of proposed construction sites. The two options under consideration in Leichhardt (Derbyshire Road next to Sydney Secondary College - Leichhardt campus and Darley Road) were only publicly confirmed in February 2017 when SMC door-knocked and dropped a letter to residents in the area. The reason the community was informed (not consulted, just informed) was because of a breaking story in the Daily Telegraph, published the next day, stating that the School site was under consideration. For RMS to suggest that any meaningful consultation took place from January 2016 is therefore inaccurate. In fact, the letter in January 2017 was the only official notification

received by residents from the Government even mentioning the proposed construction site locations.

The community was not 'consulted' about any of the construction sites prior to the Concept Design released in mid 2017, despite the fact that the EIS now reveals there are in fact five major construction sites planned for the M4-M5 link. While LAW had several meetings with RMS and SMC during this period, no information was forthcoming and we were instead repeatedly advised that the details 'would be in the Concept Design', which they were not.

#### Poor information provided throughout 'consultation' period

Information made available online on the Project on the Westconnex webpage has been generally out-of-date, inaccurate and sparse on detail. With respect to the M4-M5 link, WestConnex provided a one page high-level summary of the proposed link on its official website, with no details other than a line on a map with the proposed route and an indicative timeline for approval of the Project. This page remained unchanged for over 12 months, with no updated information provided to the public either by mail or online, let alone on their '1800' hotline.

The second 'round' of community consultation that occurred between May and June 2017, was characterised again by lack of information and misinformation. While representatives of the Project were in fact in attendance at this session, their answers were inconsistent, light on detail or simply not forthcoming. Most questions were met with the response: *'All of the details will be in the EIS.'* Letters from the responsible Minister during the 'consultation' period repeated this mantra. In respect of the Darley Road site, at the second 'round' information session, there was simply a poster of the proposed 'dive' site but seemingly no ability on the part of the representatives to provide any detailed answers.

SMC seem to equate 'information' (glossy flyers and facebook posts) with 'consultation'. SMC have an endless budget and money for highly-paid consultants to spruik the benefit of the Project. But genuine consultation involves an exchange of information and consideration of community and stakeholder views.

The failure of SMC's community engagement, however, is most evident when the content of the EIS is critically examined. The key issues raised by LAW repeatedly to both RMS and SMC are not resolved or even addressed in the EIS. For example, LAW repeatedly asked where the estimated 100 plus workers will park at the Darley Road site. The EIS provides for 12 car spaces and no other allocated parking. LAW was told over and over again that this issue would be addressed in the Concept Design. It was not even mentioned in the Concept Design. We were then told that it would be addressed in the EIS. Again, it is not satisfactorily resolved with no provision for worker car parking. In fact the EIS acknowledges that workers will park on 'local adjacent streets' and would instead be 'encouraged to use public transport.' Clearly our views expressed as part of this 'consultation' were ignored. The experience of LAW appears to be similar to that of others. When



the overall Project proposal is considered, it is clear that it has not been informed by genuine community consultation.

#### Misleading, inaccurate information provided as part of 'consultation'

Information that has been provided during the 'consultation' process has been either not provided, misleading or inaccurate on many occasions. For example SMC continually state that they abandoned Blackmore Park (oval) and Easton Park because they 'listened to the community.' However LAW was told by SMC that Blackmore oval could not be used as a tunneling site because it suffered from inundation and that Easton Park had a geotech fault, also rendering it unsuitable. This misrepresentation has been repeated in countless public statements and glossy flyers spruiking the Project, and again is again repeated in the EIS.

LAW was continually misled about the status the the dive site selection. Plans for the Darley Road 'dive site', were only revealed verbally by SMC Stage 3 project director Peter Jones after repeated questioning at the August 2016 information session at Leichhardt Town Hall. Mr Jones stated that there was a 'possibility' that the site would be taken, but that 'nothing had been confirmed'. However, information obtained by LAW under FOI laws revealed that two days after this conversation RMS and SMC met with the leaseholders of the Darley Road site to commence commercial negotiations for its acquisition. The Government had in fact decided upon this site without consulting with the community and directly misled the community when asked about this matter.

Another example of misinformation also relates to the Darley Road site. After LAW attended a two-hour meeting with SMC, RMS and the Inner West Council in November 2016, Mr Jones agreed to look at alternative sites which were not as impactful to the community. He undertook to rule out the acquisition of any mid-point dive site in the area if a suitable site could not be located. Trusting that this was a genuine undertaking, LAW lobbied the Council to engage an independent engineer to assess the suitability of the Darley Road site and to consider alternative sites which would not be as impactful. This process of 'consultation' entailing the consideration of alternative sites continued from September 2016 until June 2017 when the engineer's report (which soundly rejected Darley Road as suitable) was provided. During this period, LAW and the Council had numerous meetings with SMC, RMS and the Council about alternative sites and was repeatedly informed by the Minister for Westconnex, the engagement lead (Kylie Cochrane) and RMS, that no decision had been made as to the selection of the dive site. A copy of relevant letters is **attached**. However, information obtained by LAW under FOI laws revealed that this entire process of consultation and 'listening' to the community and considering alternative sites, was a sham. This is because RMS issued a notice to acquire the Darley Road site to the leaseholders on 4 November 2016 and then to the lessee (Dan Murphys) on 22 November 2017 (mere days after LAW met with SMC and RMS). This misleading and duplicitous behaviour has been reported in the SMH and other media outlets: <http://www.smh.com.au/nsw/the-mystery-of-the-bottleshop-the-westconnex-tunnel-and-the-50m-bill-20170514-gw4cy2.html>

### Community Reference Group (CRG)

Formal consultation has also been poor, being neither 'effective', nor 'meaningful', as required by the SEARS. Two of LAW's convenors are members of the Westconnex Community Reference Group (**CRG**), convened as part of 'consultation' by Westconnex. The two 'engagement' representatives who attend the meetings on behalf of SMC have no technical knowledge whatsoever and no real understanding of the Project. At the CRG almost every issue raised about Westconnex (all three Stages) is taken on notice. Several SMC project directors refuse to attend meetings to answer questions or, when they attend, treat the community concerns with disdain. Despite the Terms of Reference stating that RMS (the project proponent) would attend the meetings, this did not occur for several meetings and until the community representatives insisted they do so.

### Refusal of Minister for Westconnex to meet with community groups

The Project's responsible Minister (Stuart Ayres, Minister for Westconnex and Sport), despite numerous requests by letter and repeated phone calls to his Ministerial and electorate office, refused to ever meet with LAW. The CRG also wrote to the Minister asking him to attend the meeting and he refused.

In addition, local Government members have refused to provide project information and instead referred written requests from members of the public to SMC. When LAW wrote to John Sidoti (the then Parliamentary Secretary for Transport, Roads, Industry, Resources and Energy) he did not respond to LAW. Instead, he provided LAW's letter to Kylie Cochrane (a private consultant engaged by SMC) who wrote back on behalf of the Government! It is completely unacceptable that elected public officials who are responsible for this Project should refer community correspondence to a private consultant in this manner. We are aware this was not an isolated incident as other community groups who wrote to other members of the State Government received the same response. See **attachment**.

### Concept Design

We now turn to consideration of the Concept Design which formed part of the 'consultation' process. The community was continually told '*We don't have to give you a concept Design*'. They need not have bothered. It was a sloppy document, full of errors and unreadable on screen and not printable in a format that could be read. We raised these issues with Nicole Ryan from SMC at the time and the entire document was required to be reformatted and reissued. The Concept Design also initially contained no closing date which was confusing. Nor did SMC notify a closing date in its medium for informing the community, newsletter 'Inside Lane'. Community organisations such as LAW received many complaints about this document, such that the Coalition Against Westconnex (**CAW**), a coalition of 12 community groups opposed to Westconnex, wrote to the Minister for Planning and the Minister for Westconnex demanding that the document be substantially redrafted and reissued. A copy of the letter and the media statement issued by the Inner West council on the Concept Design is **attached**.



The EIS was released less than just two weeks after the 'closing date', suggesting that the 2000+ formal submissions were not even considered in the EIS, strong evidence refuting any claim that thousands of submissions were even read, yet alone considered, in the EIS.

We therefore reject any assertion in the EIS that there has been robust community engagement and proper community consultation as part of the Project and as required by the SEARS.

## SEARS requirement - Transport and Traffic

The project proponent is to comply with the following SEARS requirements with respect to Transport and Traffic:

*Network connectivity, safety and efficiency of the transport system in the vicinity of the project are managed to minimise impacts.*

*The safety of transport system customers is maintained.*

*Impacts on network capacity and the level of service are effectively managed.*

*Works are compatible with existing infrastructure and future transport corridors (Key Issue, item 1, SEARS March 2016)*

*[Photograph of Darley Road, Leichhardt, with queues to James St/City West Link intersection]*



## Project-wide traffic issues

The EIS should be rejected on the ground that it does not adequately explain, nor manage effectively, the probable traffic impacts of the Project. Nor does it ensure network connectivity, safety and efficiency of the transport network as required by the SEARS.

In the Executive Summary for Appendix H, 6 Existing Road Network Performance, RMS states that the road network in the study area currently functions under high levels of traffic demand, which often exceeds the operational capacity, especially citybound during the AM peak period and goes on to state that:

*'In the Haberfield, Rozelle and St Peters road networks, current average speeds of less than 30 kilometres per hour in the AM and PM peak periods are reported on several key roads.'* (Page xxiv).

The Minister for Planning should reject RMS's justification for Westconnex on traffic grounds because it has based its assessment on what is reported, as opposed to what they have analysed to be the case. The summary goes on to state that *'conditions may cause traffic to seek alternate routes.'* (page xxv). Again, it is not sufficient to merely speculate on what the effect may be. RMS should be presenting the actual effect of the congested conditions based on its analysis.

In the Executive Summary RMS states:

*'Any investment in motorway infrastructure has to be aligned with supporting public and active transport initiatives to achieve an increase in capacity, while aiming to reduce the reliance on and demand for private vehicles on the future road network.'*

But RMS fails to provide details of how it will reduce demand, what the level of reduction would be and importantly, whether collectively these demand reduction measures would make WestConnex redundant or unjustified.

In the Executive Summary for Appendix H, RMS states that:

*'While public transport is also part of this mix, it is recognised that not all trips in Sydney can be served by public transport, especially trips to dispersed destinations or commercial trips requiring the movement of large or heavy goods/materials.'*

It is astonishing that RMS has failed to measure how many trips will be avoided if public transport alternatives are available and what those public transport alternatives might be.

There is also no discussion anywhere in the EIS of the effectiveness of any of the planned public transport measures. The Sydney Metro will go directly under St Peter station but there is no interchange planned for St Peters station. Nor is there a Sydney Metro stop in Alexandria or Erskineville. It is obvious to all that traffic flows more smoothly and is much lower during school holiday periods when a much lower number of commuter trips are taken. RMS also fails to consider how many commuters would travel by train, bus or light rail if they had the option to do so and by how much this would reduce congestion. It appears that in its EIS, RMS prefers to avoid inconvenient questions the answers to which would make the Westconnex and the project unjustified.

Also unbelievable and unsubstantiated is RMS's statement that:

*'WestConnex is an enabler of integrated transport and land use planning, supporting the development of initiatives including The Bays Precinct and the Parramatta Road Corridor Urban Transformation: Infrastructure Schedule (UrbanGrowth NSW 2016).'*

International corporation Google has publicly stated that they decided against a HQ in the Bays precinct because of the lack of planning for public transport. NSW can have integrated transport and effective land use planning without Westconnex and RMS should not be representing that Westconnex will support these very worthwhile aims, without providing evidence of how it will actually have a positive impact on these outcomes.

On Page xxxi of Appendix H under 'Cumulative Operational Performance Summary,' RMS states:

*'In both 2023 and 2033, comparing the 'cumulative' scenario to the 'with project' scenario:*

- *Anzac Bridge/Western Distributor is forecast to be less congested eastbound in the AM peak period due to traffic reassigning to the proposed future Western Harbour Tunnel (and Beaches Link in the 2033 'cumulative' scenario)*
- *In the PM peak period, the network functions similar to the project case, with fewer unreleased vehicles on Western Distributor due to traffic reassigning to Western Harbour Tunnel (and Beaches Link in the 2033 'cumulative' scenario).*

*Primarily due to capacity constraints on Anzac Bridge and the Western Distributor, forecast demands cannot access the road network during the peak periods due to congestion extending back into model entry points. This occurs at the model boundaries on Victoria Road, City West Link and The Crescent/Johnston Street. Potential mitigation measures are discussed in section 11.2.'*

The cumulative operational performance summary fails to describe the scenario if the Rozelle interchange is completed but if the Western Harbour Tunnel and subsequently the Warringah Freeway interchange and Beaches link are not completed. It is misleading to present a scenario which provides a justification for Westconnex when the scenario is based on projects that have not yet even been funded, justified, designed or modelled. RMS should have made it clear that there were significant subjectivities to its 'with project' scenarios which render them meaningless for the purpose of assessing the traffic impacts of the M4-M5 link EIS. Failure to do so renders their claims and analysis misleading and of limited use in assessing the impacts of the Project.

The Rozelle interchange will create a serious traffic problem that would then be the justification for building the Western Harbour tunnel - and RMS has failed to point this out in its EIS. Based on RMS's own figures the ANZAC bridge would have to carry 60% more traffic than the ANZAC bridge can physically hold to make this project work. RMS is conveniently ignoring facts that are inconsistent with its attempt to make a case that the Rozelle interchange will improve congestion.

The Rozelle interchange will dump traffic onto a bridge that is already at 100% capacity. RMS have concluded that the Anzac bridge congestion can't get worse because it is already bad. This is misleading. The Rozelle interchange (as is acknowledged by RM in the EIS) will cause traffic to back up on the City West Link, Victoria Road and in the interchange itself creating congestion and further air pollution for drivers and residents alike.

Discussion on strategic alternatives in the EIS is inadequate and is not evidenced by any analysis or data. RMS state that: *'Individually none of the alternatives would effectively replace the need for Westconnex'*. The EIS fails to assess whether collectively the different alternatives for demand

reduction would make Westconnex unnecessary. This deliberate omission is evidence of how RMS is willfully ignorant about alternatives in proposing this Project.

RMS state that:

*'The Crescent, Johnston Street and Ross Street are forecast to experience increased levels of demand with the introduction of the project, with people travelling to and from the southern fringe of the Sydney CBD through the Annandale area.'*

The effect of Westconnex will be to increase congestion in these areas, not to reduce it. This is an unacceptable impact. RMS is the custodian of the road network and should not be proposing a project that shifts and increases congestion.

RMS do not compare apples with apples when analysing congestion impacts, as set out below:

- (a) There is no 2033 comparison to the base case, but there is for 2023. The Project should not be approved until this information is made available. The omission of this information again suggests that RMS is willfully ignorant or is concealing information that does not support its case.
- (b) RMS has based their analysis of traffic impacts on the Sydney Gateway being completed but it is not funded and there is no design or modelling. We have no way of knowing how it would be priced. Therefore any modelling or reasoning based on assumptions about the Sydney Gateway should be ignored as a basis for approving this project.
- (c) RMS has based their analysis of traffic impacts on the Western Harbour Tunnel being completed but it too is not funded and there is no design or modelling provided for analysis in the EIS, nor is such information generally available. The public has no way of knowing how it would be priced and whether its business case would stack up; in other words, whether NSW can afford to build it. Therefore any modelling or reasoning based on assumptions about the Western Harbour Tunnel should be ignored as a basis for approving this project.
- (d) RMS have based their analysis of traffic impacts on the Northern Beaches Link being completed but it too is not funded and there is no design or modelling. We have no way of knowing how it would be priced and whether NSW can afford to build it. Therefore any modelling or reasoning based on assumptions about the Beaches Link should be ignored as a basis for approving this project.

RMS should not consider impacts of projects which are simply hypothetical ideas.

Conversely, the EIS contains serious omissions. For example, RMS has not considered the impacts of actual RMS projects such as the King Street Gateway and the Alexandria to Moore St upgrade. The EIS should not be approved until the traffic impacts take into account these projects.

The EIS should therefore be rejected because there are grounds for believing that the traffic modelling is flawed.

The EIS should be rejected on the following further grounds:

- (a) A review of RMS data shows that there has been no actual traffic increase across the network since 2006. RMS should acknowledge this fact and should re-examine the need for Westconnex.
- (b) The treatment of induced traffic in the EIS is misleading. RMS has used its own definition of induced traffic. This tries to hide what the impacts will be. There will be an extra 50,000 plus vehicles a day to the network, not a reduction in congestion as RMS claim.

- (c) The manner in which RMS has modelled the traffic and constraints means that they have ignore the reality and have ignored traffic. The modelling pretends that gridlock doesn't exist.
- (d) The St Peter interchange operational model area does not present a true and accurate picture of traffic impacts. It doesn't take into account traffic impacts that RMS knows will happen. RMS conclude everything will improve but the statistics they provide in the EIS reveal that every intersection in the whole area will deteriorate to level F. RMS argue that this would happen without the Project because traffic will increase over time but this is not the case. RMS own figures show that there has been no overall increase since 2006. Euston Rd service level is to goes from A to F. How is this impact justified? RMS state that Gardeners Road will have to be widened and rebuilt at some stage. This is built to the road line with apartments so exactly how will this occur?
- (e) RMS provide no information on any of the road upgrades they say are necessary and how they will be funded. This is public money that is not in any of the forward estimates so there is no allocation of funds for any those upgrades to happen. In other words RMS are planning to make the roads gridlocked but there is no public money that has been confirmed or even earmarked to fix it.
- (f) It is clear that because of constraints with the network if the tunnels are build they will back up into local streets. It is notable that the demand growth forecast caused the models to become inoperable. As a result, peak hour demand has been understated and the model should not be relied on. Unreleased vehicles are vehicle that can't get onto the road because of congestion. These have been removed from the model because the model could not cope with them.
- (g) It is not clear what the demand reduction used in the model was. There is no explanation as to why RMS believe that demand will reduce. The modelling used as the basis to justify the need for Westconnex and to predict impacts should be rejected.
- (h) RMS predict in the EIS that every intersection within 3km of the St Peters interchange will not work as a result of the Project. RMS propose waiting to see how bad it is after a year. This is not acceptable and the EIS should not be approved until a plan to prevent this congestion is made available. RMS must acknowledge that this Project will cause major congestion in suburbs which will mean that they need to divert traffic. RMS should also acknowledge the impacts on public transport as buses won't be able to move.

## SEARS Requirement - Noise and vibration

The EIS discloses unacceptable noise and vibration impacts for those living in the vicinity of the Darley Road site. 11.4.2 states:

*'Heavy vehicles involved in construction are expected to travel via existing arterial roads (figures showing spoil haulage routes are provided in Chapter 6 (Construction work)). In all areas evaluated, there are no noticeable increases in noise from construction traffic on the proposed routes during the daytime or night-time.'*

The residents adjacent to the truck routes at the Darley Road Civil and Construction site would find this an unbelievable claim. In the EIS, RMS sets out a plan to bring 100 heavy vehicles (trucks) a day in and out of that site, plus 70 'light' vehicles. Most of the properties along Darley Road are modest homes directly adjacent to the Darley Road truck routes. The noise and vibration from truck and dogs will make life in these and other affected homes unbearable and stressful.



It is to be noted that RMS's modelling addresses the worst-case situation when the tunnelling is occurring immediately beneath a sensitive receiver. RMS admits that:

*'Exceedance of the night-time criteria has been identified for sensitive receptors near key construction areas, specifically the Darley Road civil and tunnel site (C4) (with exceedance up to four dB (A)) and the Pyrmont Bridge Road tunnel site (C9) (with exceedance up to five dBA).'*

Residents near the Darley Road dive site can therefore expect to be exposed to unacceptable impacts, yet very little information has been provided in this EIS about how RMS proposes to proactively manage these impacts. It must be a condition of approval that there be no exceedance of the night time criteria. We further object to the Darley Road civil and tunnel site (C4) at Leichhardt on the basis that:

- (a) There is no clear plan in the EIS for measures that will provide the maximum possible level of mitigation from noise impacts. We also object because there is no clear plan for remedies available to residents who are impacted.
- (b) The proponent's assessment of who are Highly Noise Affected receivers in the area adjacent to the Darley Road civil and tunnel site (C4) at Leichhardt is incorrect and wrongly minimises the actual number of Highly Noise Affected receivers.
- (c) Many residents in Charles St and Hubert St were highly affected by noise from works conducted during the renovation of 7 Darley Rd in 2016. In Hubert St, residents at least as far as No 31 and No 32 Hubert St were affected. The affected properties are not correctly reflected in the EIS.
- (d) It underestimates the number of residents that will be highly affected by noise. It does not take account of the impact of vehicle noise from fully laden spoil trucks driving up the very steep incline from Darley Rd to the City West Link. It does not take account of the noise impact of vehicles using air brakes down the same incline and braking to enter the site.
- (e) The proponent incorrectly asserts that construction traffic is unlikely to result in a noticeable increase in LAeq noise levels at receivers along the proposed construction traffic routes (Darley Road, Leichhardt and City West Link). This does not take account of the impact of vehicle noise from fully laden spoil trucks driving up the very steep incline from Darley Rd to the City West Link. It does not take account of the noise impact of vehicles using air brakes down the same incline and braking to enter the site. The impact of these will be substantial:
  - Commercial trucks are very loud; a standard diesel engine produces approximately 100 decibels (dB) of noise.
  - Engine braking noise can be disturbing both because it is loud and also as it has a distinctive characteristic modulation. Engine braking noise is caused by pulses of gases being emitted from the truck exhaust system, giving a 'machine gun' sound. Engine noise from the trucks approaching the intersection up the grade would be a constant source of annoyance to residents of Darley Road down to its intersection with Charles Street. The independent engineer engaged by the Inner West Council (Jim Holt) reached this conclusion in his report to the Council. SMC have not recognised this impact in the EIS and sent a response to the Council as follows:

*'Response: Noise from construction traffic using the public road network is assessed under the Roads and Maritime Noise Criteria Guideline (NCG), which documents Roads and*

Maritime's approach to implementing the Road Noise Policy (RNP). Under the NCG, an initial screening test is carried out to determine whether noise levels would increase by more than two decibels (dBA). This represents an increase in the number of vehicles of approximately 60 per cent due to construction traffic or a temporary reroute due to a road closure. Where increases are 2dBA or less, then further assessment is required as noise level changes would most likely not be perceptible to most people. Where noise levels increase by more than 2dBA (i.e. 2.1 dBA or greater) further assessment is required using criteria presented in the NCG.

Darley Road is currently being used by heavy vehicles and light commercial vehicles (construction, delivery etc) that contribute to background noises. The predicted traffic noise increase (dBA) at the Darley Road site is around 0.5dBA.'

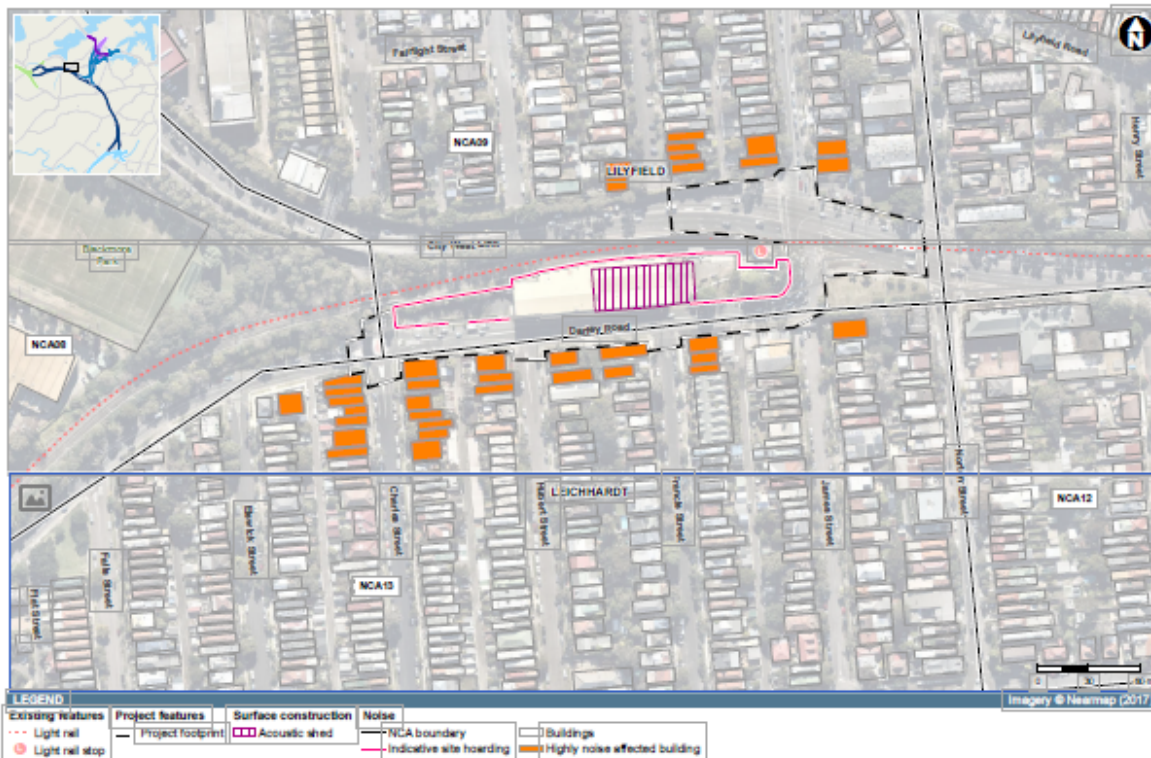


Figure 10-16 Highly noise affected residential receivers - Darley Road

10-79

SMC's response does not acknowledge this and does not refute Jim Holt's conclusion that residents will be impacted. The response, like the proponent's EIS, fails to acknowledge the true impact of the Darley Road civil and tunnel site (C4) at Leichhardt. You do not need to be an acoustic engineer to know that truck and dogs are very noisy and that local residents will be impacted greatly, especially those close to where trucks will be accelerating and decelerating. Darley Road, Leichhardt is not currently experiencing 14 truck and dog movements an hour during peak time stated in the EIS and an unknown (but presumably greater) number of truck movements within off peak construction hours. This is a truck movement every 3-4 minutes during peak. Assuming that



they will increase truck movements during off peak, residents can expect a truck every 2-3 minutes. We do not need a screening test or assessment to tell us that residents will be subjected to extreme levels of truck noise. The residents of Darley Rd, Francis, Hubert and Charles St have little acoustic protection against the noise of truck engines, exhaust and brakes and none is contemplated in the EIS.Noise and disruption from construction.

We object to the proposal for the Darley Road Civil and Tunnel Construction site at Leichhardt because of the noise and disruption impact it will have on residents during periods of extended construction.

### Poor track record of SMC

SMC has a very poor track record of managing the impacts of Stages 1 and 2 of Westconnex. In addition the conditions of approval for Stages 1 and 2 are so broad as to make enforcing compliance with Council or EPA regulations impossible. The protections for residents are ineffectual and the abuse of the Critical State Significant Infrastructure powers is ongoing.

The reality for residents living with the Stages 1 and 2 of WestConnex is night after night of disruption and disturbance with no respite and no way of enforcing compliance. In addition, the policy for mitigation entitlements such as noise protection or respite accommodation is not transparent and is discretionary. Many residents especially the most vulnerable such as those in rental properties or in public housing are unwilling to complain about their situation.

In St Peters in mid-September 2017 the Stage 2 Joint venture's contractors were digging up pipes all one weekend, resulting in two burst water mains. They worked through Saturday night until after 1am on Sunday morning when they should have finished at 6pm on Saturday. Many of the residents were without water for much of the weekend. On Monday night at 8.30pm RMS turned up unannounced with concrete saws and jackhammers. On Tuesday night, RMS were supposed to stop at 6pm but again the work until after midnight. A resident whose bedroom was right next door to the work, posted a video of the deafening concrete saws in use after midnight with the caption "It's impossible to live here at the moment".

Many local residents are unaware of the construction impacts and that there will be months of construction work which will have to take place out of hours. The EIS does not specify which works to establish the site will take place during standard construction hours.

The Department of Planning should oppose the approval of the Darley Road site at Leichhardt because alternatives are available which will have less impact on residents or which will impact fewer residents during the construction phase. These alternatives should be assessed. If not suitable then the proponent must do without a dive site. It is not acceptable to treat communities like this. The mistakes of Stages 1 and 2 should not be repeated.

The Department of Planning should ensure that the conditions of any approval are stringent and prohibit out of hours work at the Darley Road Civil and Tunnel Construction site at Leichhardt for more than 2 nights in a row and in any two week period. The proponent should be required to pay a predetermined amount of ex gratia payment to residents for each night of disturbance, which is sufficiently high to deter extended periods of out of hours work at all proposed construction sites of the Project.

### Access tunnel

RMS has failed to advise what the noise and vibration impacts will be on residents of James Street from the access tunnel which is to run down the middle of this street both as it is tunnelled and when it is in operation. In fact there is little more than a rough drawing of its approximate alignment provided, with no detail of tunnel depths provided, nothing about the period of its operation or even the location from where tunneling will start. The access tunnel will be used to bring spoil up to the surface by trucks 24/7. For how long and with what impacts - no one knows as the EIS doesn't address these critical matters.

### Night works

RMS state that to minimise disruptions to traffic on the existing road network (including in peak hours) there will be night works 'where appropriate'. Given the congested nature of Darley Road during daytime, it is likely this will be used as a justification for frequent night work (EIS, 6.4). This will create an unacceptable impact on residents. It is unacceptable that a highly unsuitable site has been selected and instead of a proper plan to manage traffic, the EIS contemplates and allows work to simply occur at night. This is objected to in the strongest terms.

RMS states that at two (unspecified) residential locations: *'night-time ground-borne noise is predicted to exceed the criteria by 10 dBA or more'*. At these receivers, additional mitigation measures have been identified that include providing individual briefings on impacts and mitigation measures, providing respite periods, and alternate accommodation.

Best practice would be for RMS to have provided the EIS in a format which allowed residents to see the impacts for them. There must be agreed rules before the Project begins governing how long excessive noise can go on for (no more than 2 hours for example) and who is entitled to what. RMS should pay for affected residents to install double glazing, noise insulation and air conditioning where necessary. Again the Crossrail project in the UK has a transparent process for managing noise and vibration impacts which RMS should be required to replicate and adopt.

### Hours of operation

We object to the EIS because it is effectively a 24-hour operation, despite the fact that the proponent represents that spoil removal from this site would only occur within standard construction hours. The EIS states in 6.5.8 Darley Road civil and tunnel site (C4):

*'Spoil handling associated with tunnelling supported by the Darley Road civil and tunnel site would occur 24 hours a day, seven days a week. Spoil would be handled below ground wherever practicable to reduce the potential for amenity impacts in adjacent areas. Spoil handling at the surface outside standard daytime construction hours would occur within an acoustic shed to manage potential amenity impacts. Spoil removal from this site would only occur within standard construction hours, between 7.00 am and 6.00 pm Monday to Friday, and between 8.00 am and 1.00 pm on Saturdays.'*

The EIS allows for the possibility of spoil handling above ground 24 hours 7 days a week. The EIS fails to assess or explain the impacts of this on the residents in nearby streets. These impacts could include construction noise, light and heavy vehicles (other than spoil trucks), workers arriving for shifts and leaving after shifts. It is not clear to what extent the acoustic shed will contain noise. The Jim Holt report stated that the acoustic shed would not operate effectively due to its location on the site. It is not clear whether the proponent will mandate the contractor to employ the highest level of acoustic protection rather than what is feasible.

The EIS states in 6.5.8 Darley Road civil and tunnel site (C4):

*'Reasonable and feasible work practices and mitigation measures would be implemented to minimise potential noise impacts due to activities occurring at the Darley Road civil and tunnel site. Local residents, businesses and the NSW EPA would be kept informed about works outside standard daytime construction hours at the site.'*

We object to the EIS because the proponent/contractor would only be required to keep local residents, businesses and the NSW EPA informed about works outside standard daytime construction hours at the site. Local residents, businesses and the NSW EPA would have no right to limit works outside standard daytime construction hours at the site. As we have seen with other stages of WestConnex this leads to devastating impacts for residents who must endure significant periods of exposure to out of hours works which involve noise, lights and disturbance.

The proponent should be directed to abandon its plan for a dive site as it is clear impacts are too great for the community. At the very least the site should be restricted to standard construction hours for all operations above ground and there should be no shifts commencing or ending outside of standard construction hours. The proponent should be directed to find a site where its operations will not impact on residents outside of standard construction hours. The proponent should be directed to find a site where its operations will not impact on residents outside of standard construction hours.

## Mitigation proposed

The EIS states that *'reasonable and feasible work practices and mitigation measures would be implemented to minimise potential noise impacts due to activities occurring at the Darley Road civil and tunnel site.'* 96-52) This is not good enough. The EIS does not contain any detail whatsoever of these proposal on which they can comment. In addition, there is no requirement that measures will in fact be introduced to address noise impacts. The approval conditions need to contain detail of specific noise mitigation measures that are mandated and enforceable.

We therefore object to the EIS on the ground that the proponent has not provided details of the noise mitigation measures proposed in relation to the Darley Road civil and tunnel site (C4) at Leichhardt. As a result it is not possible to assess the noise impacts of the proposal. It is completely unacceptable for the proponent to establish a major construction site in the middle of a residential area without a clear plan for mitigating noise impacts.

## Acoustic barriers and devices

The EIS states in 6.5.8 Darley Road civil and tunnel site (C4) that:

*'Acoustic barriers and devices at the access tunnel entrances would be considered and implemented where reasonable and feasible to minimise potential noise impacts associated with out-of-hours works within the tunnels. In addition, temporary noise mitigation measures may include noise barriers and other temporary structures such as site buildings, which would be provided to minimise noise impacts on surrounding properties.'*

The approval document needs to mandate that all of these measures are implemented. The acoustic shed that is considered for Darley Road (and other construction sites) offers the lower grade noise protection. This is despite the fact that 36 'sensitive receivers' at Darley Road are identified in the EIS, who will have extreme noise disturbance through much of the 5-year construction period. In addition, the acoustic shed covers only the spoil and spoil handling area and not the tunnel entrances and exits. The highest level of noise protection, which is only suggested in the EIS, needs to be mandated in the EIS. In addition, the shed needs to cover both the entrance and exit to the site and not simply the spoil handling areas as shown in fig. 6-20 below. The independent engineer's report (commissioned by the Inner West council) states that it is likely, because of the elevated position of the site, that an acoustic shed will **not** contain the noise to an acceptable level. In addition, a temporary access tunnel will be built from the top of the site and run directly under homes in James Street. These homes will be unacceptably impacted by the construction noise and truck movements without these additional measures.

Darley Road civil and tunnel site (C4) will create a high level of noise impact for residents yet the proponent has not given details of the plan for mitigating this impact. The measures will be implemented only if 'reasonable and feasible' which is a subjective assessment as it does not state whether they will be assessed as reasonable from the standpoint of the proponent or the residents. What the proponent thinks is reasonable may not meet the residents' expectation as to what is reasonable. The measures appear to be optional as the proponent only states that that *'may include noise barriers and other temporary structures such as site buildings'*.

We note the following further failures to comply with the SEARS:

- The proponent has not provided a clear plan for measures that will be taken to minimise noise impacts from work within and outside of standard construction hours at the Darley Road civil and tunnel site (C4) at Leichhardt.
- The proponent has failed to take account of the fact that the demolition of the Dan Murphys building will remove a significant barrier to traffic noise from the City West Link. This will mean increased traffic noise impacts to the residents of Darley Rd, Francis St, Hubert St and Charles Street.

- The proponent has failed to take account of the noise impact of fully laden spoil haulage trucks exiting the Darley Road civil and tunnel site (C4) at Leichhardt driving up the very steep blind turn at the intersection with the City West Link. The RMS should install noise measuring equipment and monitoring cameras at this location to measure noise from heavy vehicles and identify vehicles whose noise exceeds the applicable Australian standard.
- The proponent has failed to take account of the noise impact of spoil haulage trucks using air brakes on the descent down Darley Rd off the City West Link. Heavy vehicle drivers should avoid using exhaust brakes, engine compression or 'jake' brakes near residential areas and noise-sensitive areas such as hospitals and schools, unless they are necessary for safety reasons. RMS should implement noise limits from engine compression brakes and should use roadside noise 'cameras' as an aid to enforcement as vehicles emitting engine compression brake noise might affect nearby communities.

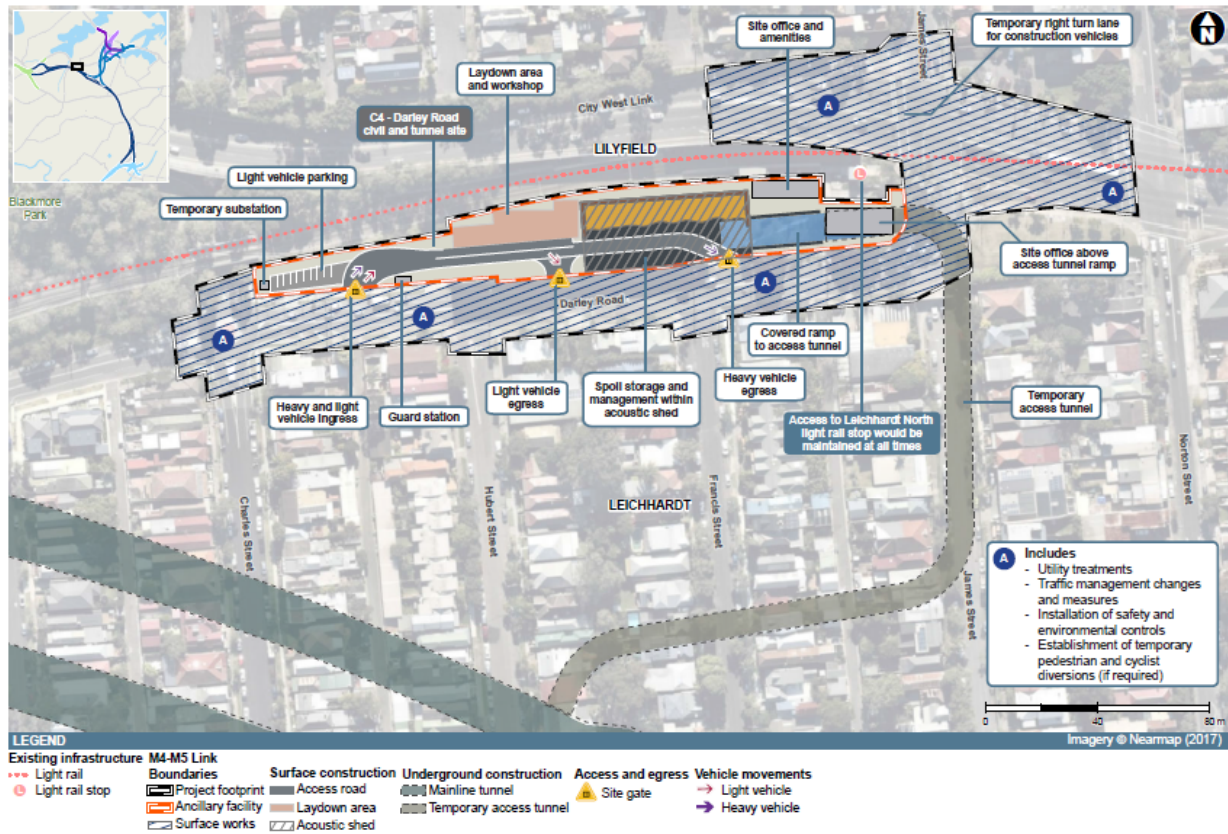


Figure 6-20 Indicative Darley Road civil and tunnel site (C4) layout

6-54



### Constant out-of-hours work expected and permitted

The EIS states that '*some surface works*' would need to be carried out out-of-hours '*to minimise traffic disruptions or for safety or operational reasons*'. Given that Darley Road is a known accident black spot and is highly congested, particularly at peak periods, it is likely that there will be frequent out-of-hours work. This will create an unacceptable impact on those living close to the Darley Road site. In addition, it is likely to lead to additional road closures and diversions, placing pressure on the local traffic network. The EIS as drafted effectively permits out of hours to be undertaken whenever this is convenient to the contractor (Executive Summary xiv). No out-of-hours work should be permitted except in the case of a true emergency.

### Unacceptable construction noise levels

The EIS states that construction noise levels would exceed the relevant goals without additional mitigation. Activities identified include earthworks, demolition of existing structures and site establishment and utility adjustments. Those near the Darley Road site will suffer unacceptable construction impacts due to the need to demolish the large Dan Murphy's building. The EIS notes that 10 weeks of demolition and road adjustment works will be needed. There are no additional mitigation measures proposed for residents during this period such as temporary relocation, noise walls or treatments for individual homes. The approval needs to contain detail as to how this unacceptable impact will be managed and minimised during the construction period and, in particular, during site establishment (Executive Summary, xiv). We object to the selection of this site on the basis that the works required (demolition and surface works) will create unbearable noise and vibration impacts and make over 36 homes unlivable and there are NO additional mitigation plans for these residents. As stated we believe that RMS has underestimated the true number of homes near Darley Road affected and the Department of Planning should not approve the Darley Road site on this basis.

The proponent has identified that the most affected receivers are residential receivers which adjoin the Darley Road civil and tunnel site (C4) on Darley Road between Norton Street and Falls Street. The most noise affected receivers are located between Charles Street and Norton Street due to their proximity to the construction site.

The proponent has identified that the *worst case construction scenario* will occur during

- Road adjustments works
- spoil handling works within the acoustic shed during all works periods

#### *Highest construction noise impacts:*

- Use of a rock breaker during the daytime period as part of the demolition works and
- Use of a road profiler during the night-time period as part of the road adjustment works

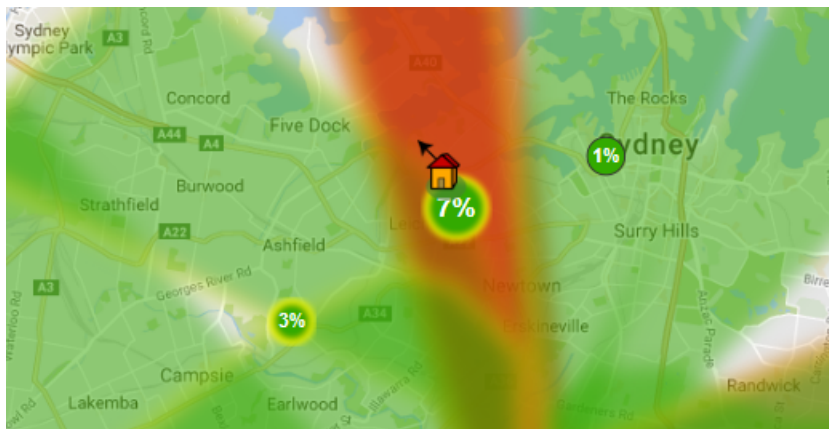
We object to the EIS because the proponent provides that spoil handling works within the acoustic shed will take place for the duration of the construction phase which could be up to two to three years duration, yet there is no clear plan for measures that will be taken to minimise noise impacts.



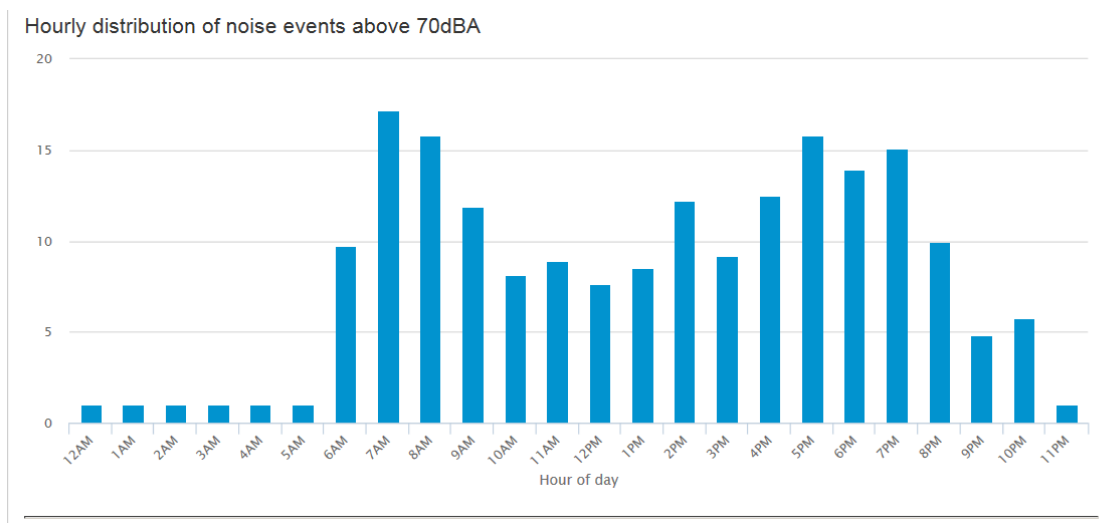
We object to the Darley Road civil and tunnel site (C4) on the basis that there is no clear plan in the EIS for measures that will provide the maximum possible level of mitigation from noise impacts. We also object because there is no clear plan for remedies available to residents who are impacted.

### No mention of cumulative effect of aircraft noise - Leichhardt and St Peters

We object to the EIS because the proponent has failed to take account of the cumulative impact of its proposed Darley Road, Leichhardt civil and tunnel site operations and the aircraft noise which the residents near the site already endure. The extract from Webtrak (**below**) shows that Darley Road, Leichhardt and adjacent streets are directly under the flight path.



Airservices Australia reports that in April to June 2017 the number of average daily noise events over 70 dBA. In Leichhardt this is an average of 16- 17 per hour over the peak morning period and 16 per hour in the early evening peak period.



The above extract from Webtrak shows that Darley Road, Leichhardt and adjacent streets are directly under the flight path.

Airplane exhaust, like car exhaust, contains a variety of air pollutants, including sulfur dioxide and nitrogen oxides. Many of these particles of pollution are tiny, about a hundred millionths of an inch

wide, or smaller than the width of a human hair. So-called particulate matter that's especially small is the main culprit in human health effects, especially since the particulates can become wedged deep in the lung and possibly enter the bloodstream, scientists say.

Exposure to loud noise from living under a flight path over a long period of time may increase the risk of developing high blood pressure or having a stroke, a 2013 study by researchers at the University of Athens suggests. Researchers examined data from 420 people living near busy Athens International Airport in Greece and found living with high noise levels from aircraft, especially at night, was associated with high blood pressure. Every additional 10 decibels of night-time aircraft noise appeared to result in a 69 per cent increased risk of high blood pressure, also known as hypertension.

The researchers at the University of Athens found that around half the participants (just under 45 per cent) were exposed to more than 55 decibels of daytime aircraft noise, while around one in four (just over 27 per cent ) were exposed to more than 45 decibels of night-time aircraft noise.

Only around one in 10 (11 per cent) were exposed to significant road traffic noise of more than 55 decibels. Between 2004-6 and 2013, 71 people were newly diagnosed with high blood pressure and 44 were diagnosed with heart flutter (cardiac arrhythmia), while a further 18 had a heart attack, the researchers found.

The International Civil Aviation Organization (ICAO) is a UN specialized agency, established by States in 1944 to manage the administration and governance of the Convention on International Civil Aviation (Chicago Convention). It recognises that aircraft emit pollutants which are a risk to public health (<https://www.icao.int/environmental-protection/Pages/Contaminants.aspx>). The following contaminants are emitted during the different phases of aircraft operation:

*NITROGEN OXIDES (NO<sub>x</sub>) – which includes nitrogen oxide (NO) and nitrogen dioxide (NO<sub>2</sub>)*

*CARBON MONOXIDE (CO)*

*SULPHUR OXIDES*

*PARTICULATE MATTER (PM) – which leaves the exhaust as carbon black soot*

*VOLATILE ORGANIC COMPOUNDS (VOCs) – such as benzene and acrolein*

*OZONE (O<sub>3</sub>)– which is formed from the nitrogen oxides and volatile organic compounds emitted*

*SEMI-VOLATILE ORGANIC COMPOUNDS (SVOCs)*

*METALS*

The EIS should not be approved because RMS has failed to assess the cumulative impact of aircraft emissions and emissions that will be generated by the project. There has been a noted increase in lead found in Inner West gardens and of course aircraft fuel contains heavy loads of lead. References can be found at:

<http://www.lead.org.au/Lanv7n3/L73-4.html>

<https://www.icao.int/environmental-protection/Pages/Contaminants.aspx>

<https://www.scientificamerican.com/article/lead-in-aviation-fuel/>

<http://www.sciencedirect.com/science/article/pii/S0967070X14000547>

[http://ac.els-cdn.com/S0967070X14000547/1-s2.0-S0967070X14000547-main.pdf?\\_tid=1fced014-7d8a-11e7-bd89-000](http://ac.els-cdn.com/S0967070X14000547/1-s2.0-S0967070X14000547-main.pdf?_tid=1fced014-7d8a-11e7-bd89-000)

We object to the plan for a construction site on Darley Road because:

- (a) In addition to the existing aircraft emissions and noise experienced by people living near the site, this will mean an additional cumulative impact of spoil truck diesel exhaust emissions and noise every 4 minutes in peak hour based on number of truck movements per hour and in excess of every 4 minutes per hour in non peak permitted construction hours. This will give rise to increased health risks from noise and air pollution which research suggest will cause increased blood pressure and risk of stroke.
- (b) The proponent has failed to take account of the cumulative impact of emissions from spoil truck vehicles from it proposed Darley Road, Leichhardt civil and tunnel site operations and emissions from aircraft to which residents near the site are already exposed.

### Failed mitigation in Stages 1 and 2 of Westconnex

The mitigation and management measures proposed by RMS are inadequate and clearly have failed affected communities such as Haberfield and St Peters. It is also noted:

- RMS plans to validate predicted impacts from the noise and vibration modelling (which is based on a conservative worst-case assessment) – in other words once the residents have been subjected to these impacts they will take a look at it. This is unacceptable.
- RMS plans to notify the community of noise impacts anticipated at specific times. In the past RMS or its contractors are only required to notify residents many months before. The noisy work then comes as a shock to many. It is unacceptable for RMS not to set out clearly and transparently the rules which it must follow. The Crossrail project in the UK has a transparent process for managing noise and vibration impacts which RMS should be required to replicate and adopt.

### Inner West Subsurface Interchange - Noise and vibration impacts

The proposed Inner West Subsurface Interchange, planned as part of Stage 1 (Vol 2B Appendix E p 1), linking the 2 mainline tunnels with the Rozelle Interchange and the Iron Cove link is of serious concern, there has been little information about the Inner West Interchange, its construction or exactly which streets it would affect. At Westconnex Information sessions held in the inner west in Sept 2017 staff state the path of the tunnels and the Interchange are 'indicative only'. How are residents expected to submit submissions without knowing if their street is affected?

The EIS states the Inner West Interchange would be under 3 suburbs - Lilyfield, Annandale and Leichhardt – so clearly it would cover a very extensive area (see map in EIS Vol 1A Chap 5 Part 1 p11) with drilling and danger of subsidence affecting hundreds of homes. Map 2 in Vol 1A Chap 5 Pt 1 shows four intersecting tunnels, each 3 lanes wide, with four toll locations, apparently converging under Mayes, Young, Ferris, Moore, Catherine, Hill, John, Emma, Styles, Ilka, Paling, and the many other surrounding streets.

The construction of four intersecting tunnels at varying depths in a spaghetti junction network would exacerbate ground settlement and vibrations, and cause homes most of which are Federation or

earlier above the Interchange to be seriously impacted. Scant detail is provided in the EIS as to how this risk will be minimised or indeed the degree of such risk.

## Transport and Traffic issues - Darley Road Leichhardt

There are many issues with the traffic and transport component of the EIS generally and as pertains to Darley Road. The EIS states in 6.5.8 Darley Road civil and tunnel site (C4) that:

*'It is anticipated that the majority of construction traffic would enter the site from the southern (westbound) carriageway of Darley Road, Leichhardt via new driveways. Heavy vehicles associated with spoil haulage would travel eastbound on City West Link and turn right into Darley Road, Leichhardt. A temporary right turning lane at the intersection of City West Link and Darley Road, Leichhardt would be provided for use by construction vehicles. Heavy vehicles would exit the site by turning left onto Darley Road, Leichhardt before turning left onto City West Link.'*

*'Construction traffic may also access the Darley Road civil and tunnel site (C4) via the westbound lanes of City West Link.'*

*'Temporary traffic management measures would be established to enable access and egress arrangements. These would be detailed in a CTAMP, which would be prepared to manage construction traffic associated with the project.'*

We object to the proposal for vehicles associated with spoil haulage to travel eastbound on City West Link and turn right into Darley Rd. This proposal is dangerous and the impacts and risks are too great. Darley Road is acknowledged by RMS to be a sub-standard road in terms of its construction. The intersection from the City West Link is a steep blind turn even for traffic coming across from James St. This is followed by immediate left hand turns into both Francis St and Hubert St. A number of properties on Darley Rd would be at risk of destruction from spoil haulage trucks in the event of a truck having to brake suddenly to avoid stationary vehicles.

New right hand turning lane on the City West Link to James St

We object to the Civil and Tunnel Construction site at Darley Road Leichhardt because the proponent is planning to create a right hand turning lane on the City West Link to allow construction vehicles to turn right into James Street. This is a dangerous proposal given that it involves turning into a steep blind corner which carries a high degree of risk of collision with oncoming vehicles and with pedestrians including the many school children who cross James St at this point.

It is reckless beyond belief to plan for large number of truck and dogs to make a right hand turn into James St from the City West Link. Even vehicles crossing the City West Link from the Lilyfield Rd side of the City West Link have a higher risk of collision or error due to the steep blind turn. This would be even higher when making a right hand turn into James St from the City West Link.

This intersection is reported as being the third most dangerous for accidents in the Inner West. The proponent should abandon a dive site completely or find a location directly on the City West

Link where spoil trucks will never use local roads. Why should residents lives be put at risk because the Project must be delivered as soon as possible?

## Safety and accident risks posed by use of Darley Road

We object to the proposal to the Darley Road civil and tunnel site because of the unacceptable risk it will create to the safety of our community. The traffic forecasts in the EIS state that Darley Road will have 170 heavy and light vehicle movements a day. We note that this is a forecast only and SMC has acknowledged that the number of movements may be higher. We object to the EIS because the proposal that *'heavy vehicles associated with spoil haulage would travel eastbound on City West Link and turn right into Darley Road'* presents unacceptable safety and amenity impacts.

The corner of Darley Rd (actually James St) and the City West Link is a pedestrian and active transport zone for:

- Pupils of Orange Grove Public School who live in Leichhardt
- Commuters who board at Leichhardt North light rail stop
- Students of Sydney Secondary College, Leichhardt Campus who alight at Leichhardt North light rail stop
- Students of many other schools along the light rail who board at Leichhardt North light rail stop
- Pedestrians and cyclists accessing Blackmore Oval (junior rugby club), the Bay Run, the large off-leash dog park and the many children' playgrounds along Hawthorne Canal
- Residents walking to Leichhardt Park Aquatic Centre and adjacent sporting facilities
- Cyclists accessing the cycle network on the Bay Run

The proponent's plan brings pedestrians, and school children in particular, directly into the path of spoil haulage trucks at an intersection found to be the third most dangerous, according to Transport for NSW figures. A further impact will be to discourage people from walking or cycling in this area leading to greater car use for local trips.

The selection of Darley Road as a dive site has been publicly opposed by the Inner West Council and its traffic planners in the strongest terms, with numerous representations made to SMC opposing its selection (See **attached** media statements issued by the Council). This is because Darley Road is a known accident and traffic blackspot and because it is clear that the movements of hundreds of trucks a day in this location will create an unacceptable risk of accidents. The Site has long been acknowledged by the Council as a traffic black spot as disclosed in several Council Reports. The Inner West Council's own documents state that Darley Road is not built to normal road requirements and safety standards, as it was established as an access road for the former goods line. Two fatalities have occurred near the site location, with many accidents. The Council has been trying to make Darley Road a safer route for many years. One report dated 21 August 2007 headed 'DARLEY ROAD LEICHHARDT PEDESTRIAN AND TRAFFIC SAFETY ISSUES' (2007 Report) points out serious issues with Darley Road:

*“Darley Road, Foster Street and Tebbutt Street have not been constructed to contemporary engineering standards with respect to cross falls, sight distances and horizontal alignment and the impact of vehicles using this route causes a number of safety concerns for residents. Given the speed, volume and nature of the vehicles using Darley Road it is difficult for many people to cross the road, especially at peak hour. The northern side of Darley Road provides the Leichhardt area with a large area of recreational open space, children’s playgrounds and community facilities which is difficult and unsafe to access.”*

The Council’s accident data for the six-year period (1 January 2001 until 21 December 2006), as provided in the 2007 Report (page 4) is extracted below:

<b>Location</b>	<b>Accidents</b>	<b>Injuries</b>
Cnr of Tebbutt and Kegworth	2	1
Cnr of Foster and Hawthorne	1	1
Cnr Foster and Lords	11(9- ped)	11
Cnr Foster and Marion	41	26
Cnr Foster and Walter	3	1
Cnr Foster and Allen	3	1
Cnr Darley and William	3	1
Cnr of Darley and Elswick	1	1 fatal
Cnr Darley and Charles	6	4, 1 fatal
Cnr Darley and Hubert	1	1
Cnr Darley and Francis	2	
Cnr of Darley and James	1	
Mid block along Darley and Foster	23	9
<b>Total Accidents</b>	<b>98</b>	<b>56 Injuries &amp; 2 fatalities</b>

You will note that there have been two fatalities and several serious accidents in a five-year period at roads adjacent to the Site. While some traffic calming measures were introduced (partial closure of Elswick Street), Darley Road remains acknowledged by the Council’s strategic traffic planners as hazardous.

We have been provided with further accident documentation by Ken Welsh, (Strategic Traffic Planner, Inner West Council) and it indicates that a large number of accidents have occurred near the Site since 2006, including on the streets adjacent to Darley Road and also at the James Street intersection. With respect to the James Street intersection, the proposal by SMC would involve hundreds of trucks a day turning at this dangerous location, while permitting a dangerous right-hand turn into James Street.

This intersection, on TfNSW’s own statistics, is the third most dangerous intersection in the inner west:

<http://www.dailytelegraph.com.au/newslocal/inner-west/crash-and-injury-figures-reveal-worst-black-spots-in-the-inner-west/news-story/56e7f60740b31ad8f3eaf21bc581cb46>



### Crash statistics – City West Link and James St intersection

It is also significant to note that the EIS only provides analysis of crash statistics near the proposed interchanges. It does not provide any detail as to the number of crashes at the James St/City West Link intersection which, on Transport for NSW's own figures, is the third most dangerous intersection in the inner west. Nor does it comment on the two fatalities that occurred on Darley Road near the proposed construction site. The EIS needs to detail the increased risk in crashes that will be caused by the additional 170 vehicles a day that are proposed to enter and leave Darley Road during the construction period. Its failure to do so renders its analysis of impacts misleading and inadequate.

### Development Application refusal for Darley Road

The history of the Darley Road site confirms these safety and accident risks. On 5 December 2006 the Building & Development Council of Leichhardt Council refused Development Application D/2006/311 in relation to 7 Darley Road, which was an application for alterations and additions to existing building and change of use of existing building for use as a liquor store, cafe/deli and commercial office space, new landscaping and signage. The former Leichhardt Council repeatedly and over several years refused the application for use of the Site on safety and traffic issues – and when it was ultimately approved by the Court, there were several key conditions imposed to address these concerns.

The Council found that the projected extra vehicles of Thursday evening (150 per hour), Friday evening (156 per hour) and Saturday midday (228 per hour) meant that *“the proposal is considered unsatisfactory when having regard to traffic and parking impacts.”* One of the bases of refusal by the Council therefore was:

*“Traffic and parking impact on Darley Road and the surrounding residential street network/vehicular – pedestrian conflict, especially with school children/ increase noise from traffic movements and truck loading and loading.”*

The use of the Site as proposed will mean that these traffic and safety matters will not be able to be managed, as proposed by the Court. For example, the Court prohibited the use of trucks longer than 11 metres - this will be regularly breached if converted to a construction site. Hundreds of local residents had lodged objections to the DA. One of the grounds on which the application was refused was that the RTA did not support the access arrangements and would not allow right hand turns into the site, which is precisely what the proponent is now proposing.

The following extract from the decision sets out why the RTA objected to the DA:

“The application has proposed a number of traffic management measures along Darley Road, included painted median islands.

The RTA does not support the access arrangements as proposed and has advised that it is likely to create conflicts at the shared entry/exit near Hubert Street. It has been recommended that

there be separate entry and exit driveways, with the entry nearest to Charles Street, and the exit at the driveway crossing near Hubert Street.

The RTA has advised that these driveways must be physically restricted with left-in/left-out movements through the provision of 900mm wide concrete median islands, covering the width of each driveway and extend to a distance of 10 metres either side of each driveway crossing. The parking area along the eastern section of the site must also be restricted to left-in/left-out movements.

On the advice of the RTA, no right-turn into the site is then possible, potentially encouraging west-bound traffic on Darley Road to conduct 'U-turns' at the Charles Street intersection to access the carpark, creating a conflict at that point.

Council's engineers have advised that the proposed traffic management works on the Darley Street frontage have a number of deficiencies including:

- Traffic lanes on the southern side of Darley Street would be relocated onto the existing parking lane which is geometrically unsuitable and unsafe for vehicular traffic.
- The proposed kerbside traffic lane on the southern side of Darley Street would conflict with existing stormwater drainage inlet structures. Significant drainage works would be required to address this issue without exacerbating existing flooding problems in this area.

Advice from the RTA has also noted the unsuitability of the existing kerbside parking and bicycle lanes for a through lane due to its cross-fall.

The RTA have further advised that the bicycle lane along Darley Road must be retained, and that no objections are raised to the proposed pedestrian refuge, subject to compliance with the relevant Australian standards. "

The RTA also raised objections in relation to traffic that the bottleshop development would generate:

"It is expected that the peak traffic generation periods for the development would be Friday evenings and Saturdays, with Thursday evening also busy. Conflict with the morning peak hour is therefore expected to be limited. It is noted that the traffic surveys were conducted prior to the closure of Moore Street West, Leichhardt.

Anecdotal evidence has suggested that traffic flow has increased on east-west thoroughfares such as Darley Road and Marion Street since the closure.

Traffic generation figures supplied in the traffic report initially submitted to Council were derived strictly from the amount of car parking provided on the site.

The revised traffic generation figures provided as a result of the additional parking provided on the site. It has factored that 35% of traffic to the site are passing trips. It has not accounted for spill-over traffic that cannot be accommodated on the site.

These figures would appear to conflict with statement within the Social Impact Assessment (SIA) that was submitted to the LAB for approval. This document indicates that the 'catchment' for the proposed liquor outlet is considerably larger and it states "In contrast Dan Murphy's OLR's are larger format destination stores designed to appeal to a regional market ..."

It has also been noted that the proposed liquor store alone would expect up to sixty (60) deliveries a week.

The study derives that the likely additional traffic on the local network would be:

- Thursday evening – some 150 vehicles/hour (in + out)
- Friday evening - some 156 vehicles/hour (in + out)
- midday - some 228 vehicles/hour (in + out)

Of particular concern in this regard is that the 'No stopping' restriction required by the RTA for the northern side of Darley Road during the Thursday and Friday evening peaks, which may funnel overflow parking into the surrounding residential streets. Furthermore, the substantial increase in traffic flow at the Saturday peak may result in significant queuing at the City-West intersection as all vehicles are forced to left-turn exiting the site.

On the basis of the above, the proposal is considered unsatisfactory when having regard to traffic and parking impacts."

It is clear that the same traffic impacts raised by the RTA will be a consequence of the Darley Road Civil and Tunnel Construction site at Leichhardt - yet the proponent has failed to provide any detail about these impacts will be managed. The same deficiencies are present in the proponent's EIS as that presented to the Court and should therefore be rejected on the same grounds. We note in particular:

- Construction trucks travelling on the southern side of Darley Road will force traffic onto the existing parking lane which is geometrically unsuitable and unsafe for vehicular traffic.
- The construction works will conflict with existing stormwater drainage inlet structures which will exacerbating existing flooding problems in this area.
- The access arrangement for the site will create traffic conflict at the shared entry/exit driveway near Hubert Street.
- The application would result in the loss of on-street parking spaces on the southern side of Darley Road.
- There is no traffic management proposal.
- The proponent has failed to demonstrate how the existing bicycle lane would be maintained.
- The proponent has failed to demonstrate that the proposal would not have an undue increase in traffic generation along Darley Road and the surrounding residential street network.
- The proponent has failed to adequately address the impacts from vehicle queuing in Darley Road.
- There is no detail as to how (both access points) to the Light rail will be maintained and how access will be made safe.

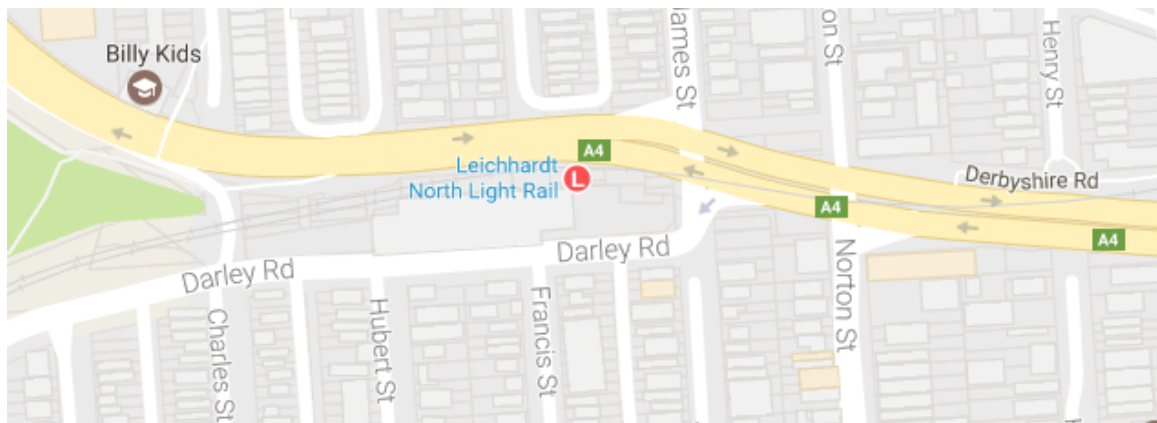
#### Traffic data is out of date

We also note that Darley Road has experienced a dramatic increase in traffic over the past 6 months, most likely caused by the extensive building development work in the area and overflow heavy vehicle traffic from nearby WestConnex construction sites in Haberfield. This increase in traffic on Darley Road renders any earlier traffic analysis commissioned by SMC as to the viability of the Site as redundant. Up to date traffic data and analysis is urgently required.

### Impact on traffic and the road network

We object to the location of the Darley Road civil and construction site because the site cannot accommodate the projected traffic movements without jeopardising the road network. Darley Road is a critical access road for the residents of Leichhardt and the inner west to access and cross the City West Link. It is already congested at peak hours and the intersection at James Street and the City West Link already has queues at the traffic lights. The only other option for commuters to access the City West Link is to use Norton Street, a two-lane largely commercial strip which is already at capacity. The addition of hundreds of trucks and contractor vehicles will result in traffic grinding to a halt and traffic chaos at this critical juncture with commuter travel times drastically increased.

See image **below** which depicts the location of Darley Road and Norton Street relative to the City West Link:



The Project will worsen traffic near the Darley Road during and after construction

The EIS discloses that during construction westbound traffic will increase on Darley Road by 37%. This increase in traffic for a period of up to five years will make it hazardous to cross the road and access the light rail and travel to Blackmore Oval, the Bay Run, the dog park and the Leichhardt pool. In addition, it will drastically increase both local traffic and outer area traffic at peak commute times. We therefore object to the location of this site based on the unacceptable traffic impacts it will have on road users and on pedestrians.

### Failure to properly assess construction, transport and traffic impacts

We object to the Civil and Tunnel Construction site at Darley Road Leichhardt because the proponent has failed to comply with the SEARS which require that the Proponent must assess construction transport and traffic (vehicle, pedestrian and cyclists) impacts in relation to route identification and scheduling of transport movements, particularly outside standard construction hours.

### Management of potential impacts

The EIS states that a Construction traffic and Access Management plan (CTAMP) would be prepared to minimise delays and disruptions and identify changes to ensure road safety. The plans are not in the EIS so residents cannot comment. What guarantee is there that the plan will be effective? The EIS should be rejected on the basis that the impacts on traffic and safety are not adequately addressed. It is also inadequate to simply refer to a plan, with no provision for residents and other key stakeholders to be involved in its development and no assurance it can work.

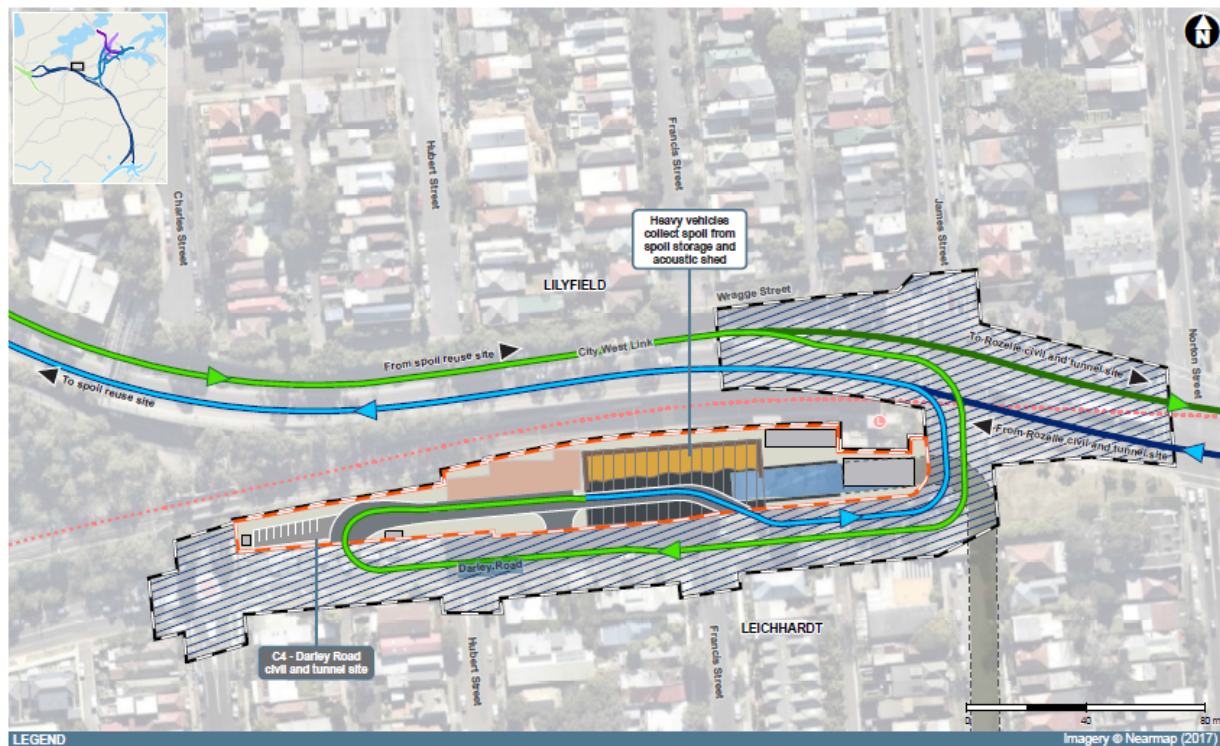


Figure 6-28 Indicative spoil haulage route – Darley Road civil and tunnel site (C4)

6-88

[proposed spoil truck movements at Darley Road above]

## Truck Movements

### Proposed truck routes

The EIS provides that all trucks will arrive at the Darley Road site from Haberfield and travel along Darley Road to the site, with a right-hand turn now permitted into James Street. The proposed route will result in a truck every 3-4 minutes for 5 years running directly by the modest houses on Darley Road. These homes will not be habitable during the five-year construction period due to the unacceptable noise and vibration impacts. The truck noise will be worsened by the truck's need to travel up a steep hill to return to the City West Link; therefore, the noise impacts will affect not just those homes on or immediately adjacent to Darley Road. The proposal to run trucks so close to homes is dangerous and highly intrusive to residents. The EIS does not propose any noise or safety barriers to address this. Despite the unacceptable impact to nearby homes; there is no proposal for noise walls, nor any mitigation to individual homes.



## Alternative spoil haulage route not analysed

Peter Jones (SMC) has on many occasions made public representations to the community that his plan is to stage trucks from the port and eventually when possible to have them arrive and depart from the site underground when a tunnel is established between Leichhardt and the M4 East. He has also stated that loading of spoil would take place underground at this time. He has recently told LAW of his new plan to load trucks from a ramp off the City West Link by means of a hopper conveyor which would pass over the Light rail station delivering spoil into silos below which trucks would pull up to receive their load. The laden trucks would then travel west bound along the city west link. **None** of this plan is detailed in the EIS.

The proponent has failed to assess the impacts of **all** the spoil haulage routes to and from the sites that SMC is considering. These include the option of staging trucks from Sydney Ports at James Craig Rd, creating an off-ramp from the City West Link near North Leichhardt Light Rail and running trucks underground in established tunnels. These spoil haulage routes will have different impacts from the proposal contained in the EIS and the proponent is obliged to identify them. We object to the fact that we are denied the opportunity to assess the impacts of all options. We also object to the fact that the public will have no right or opportunity to have input into the CTAMP, PIR or AFMP on matters which will have a devastating impact on residents near 7 Darley Road.

The proponent only provides details of light and heavy vehicle volumes predicted to arrive and depart from construction ancillary facilities like the Civil and Tunnel Construction site at Darley Road Leichhardt during a typical AM peak hour, PM peak hour and daily period. This is an insufficient amount of information about the impacts. It does not make it clear what the impacts will be during the course of the Project. It does not make it clear what the impacts will be during non typical hours and during non peak hours.

We are also concerned that the proponent is understating the impact of vehicle volumes by only providing information on typical AM peak hour, PM peak hour and daily period. What is typical is a subjective assessment. Leichhardt might end up with greater vehicle volumes and greater impacts because the EIS has been approved on the basis of typical AM peak hour, PM peak hour and daily period.

## Lack of detail of vehicle movements

The proponent and its agent SMC are already undertaking identical operations at other tunnelling locations for Stages 1 and 2 of WestConnex and should be able to provide more detail about what the vehicle volumes will be at each stage of the project. The proponent should be in a position to provide more than just typical volumes and more than just peak hour volumes. The proponent should know how many vehicles will be arriving and departing from the site on an hourly basis at the various stages of the project. The proponent should describe what a typical day would look like hour by hour in terms of vehicle arrivals and departures at specific points in the project. The proponent should also describe what a non-typical day would look like and what might cause a non-typical day to occur.

We object to the Civil and Tunnel Construction site at Darley Road Leichhardt because the

proponent has failed to provide sufficient detail about vehicle volumes to enable a meaningful assessment of the impacts.

## CTAMP

We object to the EIS because it fails to describe the truck route options available to the proponent in relation to the Darley Rd site and instead allows for the final plan to be detailed in the CTAMP, Preferred Infrastructure Report or Ancillary Facilities Management Plan.

All of the streets abutting Darley Road identified as NCA 13 (James Street to Falls Street) should have a blanket prohibition on any Project truck movements and worker contractor parking. These homes are already suffering the worst construction impacts of the work on the site and should be spared the further imposition of lack of parking and additional noise impacts. These streets are not constructed for heavy vehicle movements and on this basis should also be ruled out. The EIS needs to prohibit outright truck movements including parking) and worker parking on all of these streets.

No trucks should be permitted on Darley Road or local roads in Leichhardt or Lilyfield. The EIS proposes that all trucks will arrive at the Darley Road civil and tunnel site from Haberfield and travel along Darley Road to the site, with a right-hand turn now permitted into James Street. The proposed route will result in a truck every 3-4 minutes for 5 years running directly by the small houses on Darley Road. These homes will not be habitable during the five-year construction period due to the unacceptable noise impacts. The truck noise will be worsened by their need to travel up a steep hill to return to the City West Link, so the noise impacts will affect not just those homes on or immediately adjacent to Darley Road. The proposal to run trucks so close to homes is dangerous and there have been two fatalities on Darley Road at the proposed site location. The EIS does not propose any noise or safety barriers to address this. Despite the unacceptable impact to nearby homes, there is no proposal for noise walls, nor any mitigation to individual homes.

## Alternative access route for trucks

The EIS states that there are 'investigations' occurring into alternative access to the Darley Road site. The EIS does not provide any detail on which residents can comment about alternative access which would keep trucks off Darley Road. The plans for alternative access should be expedited. It should be a condition of approval that the alternative access is confirmed and that no spoil trucks are permitted to access Darley Road due to the unacceptable noise, safety and traffic issues that the current proposal creates.



## Trucks on local streets

Note 1 to Table 8-43 states:

*'Indicative access routes to and from construction ancillary facilities' the proponent states that 'Some use of local roads by heavy vehicles delivering materials and/or equipment may also be required, however this would be minimised as far as practicable.'*

The experience of residents in local streets near other tunnel construction sites such as the streets near the M4 East site at Northcote St Haberfield is that heavy and light vehicles use these local streets and cause a high level of adverse impact. The complaints relate to construction vehicles parking out local residents, idling engines, using local roads after hours and carrying rattling loads that increase the noise impact to residents.

We object to the Civil and Tunnel Construction site at Darley Road Leichhardt because if it is allowed to proceed then it is inevitable that residents of Charles St, Hubert St and Francis St, which are quiet residential streets, will experience these same very adverse impacts. Once approval is given residents will not be able to enforce a minimal level of use of local roads by light or heavy vehicles associated with the Civil and Tunnel Construction site at Darley Road. It is inevitable that minimal use will become standard use. The contractor who is appointed to the project will be allowed to use local roads and will not be able to stop sub-contractors using local roads.

The proponent should be required to abandon the Darley Road civil and tunnel site Leichhardt. Alternative sites have been identified which provide adequate worker parking and the proponent has not given an adequate explanation as to why these alternatives have not been included in the EIS.

The EIS permits trucks to access local roads in 'exceptional circumstances' which includes queuing at the site. Given the constraints of the Darley Road site, queuing will be the usual situation.



The EIS needs to be amended to **remove queuing** as an 'exceptional circumstance'. The truck movements should properly managed by the contractor so that there is no queuing. Retaining this exception will make it easier for contractors to neglect their obligation to monitor and manage truck movements in and out of the site and needs to be removed. The EIS needs to specifically mention all local streets abutting Darley Road and expressly prohibited truck movements (including parking) on these streets. This should include all streets from the north (James St) to the south (Falls Road), which are near the project footprint. The EIS needs to be amended to rule out queuing as an exceptional circumstance which allows trucks to use local roads.

## Further Traffic impacts

### Local road diversions and closures

The EIS states that *'temporary diversions along Darley Road may be required during construction'* (8-65). No detail is provided as to when these diversions would occur; there is no provision for consultation with the community; no detail as to how long the diversions will be in place and no comment on the impact of diversions on local roads or the amenity of residents. Will diversions occur at night? If so, down what streets? Diverting the arterial traffic from Darley Road down local streets (which are not designed for heavy vehicle volumes) will result in damage to streets, sleep disturbances for residents and create safety issues. There is also childcare centre and a school near the William Street/Elswick Street intersection which will be impacted by diverting vehicles onto local roads. It is unacceptable for proposed road diversions not to be detailed whatsoever in the EIS.

The EIS should not be approved without setting out the impacts of road diversions on residents and businesses. The approval conditions need to make it clear that all road closures need to be made in consultation with residents affected and that the safety issues are adequately addressed. No arterial traffic from Darley Road should be allowed to be diverted onto narrow local roads.

### Contractor worker parking - Leichhardt

The SEARS requires that *'construction worker parking' effectively manages network capacity and levels of service; and the safety and efficiency of the transport system so as to minimise impacts'* (SEARS, March 2016, item 1)

We object to the Civil and Tunnel Construction site at Darley Road because the proponent has no proposal or plan to manage the impacts in relation to contractor worker parking. The impacts are clearly foreseeable yet there is no plan for worker parking and as a result the residents of Charles St, Hubert St, Darley Rd and Francis St will not be able to park on their streets and will be adversely impacted by worker parking. It is completely unacceptable for a major construction site to be proposed to be located in a village, non-industrial setting, such as Darley Road, without providing either allocated sufficient car parking or an alternative, enforceable plan to move workers in and out of their workplace without unfairly taking resident parking.

In 8.3.1 of the EIS the proponent states that:

*A number of the project's staff and labour force would be expected to drive to construction sites and would therefore require car parking.' And that 'It is anticipated that construction workforce parking would be primarily provided at the following sites: Northcote Street civil site (C3a) – around 150 car parking spaces (Option A) Parramatta Road East civil site (C3b) – around 140 car parking spaces (Option B) Rozelle civil and tunnel site (C5) – around 400 car parking spaces Campbell Road civil and tunnel site (C10) – around 150 car parking spaces.*



*These facilities would be used to provide worker parking and shuttle bus transfers to other nearby construction sites.'*

It is inevitable that the main contractor and sub-contractor workers at the Darley Road site will not avail themselves of the parking sites and shuttle bus at these locations and that they will end up parking in streets near to the site. They will do this because it is more convenient for them to park in local streets.

The EIS states that workers 'will be encouraged to use public transport.' Parking is at a premium in this area and many residents do not have off-street parking. The removal of 20 car spaces (for five years) as is proposed on Darley Road will worsen this situation, as will the removal of 'kiss and ride facilities' at the light rail. We have also been informed by Peter Jones that SMC are also considering acquiring the parking available on the opposite side of Darley Road during the construction period, removing another 20-30 car spaces. There is also a pre-DA application for 120 units on William Street which is not taken into account in the EIS, along with a major development of several hundred units on the corner of Allen and Flood Street leichhardt. This will place further stress on parking and is not mentioned in the EIS where parking impacts are supposedly set out. If this site proceeds, the EIS approval conditions at a minimum should:

- (a) prohibit any worker parking on local streets;
- (b) provide that RMS is to fund any policing that is required of parking restrictions;
- (c) require the contractor to require workers to use public transport such as the tram which is directly next door to the site (which is policed) or arrange for them to be bussed in. This requirement needs to be backed up by proper enforcement and contractual penalties if breached by workers.

## Traffic operational modelling

The EIS does not provide any operational modelling for the Darley Road area (8-11), despite the fact 170 vehicles a day are proposed to enter this highly congested (during peak hours) area. Darley Road is a critical arterial road for commuters accessing the City West Link and this analysis should be provided so that impacts can be properly assessed.

## Heavy vehicle movements during peak hours

The EIS states that 'reasonable and practical management strategies would be investigated to minimize the volume of heavy vehicle movements during peak hours.' (8-53). This is also not acceptable as it is not known what will actually be done to manage this impact. It is not good enough for the EIS, which forms the basis of the approval of this project, to simply mention 'investigations' and not detail a proper plan (on which residents can comment) on management of heavy vehicle movements during peak hours. In addition, Darley Road is very congested from 7am until 9.30am and then from 4pm-6.30pm, well outside the 'peak' periods identified in the EIS. And the impact on traffic will be caused by 'light' vehicles and not simply heavy vehicles. It is clear that there is no plan for managing these vehicle movements. The EIS should not be approved as drafted. It is unacceptable for this volume of vehicles to be proposed for this critical arterial road with no plan for management.



## Failure to assess - impacts on public transport, pedestrians and cyclists

We further object to the Darley Road site because the proponent has failed to comply with the SEARS which require that the Proponent must assess construction transport and traffic (vehicle, pedestrian and cyclists) impacts in relation to access constraints and impacts on public transport, pedestrians and cyclists

## Tunnel vertical alignments

In 5.3.6 of Chapter 5 the EIS states that:

*'the tunnels would generally have grades of less than four per cent. However, isolated locations connecting to the surface road network may require short lengths of steeper grades of up to eight percent. These grades would generally match with existing conditions on local surface roads or are required to ensure appropriate ground conditions with no direct property impacts.'*

In 2014 the RMS Advisory Committee on Tunnel Air Quality published a technical paper (TP09) 'Evolution of road tunnels in Sydney'. The paper highlights the key lessons learnt from over 20 years of experience in assessing and operating long road tunnels as it relates to the assessment, design and operation of ventilation systems to manage air quality in and around tunnels. A key lesson learnt identified in the paper is the need to minimise the gradient of the tunnel:

*'The M5 East has a gradient of eight per cent at the exit of the westbound tunnel. The increase in gradient resulted from a late design change to facilitate the placement of tunnel spoil between Bexley Road and King Georges Road. This was to substantially reduce the number of truck movements on local roads during construction. The unintended consequence of this change was that vehicles exiting the west bound tunnel are under significant load with multiple consequences for air emissions. Firstly vehicle emissions per distance travelled significantly increase with increase in grade. This is especially the case for laden heavy vehicles (eg trucks returning from the port). Secondly the steep grade slows down heavy vehicles which contribute to congestion throughout the west bound tunnel further adding to vehicle emissions as compared to free flowing traffic. Consequently the Cross City and Lane Cove tunnels were designed to minimise gradients.'*

As a result of this analysis, the RMS concludes that a key design requirement for new road tunnel projects is to minimise grades. It is therefore astonishing that the proponent is now planning to ignore this advice and repeat the mistakes of the M5 and incorporate tunnels with inclines of up to eight per cent. These steep tunnels will have multiple direct impacts on air emissions, namely:

- Vehicle emissions per distance travelled significantly increase with increase in grade. This is especially the case for laden heavy vehicles which the tunnel is intended to take off local roads and which are intended to be users of the tunnel.

- The steep grade slows down heavy vehicles which will contribute to congestion further adding to vehicle emissions as compared to free flowing traffic.

The proponent should be required to redesign the tunnels so that no gradient exceeds 4%.

## Depths of tunnelling and incomplete EIS diagrams

The EIS states that the risk of ground settlement is lessened where tunnelling is more than 35m (EIS Vol 2B App E p1). Yet the depths of tunnelling in streets leading to and around the Inner West Interchange are astonishingly low, eg John St at 22m, Emma St at 24m, Hill St at 28m, Moore St 27m, Piper St 37m, (Vol 2B Appendix E Part 2), Catherine St at 28m (Vol 2B Appendix E Part 1) - homes would indisputably sustain damage or cracking at these depths.

In response to enquiries made to the Westconnex Info line it was confirmed that the depths are measured from the excavation to the surface. Diagrams of the tunnel dimensions in the EIS only give 5.3m as a minimum height. When further clarification was sought of the total height ie from the tunnel floor to the crown (top of the tunnel), Westconnex Infoline confirmed that 5.3m is the 'minimum height', and when pressed further that there is an extra 2.2m above this to allow for signage and jet fans, giving a total height of 7.5m. This is in contrast to information from staff at the Westconnex Information Balmain session who claimed the extra section above the minimum height of 5.3m would be between 1 to 1.5m.

It throws into confusion what the total height of the tunnels are and therefore the depths of tunnels below homes, which again the Information Session staff stated could be changed by the contractors. What are residents expected to believe? Yet Westconnex is asking residents to provide feedback on inadequate, conflicting information.

Significantly, there is nothing in the EIS to ensure that tunnelling would be at a sufficient depth so as not to endanger the integrity of homes, including vibration, and noise impacts. Further, without provision for full compensation for damage sustained there would be no incentive for contractors, or Roads and Maritime Services, to minimise damage to homes or indeed to have any concern for damage sustained.

Recent experience tells us that numbers of people in the ongoing construction of Stages 1 and 2 have suffered extensive damage to their homes caused by vibration, tunnelling activities, and changed soil moisture content costing thousands of dollars to rectify, and although they followed all the elected procedures their claims have not been settled. Insurance policies will not cover this type of damage. The onus has been on them to prove that damage to their homes was caused by Westconnex. Furthermore, the EIS actually concedes that there will be moisture drawdown caused by tunnelling. There is nothing addressing these major concerns in the EIS. This is what residents in Annandale, Leichhardt and Lilyfield are facing and it is totally unacceptable.

In view of the above no tunnelling less than 35m in depth from the surface to the crown of a tunnel (ie the top) under residences should be contemplated let alone undertaken. And of course no tunnelling should be undertaken under sensitive sites.

## Environmental risks

### Contamination - Darley Road

We object to the Darley Road Civil and Tunnel Construction site at Leichhardt because the proponent has failed to comply with the SEARS requirement in relation to Air quality, that the project is designed, constructed and operated in a manner that minimises air quality impacts (including nuisance dust and odour) to minimise risks to human health and the environment to the greatest extent practicable. Appendix R, 4.7.8 Areas and contaminants of concern the proponent states that *'There is also potential for asbestos to be present in the fill from potential uncontrolled filling and demolition of former buildings.'*

7 Darley Road is a site which has been reported to the NSW EPA under section 60 of the *Contaminated Land Management Act (CLM Act)*. Although NSW EPA assessed the site as not requiring regulation under the CLM Act, in 16.2.14 of the EIS the proponent sets out in Table 16-15 the contaminants of potential concern that are present at Darley Rd. These are metals, polycyclic aromatic hydrocarbons, total recoverable hydrocarbons, asbestos and Volatile Organic Hydrocarbons (SVOCs).

The proponent's plan for the Darley Road Civil and Tunnel Construction site at Leichhardt involves demolition, earthworks, construction and track-out (the transport of dust and dirt from the construction/demolition site onto the public road network on construction vehicles).

We object to the Darley Road Civil and Tunnel Construction site at Leichhardt because of the impact that disturbance of contaminants will have on health and on property. The community should not be put at risk at all and in particular when this dive site is not necessary. The proponent's assessment is defective as it fails to identify the risk to local residents and anyone else in the neighbourhood of excavated soil containing contaminants and asbestos being blown into nearby streets and into homes and gardens of adjoining properties. Having identified the presence of asbestos on the site, it fails to specifically identify the potential for inhalation of asbestos either by workers or residents. The proponent in identifying the potential contamination impacts at Darley Road states that:

*'Previous soil investigations identified fill material with slightly elevated metals and PAHs, although the site is still suitable for ongoing commercial/industrial land use. A UST has also been decommissioned. If present and not appropriately controlled, there is potential for:*

- *Direct contact, inhalation and ingestion risk to site workers from contaminated soil or hazardous building materials via dust*
- *Discharge of contaminated surface water to the stormwater system and ultimately Hawthorne Canal and Iron Cove*
- *Incorrect handling or disposal of spoil*

- *Disturbance of actual or potential acid sulfate soils at the western end of the site which could impact local soil and water quality.'*

The proponent's assessment is defective as it fails to identify the risk to local residents and anyone else in the neighbourhood of excavated soil containing contaminants and asbestos being blown into nearby streets and into homes and gardens of adjoining properties. The proponent's assessment is defective because having identified the presence of asbestos on the site it fails to specifically identify the potential for inhalation of asbestos either by workers or residents.

The proponent rates contamination at this site as a medium risk yet the proponent's track record in managing these risks suggests otherwise.

- In April 2016 Marrickville Council voted to release confidential legal advice which suggested that WestConnex had been operating for months without any legal approval, including in the handling of toxic waste and asbestos.  
(<http://www.southernthunderer.com.au/westconnex-acts-illegally-in-handling-of-toxic-waste-and-asbestos/>)
- In September 2016 it was reported by the ABC that a former employee of Sydney excavation company Moits, Daniel McIntyre, has claimed the company supplied asbestos-laden road base to the WestConnex project.  
(<http://www.abc.net.au/news/2016-09-01/asbestos-westconnex-allegations-labor-calls-for-works-to-stop/7803378>)
- In August 2017 it was reported by the Parramatta advertiser that Granville and Harris Park residents living in a hotspot asbestos dumping ground, who have been warned not to mow their lawns too short or dig in their back yards for fear of deadly contamination, say they are inhaling dust kicked up by WestConnex trucks.  
(<http://www.dailytelegraph.com.au/newslocal/parramatta/granville-and-harris-park-residents-fear-contamination-from-asbestos-from-dust-created-by-westconnex-trucks/news-story/853d43d153da6c5edeb64d1043b00c68>)
- In August 2017 the NSW Environment Protection Authority (EPA) has fined WestConnex contractors CPB Contractors \$8,000 following an investigation into the emission of offensive odours at the St Peters Interchange worksite in March this year.  
<http://www.epa.nsw.gov.au/epamedia/EPAMedia030817.htm>
- On numerous occasions in Campbell Street St Peters residents have observed inadequate and dangerous risk asbestos management practices by WestConnex contractors such as using hoses to damp down dust and material containing asbestos without wearing protective clothing.

## Risk of settlement (ground movement)

The EIS states that *'settlement, induced by tunnel excavation, and groundwater drawdown, may occur in some areas along the tunnel alignment'* (Executive Summary, xvii). The risk of ground movement is lessened where tunnelling is more than 35 metres. However, it is proposed to tunnel at 29 metres under Hawthorne Parade, Haberfield and at 35 metres at Elswick Street North, Leichhardt. The EIS also states that there are a number of discrete areas to the north and northwest of the Rozelle Rail Yards, to the north of Campbell Road at St Peters and in the vicinity of Lord

Street at Newtown where ground water movement above 20 milliliters is predicted. In Rozelle tunnelling will occur under homes at less than 10 metres. This proposed tunnelling the EIS states that *'strict limits on the degree of settlement permitted would be imposed on the project'* and 'damage' would be rectified at no cost to the owner (Executive Summary, xvii -iii). This is not acceptable. The Project should not be permitted to be delivered in such a way that there is a known risk to property damage that cannot be satisfactorily mitigated. Why should the homes of our community be collateral damage because of the Project's imperatives? Why should the taxpayer have to fund repairs to homes caused by a private contractor?

The project creates an unacceptable risk of ground movement. The Project should not be approved on the basis that it creates a risk of property damage that cannot be mitigated against to an acceptable level.

### Impact on Dobroyd Canal and Hawthorne Canal - Leichhardt

The Hawthorne canal, which is the closest waterway to the Darley Road site, is described in the EIS as a 'sensitive receiving environment' (Executive Summary, xix). Darley Road is a contaminated site with probable asbestos. The permanent water treatment plant to be established during construction proposes running water from the treatment plant directly into the waterways. It will involve water from the tunnel discharged to local stormwater systems and waterways; this is a permanent environmental impact. This proposal will further compromise the quality of the waterway and impact on the four rowing clubs in close vicinity.

### Flooding - Leichhardt

The EIS states that there may be impacts from flooding which, amongst other things, may disrupt drainage systems. There is no detail as to how the issues with flooding at Darley Road will be managed and on their potential impact on the area. (Executive Summary, xxi) Darley Road and adjacent streets such as Hubert St are exposed to flood and are 'flood zones'. The flood impact could be exacerbated by the disruption or blockage of existing drainage networks, which are risks identified in the EIS. The EIS has not assessed whether the identified risk to the existing drainage network will cause increased risk of flood damage to flood lots and it fails to take account of the Inner West Council's Leichhardt Floodplain Risk Management Plan which contains recommended flood modification options. The EIS has not assessed whether its drainage infrastructure will impede the Inner West Council's Leichhardt Floodplain Risk Management Plan. RMS has not assessed whether its drainage infrastructure will impede Inner West Council's Leichhardt Floodplain Risk Management Plan option HC\_FM4 to lay additional pipes/ culverts from William Street to Hawthorne Canal via Hubert Street and Darley Road. The EIS should not be approved as it has not properly explained or assessed these impacts.

### Removal of vegetation

The EIS states that all vegetation will be removed on the Darley Road site. There are several mature trees located on the north of the site. None of these trees should be removed as they provide precious greenery. They also act as a visual and noise screen for residents from the City

West Link traffic. All efforts should be taken to retain the trees and the EIS should not simply permit these trees to be removed without proper investigations being undertaken as to how they can be retained. Removal of these trees and other vegetation will increase noise impacts to nearby residents and affect the visual amenity, with homes having a direct line of sight to the City West Link. The existing mature tree needs to be retained on this and environmental grounds. If they are removed following a proper investigation and consideration of all options) then the approval needs to specify that all streets are replaced with mature, native trees at the conclusion of the construction at the site.

## Visual Impacts

The EIS acknowledges that visual impacts will occur during construction. However it does not propose to address these negative impacts in the design of the project. This is unacceptable and the EIS needs to propose walls, plant and perimeter treatments and other measures at appropriate locations to lessen the impact on visual amenity. (Executive Summary xviii)

## Health Risks of Project

The health impacts of the Project and the cumulative health impacts of the Westconnex Project as a whole (both long and short-term) are not adequately addressed in the EIS and therefore a proper assessment of the acceptability of the Project's health impacts cannot be made. Where health impacts are dealt with, the analysis lacks depth, detail and credibility, as set out below.

### Omission of sensitive receivers

In a serious omission, several schools, including Orange Grove Public School in Lilyfield and St Columba's Primary School in Leichhardt are omitted from the study area of sensitive receivers (11.1.3), despite the fact that they are within the human health risk assessment study area shown in Figure 11-1. This omission means that the health impacts have simply not been considered for these schools. RMS should be required to undertake a proper assessment of the health impacts on **all** sensitive receivers and the Project should not be approved until this is thoroughly completed and provided to the public for comment.

### Project fails to minimise health impacts

RMS states in 11.2 'Project design to minimise health impacts' that:

*'The majority of the project footprint is underground. This includes the mainline tunnels as well as the Rozelle interchange and the Iron Cove Link. This means that road traffic noise is avoided during operation of the project except where entry and exit ramps come to the surface. It also means that emissions from vehicles are removed from surface roads and dispersed from elevated ventilation outlets with minimal impact on local air quality (see section 11.5.1 and refer to Chapter 9 (Air quality)).'*



It is clearly not the case that the emissions will be safely dispersed from the Rozelle Railyards ventilation stacks. These three stacks are planned to be 38 meters high. Rozelle Railyards is 3m above sea level. Orange Grove Public School and many residences in Lilyfield are 36 meters above sea level which is exactly where the emissions will travel in certain weather circumstances. Quite clearly RMS is repeating the mistakes of the M5 emissions stacks and failing to take account the local topography. Emission stacks are designed to be higher than where people go to school, work and live to enable dispersion.

## Human health risk

The EIS states that there may be a 'small increase in pollutant concentrations' near surface roads (Executive Summary xvi). The EIS states that potential health impacts associated with changes in air quality (specifically nitrogen dioxide and particulates) within the local community have been assessed and are considered to be 'acceptable.' We disagree that the impacts on human health are acceptable and object to the project in its entirety because of these impacts.

## Dust Impacts

RMS admits in Chapter 11, 11.4 that its activities will have significant health impacts on people during construction in some circumstances and that these would not always be avoided:

*'Dust management measures may not be effective all of the time.'*

*'In situations where the construction air quality management measures are not fully effective, impacts on the community would generally be temporary and short-term and are not considered to be significant.'*

RMS has not explained the basis for arriving at the conclusion that the impact would not be significant. The Project should not be allowed to proceed until this basis is explained and verified. In the same paragraph, RMS admits that it can't avoid significant impacts 100% of the time. An asthma attack caused by exposure dust from construction which RMS has failed to control can be fatal. RMS states:

*'The effectiveness of dust control measures would be monitored and adjusted as required. Where the dust mitigation measures are effectively implemented, impacts on the health of the community would be minimised.'*

We have seen time and time again the failure of Westconnex contractors to manage dust impacts even when the dust contains lethal asbestos. The above statement about mitigation by RMS is meaningless, as what has been observed in reality is that that RMS, SMC and its Joint Venture contractors and their subcontractors continually flout dust mitigation measures.

The impacts are neither insignificant nor temporary. They are severe and ongoing for several years. The conditions under which the project is allowed to proceed must include severe sanctions for non-compliance with dust management measures. However it is LAW's position that the inadequate treatment in the EIS of health impacts should result in the rejection of this EIS.

The proponent appears to downplay the impact of dust emission from construction activities by stating that 'It is difficult to reliably quantify dust emissions from construction activities. Due to the variability of the weather it is impossible to predict what the weather conditions would be when specific construction activities are undertaken'.

This is an astonishing statement given the fact that the proponent is undertaking identical construction activities at numerous other sites as part of Stages 1 and 2 of the project. The proponent should by now be able to reduce any risks and impacts to zero in all weather circumstances. The proponent has failed to demonstrate that it is capable of managing risks that are capable of being managed and its proposals for the Darley Road Civil and Tunnel Construction site at Leichhardt should be rejected on this basis.

The proponent appears to downplay the impact of dust emission from construction activities further by stating that 'Any effects of construction on airborne particle concentrations would also generally be temporary and relatively short-lived.' This is also an astonishing statement given that a consequence of even one exposure to asbestos is fatal lung disease, not to mention the risk to children and adults with asthma. One asthma attack can result in death.

We object to the Darley Road Civil and Tunnel Construction site at Leichhardt because it creates an unacceptable risk to the health of workers and residents due to the dust impacts from demolition and construction and in addition will cause loss of amenity to residents.

Examples of Westconnex failure to adhere to asbestos and dust management measures

Report of Westconnex trucks creating dust in asbestos clean up site in Harris Park:

<http://www.dailytelegraph.com.au/newslocal/parramatta/granville-and-harris-park-residents-fear-contamination-from-asbestos-from-dust-created-by-westconnex-trucks/news-story/853d43d153da6c5edeb64d1043b00c68>

*'While the area around the construction sites have been curtained off and asbestos warning signs are in place, when we visited the area we found several discarded asbestos masks and even what appeared to be an asbestos-protective suit dumped on the roadside.*

*"Trucks have been leaving Duke St coming down Victoria St past my home," Ms Poyner said.*

*"No water truck, no decontamination procedure, just dust.*

*"I find it absolutely unbelievable that given asbestos fact sheets to residents on the opposite side of my street because they appear in a report as a possible James Hardie asbestos legacy site, then I look at the dust being generated by WestConnex in my street and then you have two sites — one with asbestos operating procedures and one with none."*

Demolition of homes on Campbell Street, St Peters for Westconnex

<https://www.youtube.com/watch?v=GkatiS807ws>



#### Report on Demolition of Haberfield houses for Westconnex:

<http://www.altmedia.net.au/demolition-of-haberfield-houses-begins/115750>

*'WestCONnex Action Group (WAG) spokesperson Sharon Laura who lives nearby said she arrived to picket at around 7am on Tuesday morning to find work continuing in blustery conditions. By 9am, it was clear that small hoses used to dampen rubble could not control the dust and the fence around the construction site nearly blew over twice. Laura said that she unsuccessfully tried to make contact with Sydney Motorway Corporation's (SMC) Westconnex team or construction company Leighton's staff. Eventually she finally got through to a community engagement manager. While she was explaining what she saw as a dangerous situation, the temporary fence fell over altogether.*

*Work was then stopped for an hour. After the fence was secured, work continued in high winds. City Hub later observed asbestos sheets being carried from a house by masked men just a metre from a pedestrian footpath in strong winds that continued during the afternoon. Asbestos is a dangerous substance which in tiny amounts can cause the deadly cancer mesothelioma. The front verandah of the house was covered with a sheet of plastic which was partially blown away. It finally fell to the ground. While Leighton had erected a small sign announcing asbestos removal, no warning had been given to residents who walk past the site. Asbestos removed from the houses is being carted across the road to the main construction site for temporary storage.*

*This latest episode with asbestos reflect similar concerns about SMC's lack of warning and care in handling of asbestos voiced by residents in Granville, Auburn, Erskine Park and St Peters last year.'*

## SEARS Requirement - Air Quality

The SEARS (March 2016) requires:

*The project is designed, constructed and operated in a manner that minimises air quality impacts (including nuisance dust and odour) to minimise risks to human health and the environment to the greatest extent practicable.*

We object to the Darley Road site because the proponent has failed to comply with the SEARS requirement in relation to Air quality, that the project is designed, constructed and operated in a manner that minimises air quality impacts (including nuisance dust and odour) to minimise risks to human health and the environment to the greatest extent practicable. In 11.5 'Assessment of Potential Operational Impacts' Part 11.5.1 'Air quality,' RMS states that:

*"The assessment of impacts on air quality associated with the operation of the project has considered a range of scenarios that include the existing situation and operation for the future years 2023 and 2033; both with and without the project. The operational air quality assessment has focused on the following key pollutants associated with vehicle emissions:*

- *Volatile organic compounds (VOCs)*
- *Polycyclic aromatic hydrocarbons (PAH)*
- *CO*
- *NO<sub>2</sub>*
- *Particulate matter (PM<sub>2.5</sub> and PM<sub>10</sub>).'*

We see in Table 11-12 (**below**) that by 2033 the Project is predicted to increase our exposure to carbon monoxide to 6.9 mg/m<sup>3</sup> per hour compared to 6.4 mg/m<sup>3</sup> without the project and 4.8 mg/m<sup>3</sup> compared to 4.4 mg/m<sup>3</sup> per 8 hours without the Project.

There is no safe level of exposure to carbon monoxide and it is criminally negligent to design a project that will increase our exposure to carbon monoxide. The Government should not proceed with any infrastructure project that does not improve, but significantly worsens, air quality.

**Table 11-12** presents a summary of the maximum predicted cumulative one-hour average and eight-hour average concentrations of CO for the assessment years 2023 and 2033, **without the project**, with the project and for the cumulative scenario.

**Table 11-12 Review of potential acute and chronic health impacts – carbon monoxide**

Scenario	Maximum 1-hour average concentration of carbon monoxide (mg/m <sup>3</sup> )			Maximum 8-hour average concentration of carbon monoxide (mg/m <sup>3</sup> )		
	Without project	With project	Cumulative	Without project	With project	Cumulative
<b>2023</b>						
Maximum	7.8	7.7	7.4	5.4	5.3	5.2
<b>2033</b>						
Maximum	6.4	6.9	6.0	4.4	4.8	4.2
<b>Relevant health based guideline</b>	<b>30</b>			<b>10</b>		

All the concentrations of CO presented in the above table are below the relevant health based guidelines. On this basis, it is considered that there would be no adverse health effects in relation to exposures (acute and chronic) to CO in the local area surrounding the project.

Long term exposure to air pollution is linked with an increased risk of high blood pressure. A new study by the European Society of Cardiology (ESC) links air pollution and traffic noise to an

increased risk of high blood pressure. Researchers found that even air pollution alone can have that effect: <http://www.dw.com/en/exposure-air-pollution-can-raise-blood-pressure-study/a-36162482>

*"Based on the incidence of cases of hypertension among participants and air pollution measured, the study's authors concluded that for every additional five micrograms of particulate matter in the air, the risk of hypertension increased by more than a fifth. And it didn't merely affect people living in heavily polluted areas."*

*"One very important aspect is that these associations can be seen in people living well below current European air pollution standards," Hoffmann said. "Given the ubiquitous presence of air pollution and the importance of hypertension as the most important risk factor for cardiovascular disease, these results have important public health consequences and call for more stringent air quality regulations."*

RMS has failed to explain whether and how the Project will lead to improved air quality and better health outcomes. A Rozelle Public School parent has reported being told by an RMS air quality expert that the increase in morbidity from the Victoria Road ventilation stack was 0.2 of a child per year. In other words, RMS predicts one child will die as a result of the poor air quality caused by the project every 5 years.

In Table 11-16, RMS shows the maximum calculated risks associated with short-term exposure to changes in NO<sub>2</sub> concentrations with operation of the Project. It is a serious omission that there is no equivalent table showing the maximum calculated risks associated with short-term exposure to changes in NO<sub>2</sub> concentrations *without* operation of the Project. The Project should not be allowed to proceed until all information is made available to enable a proper assessment of the risks.

In Table 11-17, RMS shows Calculated changes in incidence of health effects in population associated with changes in NO<sub>2</sub> concentrations with project and cumulative, but does *not* show the changes without the Project. This Table covers Mortality –all causes, Mortality –respiratory and Morbidity –asthma ED admissions. The equivalent information for the ‘without’ the project scenario should be provided before the Project is approved. Unless RMS can show that the Project will have a significant beneficial impact on Mortality –all causes, Mortality –respiratory and Morbidity –asthma ED admissions, then it should not proceed.

In Table 11-19 Review of Total Particulate Matter Concentrations – 24-hour Average, it should be noted that RMS predicts that in 2023 Maximum 24-hour average PM<sub>10</sub> concentration (µg/m<sup>3</sup>) will be higher with the Project (82) than without (81) and in 2033 the Maximum 24-hour average PM<sub>10</sub> concentration (µg/m<sup>3</sup>) will be higher with the Project (86.7) than without (81.3).

The stated goal in the EIS is 50. RMS should not be undertaking a Project that is inconsistent with the goal for achieving 50.

RMS states that:

*'Concentrations of total PM<sub>2.5</sub>, however, are essentially unchanged within the local community with the operation of the project.'*

This is not a justification for the Project or a good result for Sydney. It is a basis for rejection of the Project. There is no analysis of what reduction in concentrations could be achieved if there was a significant programme of clean air initiatives including demand reducing public transport, banning diesel vehicles, putting freight on rail and so on. RMS and the Government are negligent in not looking at these alternatives instead of a polluting road. Westconnex will induce demand, there will be more cars on local roads and in the tunnel. The pollution from these vehicles will not disappear. It will land somewhere, whether it is emitted on above ground roads or dispersed through unfiltered ventilation shafts. Someone will end up breathing it in. RMS and Planning should consider why only those with a vested financial interest in the project are clamouring for it to proceed, whilst experts and communities with no vested financial interest beyond protecting their homes, health, communities and families are ignored.

In 11.5.2 RMS states that the:

*Review of the calculated changes in risk indicates the following in relation to impacts associated with the expected operation of the project in 2023 and 2033:*

- *A number of the calculated individual risks for the community receptors are negative, meaning that the operation of the project would result in lower levels of risk, when compared with the situation where the project is not operating*
- *The maximum risks calculated for exposures in residential areas are less than  $1 \times 10^{-4}$  and considered to be tolerable/acceptable.'*

RMS fails to set out what the risk outcome would be if the Project did not proceed and the Government undertook lower risk alternatives.

RMS further states that:

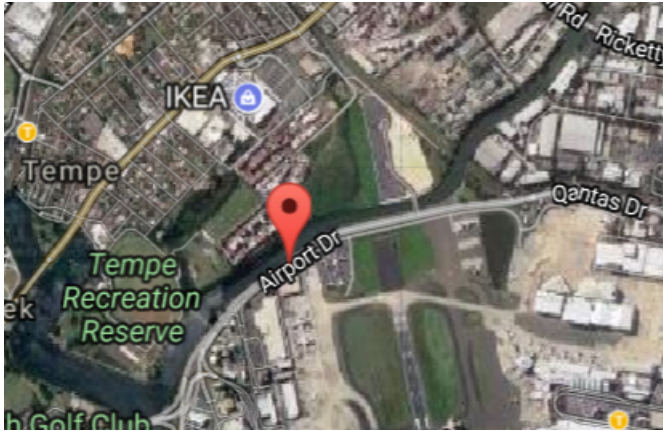
*'The maximum risks calculated for exposures in commercial/industrial areas are between  $8 \times 10^{-7}$  and  $2 \times 10^{-4}$  and that 'The maximum risk level of  $2 \times 10^{-4}$  exceeds the adopted criteria for determining unacceptable risks'. RMS seems to be excusing this unacceptable result by stating that the:*

*'Impacts that result in exceedance of the adopted risk criteria occur only in the existing industrial location north and northwest of Sydney Airport, between Airport Drive, Alexandria Canal and the Princes Highway.'*

There are many residences near this location, as well as schools. In other words, unacceptable impacts are predicted close to residential areas in St Peters and Tempe. RMS must be hoping that the air borne pollutants know to stay in the 'existing industrial location'. In addition, this 'existing industrial location' is the same location where RMS is planning the additional so called 'green space' for community recreation under the St Peters spaghetti junction. In other words, RMS expects the pollution in this green space to be unacceptable, yet is touting this as a benefit for the community!

Google map extract showing existing industrial location north and northwest of Sydney Airport, between Airport Drive, Alexandria Canal and the Princes Highway:





RMS negligently fails to assess the impact of the Sydney gateway project at this location. RMS states that:

*'The maximum impacts predicted are on roadways/locations that may be within the future roadway alignments. The Sydney Gateway project would be subject to separate environmental assessment and approval, at which time a more detailed assessment of impacts in this area would be undertaken.'*

RMS should be prevented from proceeding with this Project until the cumulative impacts of the St Peters interchange and the Sydney Gateway project are known.

RMS states that:

*'The worst case scenario for potential exposure is where a resident works at the maximum impacted workplace and lives at the maximum impacted residential location. Where this may occur, the maximum risk is just less than  $1 \times 10^{-4}$ , which is considered tolerable/acceptable'.*

RMS does not look at the circumstances in which this exposure may not be tolerable or acceptable or what choices people have who find themselves stranded in the maximum impacted residential location. These people are collateral damage and RMS fails to offer any alternatives to them. These people may have respiratory conditions, disabilities, young families or be elderly. RMS is completely ignoring what health experts are saying which is that there is *no safe level of exposure* to these emissions.

## Motorway Operational Ancillary Infrastructure

We object to the Darley Road motorway operations complex (MOC1) proposed to remain on the Darley Road site post-construction. In 5.8.1 the EIS states that:

*'Motorway operations complexes for the project would comprise:*

*The Darley Road motorway operations complex (MOC1) at Leichhardt, located south of City West Link and the Inner West Light Rail line on land occupied during construction by the Darley Road civil and tunnel site (C4).'*

*These will comprise:*

*Car parking*  
*Substation/power supply*  
*Workshop/offices*  
*Storage*  
*Water treatment plant/infrastructure*

The EIS states that *'The need for a substation at the Darley Road motorway operations complex (MOC1) is being investigated and would be confirmed during detailed design'*. In Figure 5.44 only the substation and water treatment plant are depicted.

No justification or details of the impacts of including a workshop or offices is presented and thus the impacts of this cannot be assessed. The number of employees or vehicles that would attend the workshop or offices and at what times and days is not disclosed. No workshop or office should be permitted to be included in the Motorway Operations Centre at Darley Road because the proponent has failed to explain what these will be, why these are necessary or what their impact will be. There is no detail of the ongoing Motorway maintenance activities during operation provided in the EIS. The community therefore cannot comment on the impact that this ongoing facility will have on the locality. This component of the EIS should not be approved as this information is not provided and therefore impacts (on parking, safety, noise, amenity of the area) are not known.

We further object to the location of a permanent substation and water treatment plant on the grounds that this will limit the future uses of the land which is government-owned. The ongoing presence of this facility will limit future uses of the Darley Road site which could serve community purposes

The presence of this facility contradicts repeated assurances to the community by Peter Jones (SMC) that the site would be returned after construction was completed, particularly given its location directly next to public transport. Its presence removes the ability to provide more accessible, safer and direct pedestrian access to the North Leichhardt Light Rail Station.

Further, the plant location, in a neighbourhood setting, is not appropriate. It will reduce property values and have an unacceptable impacts on the visual amenity of the area. Residents on Darley Rd opposite the site and residents in Hubert St will have a direct line of site to the Motorway operation infrastructure. The resultant impact is a permanent degradation of the visual environment, is a loss of amenity and is detrimental to the community.

This Motorway Operations Centre 1 (MOC1) is a completely inappropriate use of a site in a residential area with particular characteristics. The MOC1 proposal for a tunnel water treatment plant and an electrical substation is inconsistent with the character of the neighbourhood. This is a residential neighbourhood and what is proposed will permanently degrade our neighbourhood. MOC1 will be a prominent and unwelcome eyesore. The streets adjacent to Darley Road are comprised of low-rise residential homes and small businesses and infrastructure, such as this should not be permitted in such a location. The character of Leichhardt is heavily influenced by the street pattern (predominantly north/south extending from Parramatta Road) and built form. The wide carriageways and regular street pattern combined with the topography and a predominance of single storey detached housing gives Leichhardt a more open character than that of Glebe or Annandale.

The suburb is made up of several distinctive residential neighbourhoods including Excelsior Estate, Helsarmel, Piperston and West Leichhardt. The subject site is within the Helsarmel Distinctive

Neighbourhood that is located on the northwest slope of the Leichhardt/Balmain ridge. The Helsarmel Distinctive Neighbourhood is predominated by low scale detached and semi-detached cottages that demonstrated a variety of architectural styles and building materials. Many of these dwellings are Federation or post-war styles, with scattered examples of Californian bungalows and workers cottages.

The Council environmental planning documents for this area indicate it wishes to maintain the character of the neighbourhood by keeping development complementary in architectural style, form and materials and preserve the low scale cottage character. The suburb profile allows for contemporary development that is complementary to the streetscape.

The proponent should be required to abandon the Darley Road civil and tunnel site Leichhardt and the proposed Motorway Operations Centre 1. The proponent should identify alternative locations for water treatment and a substation including at the alternative dive site locations. The proponent has not given an adequate explanation as to why these alternatives have not been included in the EIS.

This facility should not be permitted in this location and the EIS needs to demonstrate why it is required at this site. If approved, the facility should be moved to the north of the site out of line of site of residents. The residual land should be returned for community purposes, such as green space, with future commercial uses ruled out. If the community is forced to endure 5 years of severe disruptions due to this toll road, the compensation should, at the very least, result in the land being returned to the community as green space.



Figure 5.44 Darley Road motorway operations complex (MOC1)

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In Figure 5.44 the Motorway operation infrastructure is located at the western end of the site, which is the location with the greatest visual impact to local residents and others. Residents on Darley Road opposite the site and residents in Hubert St will have a direct line of sight to the Motorway operation infrastructure. The resultant impact is a permanent degradation of the visual environment, is a loss of amenity and is detrimental to the community. The facility is out of step with the area which is comprised of low rise homes and detracts from the visual amenity of the area. This site is a pedestrian hub and will be a visual blight for pedestrians, bike users and the homes that have direct line of sight to the facility. It should not be permitted on this site.

In the event that the EIS is approved then the approval should be subject to a requirement that the proponent:

- (a) must incorporate the Motorway operation infrastructure in a way that creates the least visual impact to local residents and others;
- (b) must locate the Motorway operation infrastructure at the eastern end of the site where it will have the least visual impact. This will mean that the site is less visible to residents and most pedestrian access is at this end. There are no homes that will have direct line of sight of the facility if it is moved;
- (c) prioritise the need to locate the Motorway operation infrastructure at the eastern end of the site where it will have the least visual impact when designing any drainage works or utility management measures involving the relocation of utilities either within the project footprint or outside it;
- (d) replace mature trees removed from the Darley Road site with mature trees and to plant mature trees on the remaining land;
- (e) to incorporate a permanent third access to Leichhardt North light rail station (specifically the Dulwich Hill bound platform) directly from the site. This will mean that light rail users coming from the western end of Darley Rd or from Francis, Hubert and Charles Streets can arrive at and depart from the light rail station without having to ascend to and then walk down the steepest section of Darley Rd (if they use the eastern exit) or walk down the pathway along the City West link, if they use the western exit. The western exit is regarded as being an option with a higher risk to personal safety by women if used after dark due to it being isolated, next to a noisy road and with bad visibility. This deters women from considering the light rail to be completely safe to use after dark. An additional exit on the level part of Darley Road will improve access to the Light Rail for the elderly and those with a disability. It will also be more convenient for those using the 'kiss and ride' parking.
- (f) To incorporate a bike rack at the additional access to Leichhardt North light rail station described above. This will encourage active transport for those wishing to cycle to the light rail.

## SEARS Requirement: Water - Hydrology

The SEARS requires that:

*Long term impacts on surface water and groundwater hydrology (including drawdown, flow rates and volumes) are minimised.*

*The environmental values of nearby, connected and affected water sources, groundwater and dependent ecological systems including estuarine and marine water (if applicable) are maintained (where values are achieved) or improved and maintained (where values are not achieved) (item 10, SEARS, March 2016)*

The proposal for a permanent water treatment plan involves 'treated' water being directly discharged into the stormwater drain at Blackmore oval on a permanent basis. This plan will jeopardise the integrity of our waterway and compromise the use of the bay for recreational activities for boat and other users. There are four long-standing rowing clubs in the vicinity of this location. A priority of the Inner West Council is also to rehabilitate our local waterways. In a serious omission, RMS also fails to explain how contaminants removed from the tunnel water will be disposed of and what conditions will apply to its treatment and disposal. RMS fails to assess the

risk of these contaminants which will be generated by the project. We object in the strongest terms to this proposal on environmental and health reasons.

## SEARS Requirement: Utility Services

The SEARS (March 2016, item 9) requires:

*Where the project is predicted to affect trunk utilities, the Proponent must undertake a utilities management strategy. The strategy must identify proposed management strategies, including relocations or adjustment of the utilities, and their estimated timing and duration. This strategy must be developed in consultation with the relevant utility owners or providers.*

The Darley Road proposal poses major risks to utility supply in the area and will entail massive and intrusive works to align with the Project's requirements. The EIS states in 5.10 Utility services:

*'Utilities and services located within proximity of the project would likely need to be protected, relocated or realigned during construction, particularly in areas of surface or shallow soil disturbance'.*

*These services include electricity, telecommunications, sewer, water, stormwater, gas and Sydney Trains services. The project would also require connection to electricity, water and wastewater/sewer utilities. A Utilities Management Strategy has been prepared for the project and is included in Appendix F (Utilities Management Strategy). The Utilities Management Strategy provides information in relation to:*

- *Utility relocations and adjustments which are currently known and proposed within the project footprint. These have been considered as part of this EIS*
- *Utility relocations and adjustments which are currently unknown and/or located outside of the project footprint. The Utilities Management Strategy provides the framework for how these utility relocations and adjustments would be assessed and managed*
- *Utility connections required to facilitate construction and operation of the project.*

*The Utilities Management Strategy should be read in conjunction with Chapter 6 (Construction work) and Chapter 12 (Land use and property). The location of existing utility service and any changes required would be confirmed by the construction contractor during the detailed design of the project in consultation with the relevant utility provider.*

Further in Appendix F, the EIS states:

### *3.3.1 Darley Road civil and tunnel site, Leichhardt*

*Two Sydney Water sewer mains run north/south through the site. One of these sewer mains (225 millimetre diameter) would be relocated to a new utility service corridor along part of the northern boundary of the site, while the other main (150 millimetre diameter) would be retained and protected.*



*There is also a sewer main (150 millimetre diameter) that enters the southeast corner of the site. A small section of this asset would either be retained and protected or relocated to the south along Darley Road outside the construction site boundary.*

*Along a section of Darley Road and James Street there is a sewer main (450 millimetre diameter) which would potentially be impacted by the proposed construction access tunnel. The sewer main is located seven to nine metres clear of the tunnel roof and therefore the risk of settlement impacts is considered to be negligible. Further discussions would occur with Sydney Water about protection of this asset.*

*An overhead 33kV Feeder to the 760 Sydney Trains transmission line runs along the northern verge of Darley Road adjacent to the site. This overhead line would be protected during construction.*

*Vehicle access points along Darley Road would be located to avoid pits, manholes and pillars so that asset maintenance is not compromised.*

*The existing utility services in this area are listed in Table 3-3 together with proposed management measures. They are also shown in Annexure A.'*

**Table 3-3 Utilities at Darley Road, Leichhardt**

<b>Utility service</b>	<b>Description</b>	<b>Existing location</b>	<b>Within or outside the project footprint</b>	<b>Proposed management measures</b>
Sydney Water sewer main	225 mm diameter sewer main	Running north–south through the central part of the site.	Within the project footprint.	Relocation – sewer main to be relayed within shared utility corridor along part of the northern boundary of the site.
Sydney Water sewer main	150 mm diameter sewer main	Running north–south through the western part of the site.	Within the project footprint.	Retain and protect (if required).
Sydney Water sewer main	150 mm diameter sewer main	Running across the south east corner of the site.	Within the project footprint.	<u>Option 1</u> Retain and protect (if required).  <u>Option 2</u> Relocation – sewer main to be relayed to the south along the northern verge of Darley Road.
Sydney Water sewer main	450 mm diameter sewer main	Running north–south along Darley Road and James Street.	Within the project footprint.	Retain and protect (if required).
Ausgrid 33 kV Feeder	Overhead 33 kV Feeder to the 760 Sydney Trains transmission line	Running east/west along Darley Road adjacent to the southern boundary of the site.	Within the project footprint.	Retain and protect (if required).

Further, the EIS states in 4.1.4 Darley Road, Leichhardt:





The proponent has failed to adequately consider alternative construction sites (City West link, Lilyfield Rd) which would have a significantly lesser impact on residents in terms of utilities works and cumulative impacts. Construction power is already proposed to be run from the Ausgrid substation on Balmain Rd at Leichhardt in a north easterly direction through Lilyfield to the Rozelle civil and tunnel site following existing road reserves. It would make more sense to duplicate this path to the alternative construction site (City West link, Lilyfield Rd).

The proponent has failed to provide any analysis of the impacts of the alternative construction site (City West link, Lilyfield Rd) vis a vis the Darley Road site. Darley Road should be rejected because the impacts for residents are clearly greater than at the alternative sites.

## Flooding and Proposed drainage infrastructure

The SEARS requires (March 2016, item 12):

*The project minimises adverse impacts on existing flooding characteristics.*

*Construction and operation of the project avoids or minimises the risk of, and adverse impacts from, infrastructure flooding, flooding hazards, or dam failure.*

The EIS states in 5.9.1 Tunnel drainage and treatment infrastructure, that:

*'Tunnel drainage and treatment infrastructure would be designed to accommodate a combination of water ingress events including:*

- Groundwater ingress*
- Stormwater ingress at portals*
- Tunnel wash-down water*
- Fire suppressant deluge or fire main rupture*
- Spillage of flammable or other hazardous materials.*

*Separate sumps would be provided at tunnel low points to collect tunnel drainage from two input streams: groundwater ingress and other potential water sources. Further information regarding the likely treatment methods and wastewater volumes is provided in Chapter 15 (Soil and water quality) and Chapter 17 (Flooding and drainage). Water that enters the mainline tunnel drainage systems would be pumped to a water treatment plant at the Darley Road motorway operations complex (MOC1) at Leichhardt. Options for discharge of treated water from the Darley Road water treatment plant include:*

- Direct discharge to Hawthorne Canal, which would require a pipe to be installed along Canal Road and the construction of a new outlet in the wall of the Hawthorne Canal*
- Direct discharge to the existing stormwater pipework in an adjoining road (ie Canal Road), which would require a pipe to be installed to connect to existing piped drainage*
- Direct discharge into the sewer system located on the site, which would require a Trade Waste Agreement with Sydney Water.*

*Further detail regarding these discharge options is included in Appendix F (Utilities Management Strategy). The preferred option for treated water discharge from the Darley Road water treatment plant would be confirmed during detailed design.'*

The EIS states further in 5.9.2 Surface water drainage and management infrastructure:

*'The operational water treatment plants would be designed, constructed and operated to treat tunnel water prior to discharge to the stormwater drainage system. Operational water treatment facilities would be located at:*

- *The Darley Road motorway operations complex (MOC1) at Leichhardt'*

*'The water treatment facilities would consist of:*

- *A balance tank to regulate flows into the plant*
- *A treatment plant, including clarifier and control room, to treat water prior to discharge into the stormwater drainage system.'*

Further in Chapter 17 the EIS states:

#### *'17.2.3 Hydrology and flooding*

*Flood risk in the study area has increased since the onset of urbanisation, as a consequence of:*

- *Development occurring prior to the installation of road drainage systems in the 1900s*
- *Development occurring in overland flow paths or in localised topographic depressions and encroaching into floodplains, which reduces storage capacity*
- *Culverting and channelisation of watercourses which increases the speed of water travelling through the system*
- *Increases in impermeable land, resulting in increased runoff during rainfall events.*

*This means that the watercourse flow rates and water levels respond more quickly to rainfall events, due to reduced storage and infiltration capability within the catchments. Areas affected by flooding (local and regional) are discussed below.*

*Council flood studies have been prepared for the major catchments that the project would cross. The main one is the Leichhardt Flood Study (Cardno 2014a), undertaken in 2015. The new Inner West Council is currently considering that flood study in their preparation of a Floodplain Risk Management Study and Plan for the new Council. In the absence of a floodplain risk management plan, the assessment of flood behaviour (existing and future) has therefore been based on the Leichhardt Flood Study.'*

The EIS states in 17.2.2 Drainage:

*'To the south of the proposed Darley Road tunnel and civil site (C4), an Inner West Council stormwater drainage system serves the road network. The drainage network on Darley Road is reported to consist of pipes 2,400 millimetres in diameter receiving surface water inputs from drainage to the east and to the south.*

*The age or quality of some of these existing stormwater drainage assets may reflect the age of the buildings and houses in the area. Therefore, some of the assets are potentially nearing, at, or beyond the end of their design life. The stormwater network is owned by*

*Sydney Water and the Local Government authorities (Inner West and City of Sydney councils).'*

Further the EIS states:

*'Darley Road*

*The Darley Road civil and tunnel site (C4), where the operational water treatment plant for the project may be located, is situated south of City West Link in the catchment of Hawthorne Canal. The site is situated in an area that has been assessed by two flood studies, the Hawthorne Canal Flood Study (WMAWater 2013a) commissioned by Ashfield and Marrickville Councils, and the Leichhardt Flood Study.*

*The site slopes east to west with ground levels dropping from about 12 metres AHD to four metres AHD. The eastern side of the Darley Road site sits higher than the Inner West Light Rail line to the north, with levels dropping by about eight metres in its western extent and sitting lower than the rail line.*

*The Hawthorne Canal Flood Study shows that the Darley Road site is on the fringe of the 100 year ARI flood extent. However, most of the site may be inundated in a PMF, particularly the western half of the site, with depths of up to 0.5 metres within the site and up to one metre around the intersection of Darley Road and Charles Street. The Leichhardt Flood Study identified that part of the Darley Road civil and tunnel site (C4) may be subject to flooding during the PMF to similar depths. The site is identified as a flood control lot in the Leichhardt Development Control Plan 2013.*

*The site itself has a limited catchment area and the presence of low walls on the eastern side of the site reduces the potential for runoff to enter from higher ground near City West Link, deflecting it onto Darley Road and around to the south of the site.*

*During the PMF event, the northeast section of the site is subject to flooding as a consequence of water spilling onto the site from the Leichhardt North light rail stop platform area. The western section, which is the lowest part of the site, is inundated by floodwater during the PMF event as a consequence of water spilling from the Inner West Light Rail line, as well as from water that collects at the topographic low point near the junction of Darley Road and Charles Street.*

*Localised inundation depths of less than 0.2 metres are expected for the 10 year ARI event. Maximum depths on the western section of the site are about 0.8 metres for the PMF event (Figure 17-18 to Figure 17-20).*

*The velocity of water through the site is generally less than 0.1 metres per second except on the steeper areas where water flows from Darley Road onto the site. Velocities on Darley Road are estimated to be up to 1.5 metres per second along the kerb line. Flood hazards near the site are generally low, but medium to high hazards are estimated along the north-eastern boundary with the Inner West Light Rail line (see Figure 17-21).'*

Table 17-3 states in relation to Darley Rd:

Table 17-3 M4-M5 Link operational surface features and existing flood risk

Project surface feature	Catchment	Existing flood risk assessment	Existing flood risk review	Further assessment required?
			<p>the New M5 project.</p> <p>The tunnel ventilation facility for the M4-M5 Link project would be above the tunnel portal and would therefore also be flood protected up to the PMF event.</p> <p>The project would not change surface levels or layout outside of the perimeter flood bund and therefore would not have a detrimental impact on flood risk to surrounding properties at this location. No further mitigation is required at this location.</p>	
Darley Road	Hawthorne Canal	<p>Hawthorne Canal Flood Study (WMAwater 2013a)</p> <p>Leichhardt Flood Study (Cardno 2014a)</p>	<p>Localised ponded water on the north-eastern side of the site for 20 year ARI event.</p> <p>Flood water depths up to 0.8 metres during the PMF event.</p> <p>Potential risk to project (inundation of portals and Darley Road motorway operations complex (MOC1)).</p> <p>Potential to displace water and impact on flood risk to surrounding properties.</p>	Yes

Further the EIS states in 17.3 Assessment of potential construction impacts:

*'Construction works have the potential to change flood behaviour and impact on the surrounding environment. In addition, flooding has the potential to impact on areas within and near construction sites for the project (ie potential inundation of project sites).*

And in 17.3.1 Flooding and Drainage:

*'This section considers flood behaviour resulting in potential detrimental increases in the potential flood affectation of the project infrastructure and other properties, assets and infrastructure. Flooding during construction of the project could potentially impact areas within and near the construction sites.*

*Flood related impacts during construction could include:*

- *Inundation of excavated tunnels*
- *Damage to facilities, infrastructure, equipment, stockpiles and downstream sensitive areas caused by inundation from floodwaters*
- *Increased risk of flooding of adjacent areas due to temporary loss of floodplain storage (due to displacement of water) or impacts on the conveyance of floodwaters.*



**Table 17-4 Construction ancillary facilities and flooding**

Construction ancillary facility	Facilities	Existing flood risk (source, mechanisms)	Potential impacts
C4 Darley Road civil and tunnel site	<ul style="list-style-type: none"> <li>• Temporary access tunnel for construction</li> <li>• Buildings and laydown area</li> <li>• Parking</li> <li>• Acoustic shed and spoil handling area</li> <li>• Temporary sub-station</li> </ul>	<ul style="list-style-type: none"> <li>• Hawthorne Canal catchment</li> <li>• Localised shallow flooding from 10 year ARI and 100 year ARI flow path from light rail line</li> <li>• Majority of the site may be inundated in a PMF with depths up to 0.5m at the western end of the site</li> <li>• Hawthorne Canal Flood Study (WMA Water 2013a), Leichhardt Flood Study (Cardno 2014a), AECOM flood modelling (2016)</li> </ul>	Potential displacement of water by bunding of tunnel ramps to prevent floodwater ingress, as well as presence of temporary noise walls, buildings/hoarding, acoustic shed, stockpiles and other structures.

The EIS states in relation to localised flooding and drainage:

*'All construction works would have the potential to impact local overland flow paths and existing minor drainage paths. Disruption of existing flow paths, both of constructed drainage systems or those of overland flow paths, could occur as a result of:*

- *Disruption of existing drainage networks during decommissioning, upgrade or replacement of drainage pits and pipes*
- *Interruption of overland flow paths by installation of temporary construction ancillary facilities*
- *Sediment entering drainage assets and causing blockages*
- *Overloading the capacity of the local drainage system.*

*These are typical impacts faced on most construction projects and would be addressed by adopting industry standard mitigation measures. Consideration of these impacts would be included during future detailed design and construction planning phases, along with consideration of the typical mitigation measures described in section 17.5 and Appendix F (Utilities Management Strategy).*

*Assessment and mitigation of sedimentation is provided in Chapter 15 (Soil and water quality).'*

Further, Appendix F of the EIS states:

#### *'5.4 Drainage works outside project footprint*

*Drainage works proposed outside of the M4-M5 Link project footprint include a number of options that are being considered for managing treated water from the Darley Road water treatment plant. These include:*

- *Direct discharge to Hawthorne Canal, which would require a pipe to be installed along Canal Road and the construction of a new outlet in the wall of the Hawthorne Canal*
- *Direct discharge to the existing stormwater pipework in an adjoining road (ie Canal Road), which would require a pipe to be installed to connect to the existing piped drainage and potentially other augmentation of the stormwater drainage network*
- *Direct discharge into the sewer system located on the site, which would require a Trade Waste Agreement with Sydney Water.*

*The first two of these options are shown in Figure 5-1 and would involve work being undertaken in areas outside of the project footprint and therefore would be subject to the environmental constraints analysis and environmental risk assessment process as detailed in section 9.2.'*



We object to the proposal for the Proposed drainage infrastructure from the Darley Road motorway operations complex (MOC1) at Leichhardt because:

1. The proponent has selected a highly inappropriate site for construction in its proposal at Darley Road. Darley Road and adjacent Hubert St are exposed to flood which exposure could be exacerbated by the disruption or blockage of existing drainage networks. The proponent has not adequately explained in the EIS its basis for ruling out the City West Link Lilyfield alternative which would not impact on any flood lots because it is not adjacent to any residences. The proponent should forgo a mid-point construction site at Darley Rd on this basis.
2. The proponent has failed to take account of the Inner West Council's Leichhardt Floodplain Risk Management Plan NA49913094. The effect of this failure is to risk jeopardising the recommended flood modification options. If the proponent's plans prevent the Inner West Council from implementing the most effective flood risk management proposal to protect property in flood lots in Hubert St and Darley Road then this will effectively have a permanent and serious adverse impact on those lots.
3. The proponent has not taken account of option HC\_FM3 to lay additional pipes/culverts from Elswick Street to Hawthorne Canal (via Regent Street and Darley Road). Also extra pipes at Darley Road to reduce flood depths on the Road.
4. The proponent has not taken account of option HC\_FM4 to lay additional pipes/ culverts from William Street to Hawthorne Canal via Hubert Street and Darley Road.

In the event that the EIS is approved the proponent should be required to fund HC\_FM3 and HC\_FM4 by way of compensation to the residents of this area for the disruption and negative impacts of its operations in Leichhardt.

Inner West Council

Leichhardt Floodplain Risk Management Plan  
Leichhardt Floodplain Risk Management Study and Plan

Table 4-2 Recommended Flood Modification Options

Option ID	Option Description	Capital Cost	Annual Costs	BCR	MCA Score	MCA Rank	Figure Ref
WC-FM3	Balmain Road Flow Path – Additional pipe from the low point on Norton St to the existing pipe network (towards Parramatta Rd). Duplication of existing pipe network or extra pipes from Balmain Rd to Whites Creek Culvert at Hearn St.	\$7,047,700	\$7,300	1.59	64.0	1	4-2
HC_FM1	Additional pipes /culverts from Parramatta Road to Hawthorne Canal via Beeson Street.	\$11,482,900	\$7,600	0.71	58.8	2	4-3
WC-FM5	Detention Basin at Mackenzie Street (upstream at the intersection of Mackenzie and Milton St)	\$933,800	\$5,000	1.85	58.5	3	4-4
HC_FM3	Additional pipes/culverts from Elswick Street to Hawthorne Canal (via Regent Street and Darley Road). Also extra pipes at Darley Road to reduce flood depths on the Road.	\$17,044,600	\$10,800	0.13	52.2	4	4-5
WC-FM1	Whites Creek Culvert – Proposing additional culvert or duplication of existing Whites Creek culvert from Parramatta Rd to the open channel downstream of Moore St (at Wisdom Street). Also combining WC-FM2 along with this option.	\$20,455,400	\$15,800	0.21	50.7	5	4-6
WC-FM6	Styles Street Flow Path – Additional pipes from Mackenzie St to Whites Creek Culvert.	\$9,398,500	\$6,100	0.28	49.2	6	4-7
HC_FM4	Additional pipes/ culverts from William Street to Hawthorne Canal via Hubert Street and Darley Road.	\$8,300,000	\$7,100	0.17	43.2	7	4-8

Photograph depicting Charles Street, Leichhardt, when flooded (**below**):



## Compensation

There is sparse detail in the EIS about how residents will be compensated for five years of severe impacts, noting that for residents of Haberfield there will be impacts for almost a decade.

With respect to property acquisition, the EIS states that 'Impacts associated with property acquisition would be managed through a property acquisition support service.' There is no reference as to how this support service will be more effective than that currently offered. There were many upset residents and businesses who did not believe they were treated in a respectful and fair manner in earlier stages. The EIS needs to include details as to lessons learned from earlier projects and how this will be improved for the M4-M5 impacted residents and businesses. (Executive Summary xviii).

LAW notes the policies and practices in place for the Crossrail project in the UK and calls upon the Department of Planning to review these and require that they be replicated for this Project if it is approved and applied retrospectively for Stages 1 and 2. In particular, the following features should be noted:

- Crossrail required contractors to provide noise insulation and temporary rehousing where the noise was likely to cause acute disturbance for substantial periods of time.
- Crossrail also aimed to do more than bare compliance or meet minimum standards.
- Crossrail developed Performance Assurance Standards to score and report contractor's' performance. (refer '*Managing Construction Noise and Vibration in an Urban Environmental*' on the learning legacy site: [www.learninglegacy.crossrail.co.uk](http://www.learninglegacy.crossrail.co.uk)).
- There is also a Crossrail Complaints Commissioner.

The WestConnex project's status as a state significant infrastructure project under the EPA means that residents are powerless in the face of noise, vibration and ground settlement impacts. As we have seen with the case of Mr Nassrallah in Granville you can have a motorway built 2.5 metres from your house and can sustain months and months of environmental impacts as well as property damage before anything is done. Residents impacted by Crossrail have not had to battle the project for months and years like residents impacted by Westconnex have had to battle the Joint venture/ SMC/ RMS or Government in order to get an equitable outcome. Whether it is the remaining residents of Campbell St in St Peters who have asbestos laden clouds of dust blowing over their houses or the people near Northcote St in Haberfield now subject to 24/7 spoil truck movements, it is clear that the protections for those impacted are just not adequate.

Schemes such those implemented for Crossrail encourage best practice and are a good risk management tool because the contractors who carry out the project know that there will be quantifiable financial consequences if they breach the approval conditions. In contrast the sanctions for Westconnex contractors are weak.

No doubt RMS will try and argue that the Crossrail project operates in a different legislative environment to WestConnex, with applicable goals different to those adopted by State Government agencies in NSW for managing construction projects. WestConnex is supposedly regulated by the NSW Environmental Protection Agency and NSW Department of Planning and Environment in accordance with industry goals. What happens on the ground does not accord with this. Contractors remove asbestos without the proper protections in place. Poor dust management exposing the community young and old to silica dust and asbestos. The EPA has no authority to stop work, only to apply fines. The EPA has been ineffective in monitoring for asbestos and for breaches as documented by Four Corners.

RMS have advised us that construction noise and vibration goals for construction projects are guided by the NSW Interim Construction Noise Guidelines. They have said that this guideline looks to operate in a similar way to the British Construction Code of practice for noise and vibration control on construction and open sites, in that it provides goals and a certain degree of flexibility for the project's proponent to achieve the outcome. We would ask them why it is that Crossrail has not had the sort of opposition and the level of community anger that Westconnex has caused? RMS do not have an appetite for honest self appraisal of how they have let the community down through their failed experiment with the Sydney Motorway Corporation.

LAW calls upon the Department of Planning not to repeat the mistakes of the past when it comes to treating the community equitably and with respect.

RMS should have considered the following initiatives ([www.learninglegacy.crossrail.co.uk](http://www.learninglegacy.crossrail.co.uk)):

- the Crossrail Noise and Vibration Mitigation Scheme which explains both how the noise insulation and temporary re-housing schemes works, and what affected persons should do if they think that they may be eligible for either scheme; and

- the Crossrail Ground Settlement Paper which explains the arrangements for assessing, monitoring and mitigating the effects of ground settlement arising from Crossrail construction.

## Post Project

### Return of the Darley Road site after construction

The Darley Road site will not be returned after the project, with a substantial portion permanently housing a Motorways Operations facility which involves a substation and water treatment plant. This means that the residents will not be able to directly access the North Light rail Station from Darley Road but will have to traverse Canal Road and use the narrow path from the side. In addition the presence of this facility reduces the utility of this vital land which could be turned into a community facility. Over the past 12 months community representatives were repeatedly told that the land would be returned and this has not occurred. We also object to the location of this type of infrastructure in a neighbourhood setting.

### Future use of the Darley Road site

The site should be returned to the community as compensation for the imposition of this construction site in our neighbourhood for a 5 year period. If the substation and water treatment plant is moved to the north of the site, then the lower half of the site (which is the most accessible end) could be converted into open space with mature trees planted. As this site is immediately adjacent to the bay run, bicycle parking and other facilities that support active transport could be included. This would result increase the green space for residents and result in a pleasant green environment for pedestrians, rather than a fenced facility.

## ATTACHMENTS

Questions in Writing to the Minister for Urban Infrastructure submitted by Anthony Albanese MP

Media release issued by Anthony Albanese '*Minister Won't Answer Questions on Westconnex*' (18 August 2017)

Media release by Inner West Council - '*Westconnex "Claytons: consultation an insult to the community"*' (25 May 2017)

Media release by Inner West Council - '*Council Concerned by Potential Westconnex dive Sites,*' 23 September 2016

Letter from Peter Jones (Project Director, M4-M5 Link) dated 24 February 2017

Letters from Stuart Ayres (Minister for Westconnex) to LAW

Letter to Stuart Ayres (Minister for Westconnex) from the Coalition Against WestConnex (CAW)(22 May 2017)

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## QUESTION IN WRITING

*For the next sitting*

ANTHONY ALBANESE: To ask the Minister for Urban Infrastructure—

(1) Can the Minister provide an explanation as to why the NSW Government commenced the acquisition process for the site at 7 Darley Road Leichhardt, for use as a mid-tunnel construction site for Stage 3 of the Westconnex project, prior to the reference design for that Stage of the project being finalised?



ANTHONY ALBANESE: To ask the Minister for Urban Infrastructure—

- (1) Could the Minister provide an explanation as to why the NSW Department of Roads and Maritime Services (RMS) informed Leichhardt residents that no decision had been made regarding the acquisition of 7 Darley Road Leichhardt to build a mid-level tunnel construction site for Westconnex while at the same time beginning the statutory acquisition process?
- (2) Does the Minister believe that the process undertaken by RMS in this instance constitutes an appropriate level of community consultation and transparency regarding a major infrastructure project?

ANTHONY ALBANESE: To ask the Minister for Urban Infrastructure—

- (1) Noting the reported acquisition costs of tens of millions of dollars, could the Minister outline the steps taken by the Commonwealth and NSW Governments to mitigate the exposure of taxpayers to paying compensation to Tdrahhciel Pty Ltd through the potential acquisition of the site at 7 Darley Road Leichhardt, which is being proposed as a mid-level tunnel construction site for Westconnex?
- (2) Is any of the advanced Commonwealth funding for WestConnex being used for this proposed acquisition?
- (3) Is any of the Commonwealth's concessional loan for WestConnex being used for this proposed acquisition?



**THE HON ANTHONY ALBANESE MP  
SHADOW MINISTER FOR INFRASTRUCTURE, TRANSPORT, CITIES AND  
REGIONAL DEVELOPMENT  
SHADOW MINISTER FOR TOURISM  
MEMBER FOR GRAYNDLER**

**MINISTER WON'T ANSWER QUESTIONS ON WESTCONNEX**

Back in May I asked the Minister for Urban Infrastructure Paul Fletcher to answer questions in relation to community concerns about the WestConnex project.

More than three months later, the questions remain unanswered.

Minister Fletcher was given the ample time limit of 60 days to answer queries related to the toll road.

These included exactly what steps the Federal and NSW State governments have taken to mitigate taxpayers having to foot the bill for the acquisition of the Dan Murphy's at 7 Darley Road in Leichhardt.

Now that Minister Fletcher's time is up I have asked the Speaker of the House of Representatives Tony Smith to seek reason as to why the Inner West has had to wait more than three months for answers to straightforward questions about this disruptive development in our community.

That the Minister responsible for urban infrastructure can't respond to simple questions about an urban roads project, speaks volumes about the vagueness of the design and development of WestConnex.

I will continue to call on Minister Fletcher, and the Federal and NSW State Governments to take responsibility and to provide accurate information to the community about further developments to the WestConnex project.

**WEDNESDAY, 16 AUGUST 2017**

## WestConnex "Clayton's" consultation an insult to the inner west

Thursday 25 May 2017

**Inner West Council has slammed the latest round of WestConnex community consultation as "inaccurate, confusing and misleading".**

WestConnex is inviting comment on the M4-M5 Link Concept Design – "to a point," said Inner West Council Administrator Richard Pearson.

"The opportunity to feedback on the design is incredibly narrow," he said. "Just eight aspects of the Concept Design are open for comment – and these include the architectural design of the ventilation stacks and the entry and exit points!"

"I know our local residents will have a lot more to say about these than what they look like," he said.

Council has already labelled the Concept Design, "deliberately vague on construction details for the project, with a map (figure 6.1) showing large areas as 'potential construction areas'.

"How can the community properly comment on a design that raises more questions than answers?" asked Mr Pearson.

Council has noted that the Concept Design is "inaccurate, confusing and misleading", and that there seems to be deliberate omissions of adverse features, the locations of schools and aged care facilities, and traffic impacts.

At the Council meeting on Tuesday night, Council resolved to make urgent representations to the Minister for WestConnex to withdraw or augment the "general, vague and selective" Concept Design.

"But these are not the only problems. On top of all this, the opportunity to comment is very difficult to find on the WestConnex website, and when you do find it, it is a 6 megabyte download," Mr Pearson said.

"Plus, the consultation does not conform to any best practice models – the font size does not meet accessibility standards, there's no stated end date, and no explanation of what will happen to the feedback apart from saying vaguely that the feedback will 'inform our Environmental Impact Statement'.


"Council will urge the Minister to put in place a firm closing date for submissions, and that this be not less than eight weeks from the date of new or amended plans being released," Mr Pearson said.

"There must be proper purpose to this consultation. The community's comments must be factored into the EIS. There must be absolutely no overlap of the exhibition of the Concept Design with exhibition of the EIS. The whole stated purpose of exhibiting the Concept Design was to enable the community to see what was proposed, give their input and then see that reflected in the EIS," Mr Pearson said.

"If what we are hearing is true, that the EIS may come out before comments are received and considered on the Concept Design, then this is completely unacceptable, and makes no sense at all.

"I would hope that when the Minister becomes aware of this he will agree and ensure that the EIS is not released until comments have been received and fully considered. Otherwise it truly will meet the test of a "Clayton's" consultation," Mr Pearson said.

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## Council Concerned by Potential WestConnex Dive Sites

Friday, 23 September, 2016

Council is calling on the Government and Sydney Motorway Corporation (SMC) to immediately release more information to the community on its tunnelling plans for Stage 3 construction of the WestConnex motorway.

Council is concerned that SMC may be considering both a Sydney Trains owned site at 7 Darley Rd, Leichhardt as well as nearby Blackmore Oval as potential 'tunnelling dive' sites for construction of the project's M4-M5 link.

Administrator Richard Pearson met with community representatives this week to hear firsthand of residents' concerns and has also raised the issue with Roads Minister Duncan Gay as well as written to SMC seeking detailed information on the proposal.

"While we understand a tender will not go out this year to construct the Stage 3 M4-M5 link of the WestConnex project, it is essential we strongly lobby the Government now to achieve the best outcome for our residents," he said.

"SMC potential use of either site as a tunnelling dive site would produce major impacts on the local area for an extended construction period including heavy vehicle traffic, worker parking, noise and vibration."

Mr Pearson said it is an unsettling time for the inner west community especially as Sydney Motorway Corporation are only releasing half formed information on potential sites which have not been fully examined, in terms of feasibility or viability.

"There is a lack of clear and specific information both to the Council and the community," he said.

"Council is trying to get better outcomes for the community but we can only deal with issues we are fully informed upon. We are not yet convinced that a tunnelling dive site is even required here.

"Managing the traffic impacts along Darley Rd and nearby streets will also require significant planning that is sensitive to the huge impact this project will have on local residents."



# WestConnex

24 February 2017

Dear Resident,

## **M4-M5 Link mid-tunnel construction site options in Leichhardt**

Work is underway on WestConnex, which involves widening and extending the M4 motorway, duplicating the M5 motorway and joining the M4 and M5 to create a free-flowing motorway network. The proposed M4-M5 Link is the third stage of the project and if approved, it will link the extended M4 motorway at Haberfield to the New M5 motorway at St Peters, and the Iron Cove Bridge and Rozelle Interchange.

As part of planning for the M4-M5 Link, two potential mid-tunnel construction sites are being considered in the Leichhardt area – 7 Darley Road and 29 Derbyshire Road.

While only one site will be required, further assessment is being undertaken on both sites to help inform the final design. The preferred site will be included in the Environmental Impact Statement (EIS) and will be subject to planning approval.

Following construction, the preferred site will be remediated and the community will have the opportunity to provide feedback on future use. Permanent access to the tunnel would not be required. Feedback on both of these sites can be provided from now until the end of the EIS consultation period.

The EIS, which is likely to be released in mid-2017, will include further detail about the proposed construction sites, including potential traffic impacts and air quality. When the EIS is released, community members will be able to make a formal submission on the project to be considered by the Department of Planning and Environment as part of its assessment of the M4-M5 Link project.

Before the EIS consultation period, we will be consulting on the latest design. Sydney Motorway Corporation will soon release a design report that includes the latest tunnel route, all shortlisted M4-M5 Link potential construction sites and other details.

We will continue to assess and compare the two potential Leichhardt mid-point construction sites. Part of this assessment will include community feedback. We will also look at how we can further reduce the impact of these potential construction sites on the community.

I encourage you to contact the M4-M5 Link engagement team on 1800 660 248 or email [info@westconnex.com.au](mailto:info@westconnex.com.au) for more information and/or to organise a one-on-one meeting with the team.

Yours faithfully,

Peter Jones  
Project Director, M4-M5 Link







**Stuart Ayres MP**

Minister for Western Sydney, Minister for WestConnex, Minister for Sport

Ms Christina Valentine, Ms Catherine Gemmell and Ms Jennifer Aaron  
Co-Convenors – Leichhardt Against WestConnex  
Email: lawactiongroup@gmail.com

Dear Ms Valentine, Ms Gemmell and Ms Aaron,

Further to your correspondence dated 24 April 2017, I have noted the contents of your letter and appreciate your ongoing concerns.

The Environmental Impact Statement for the M4-M5 Link will be released in due course and will provide an opportunity for community feedback on the design plan that was released on Friday 12 May 2017. I welcome any submission you may wish to make during this process.

In the meantime, Mr Peter Jones, Project Director – M4-M5 Link, remains available to you to discuss any concerns you may have around Project Delivery.

Please contact Ms Nicole Ryan, Principal Manager Stakeholder Engagement, on (02) 8099 9298 or by email at [Nicole.Ryan@westconnex.com.au](mailto:Nicole.Ryan@westconnex.com.au) to arrange a meeting.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Stuart Ayres'.

**Stuart Ayres MP**

Minister for Western Sydney

Minister for WestConnex

Minister for Sport





**Stuart Ayres MP**

Minister for Western Sydney, Minister for WestConnex, Minister for Sport

Ms Christina Valentine, Ms Catherine Gemmell and Ms Jennifer Aaron  
Co-Convenors – Leichhardt Against WestConnex  
Email: lawactiongroup@gmail.com

Dear Ms Valentine, Ms Gemmell and Ms Aaron,

Thank you for your correspondence seeking a meeting to discuss the WestConnex project. I have noted the contents of your letter and appreciate the significant disruption that is taking place within the Leichhardt and Lilyfield communities.

Whilst I understand that the delivery of WestConnex comes with challenges for many people in the inner-west, the broader benefits for the people of Sydney on its completion will be a game changer for this city. Not only will it improve travel times for the people and small business owners of Western Sydney, but it will take traffic off local roads in your own communities.

You will be aware of the recent decision of government that Derbyshire Road will no longer be considered as a mid-tunnel dive site for the project. Whilst I acknowledge your opposition to any mid-tunnel site being used, this would lead to significantly increased costs and a greater duration of disruption.

I note that you have previously met with Mr Peter Jones, Project Director, M4-M5 Link, to discuss your concerns around the delivery of the project. I have asked Mr Jones to be available to meet with you in relation to any ongoing queries or concerns you have around the continued delivery of Stage 3 of WestConnex.

Please contact Ms Nicole Ryan, Principal Manager Stakeholder Engagement, on (02) 8099 9298 or by email at [Nicole.Ryan@westconnex.com.au](mailto:Nicole.Ryan@westconnex.com.au) to arrange a meeting.

Yours sincerely

**Stuart Ayres MP**

Minister for Western Sydney

Minister for WestConnex

Minister for Sport

To: Stuart Ayres, Minister for WestConnex

Cc: Maryanne Graham, SMC

22 May 2017

Dear Mr Ayres

#### **M4-M5 Link Concept Design**

We refer to the WestConnex M4-M5 Concept Design (Concept Design) released on 12 May 2017 by Sydney Motorway Corporation (SMC) on behalf of the NSW Government.

The Coalition of groups against WestConnex wrote to Minister Ayres and Ms Maryanne Graham from Sydney Motorway Corporation on 14th May 2017 requesting that SMC urgently amend and reissue the Concept Design, because of its many issues identified by the Coalition groups. Ms Maryanne Graham replied advising us that; 'we have uploaded a full high-resolution version as well as each chapter separately which resolves this issue. In keeping with our commitment to reduce printed material we are providing limited print versions to key locations within the corridor. These include the administration centres and libraries of the Inner West, Canada Bay and City of Sydney councils and our Community Information Centres at Burwood and St Peters.'

We write to advise you that, notwithstanding this action, the Concept Design remains inadequate, does not meet its objectives and is non-compliant with SMC's obligation to consult with and inform the community. You must require SMC to immediately withdraw the Concept Design, amend and reissue it, with each of the defects set out in the attached table fully addressed.

The Concept Design is intended to provide a source of information to the community, the feedback from which will inform the Environment Impact Statement (EIS) for the M4-M5 link. SMC is required to undertake this mandated statutory consultation process in good faith and appropriately.

Instead, the Concept Design obfuscates, omits, misleads and confuses. Many have

Instead, the Concept Design obfuscates, omits, misleads and confuses. Many have contacted the Coalition groups to point out the issues we are raising in this letter and remain frustrated and dissatisfied with the quality of the document.

Clearly, SMC has mishandled the production of the Concept Design. This is a significant matter given that the design document forms the basis of pre EIS community consultation and is for basis for SMC's community information sessions.

SMC are placing the community at a disadvantage and are undermining the consultation process by issuing this sub-standard document. As the attached table sets out, SMC has failed to provide the community with complete information about the design in a manner which enables it to understand what is proposed. As a result, the entire community consultation process is compromised.

1

#### M4-M5 Link Community Information Sessions

In addition, we do not consider that the proposed number of community information sessions is adequate. In accordance with best practice, an initial community consultation should be held, with a follow-up session to discuss how community feedback will be incorporated into the design. Past information sessions have proved woefully inadequate, with inconsistent information being provided and many questions simply not answered.

The information sessions should not merely serve as an opportunity for SMC to put its spin on the project, but should provide honest information about the likely impacts on our communities. They should also incorporate 3D models of the design. SMC should also provide as much prominence to the known health, amenity and community disadvantages, as it gives to the touted benefits of the project. If this standard is not met, then the information sessions should not be represented by SMC as forming part of the consultation process.



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#### M4-M5 Link 4-page flyer

The 4-page glossy flyer produced by SMC and hand-delivered to residents provides no detail about the Concept Design. It cannot be relied upon as providing any serious consultation and at best is promotional information, at the taxpayer's expense. SMC must not represent that this flyer forms part of the consultation process.

The Coalition against WestConnex therefore seeks the following:

1. The Government must immediately withdraw the Concept Design. It should be urgently amended and reissued. The serious concerns set out in this letter and attached table must be addressed. Failure to do so will constitute a failure by the Government to comply with its statutory obligation to consult with the community. The provision of this substandard document, given the investment of public money and the massive impact that this project will have across many communities, represents a serious dereliction of duty by the Government that cannot go uncorrected.
2. An undertaking by the Government that it will include a closing date for the Concept Design to ensure the community is clear about the date by which their submissions must be received to be taken into account for the purposes of the EIS.
3. Accordingly, the agreed 12-week consultation period should recommence from the date that the community is provided with a corrected document upon which they can actually comment. This amended timeline should be included in the reissued Concept Design document.
4. Written confirmation that the EIS will not be issued until after the 12-week consultation period for the Concept Design has closed. SMC needs to provide a reasonable period from the closure date of the Concept Design until the release of the EIS so as to enable any feedback received from the community to be incorporated into the EIS. The purpose of the Concept Design is to inform the EIS, so it is nonsensical to suggest that the EIS could possibly be issued during the Concept Design consultation period, as has been suggested by some SMC representatives. If the Government intends to release the EIS before the community has had an opportunity to comment and have such feedback

incorporated into the EIS, then SMC should acknowledge that the consultation process is a sham.

5. An undertaking from the Government that there will be a 12-week period for receipt of submissions for the EIS. The EIS is a complex and lengthy technical document and it is unreasonable to expect the dozens of communities who will be impacted on this project to respond in a meaningful manner within a 30-day period.

We request a response to this letter no later than COB Thursday 26 May 2017. Note that various media outlets have been provided with a copy of this letter and we will be sharing SMC's response with them.

Kindly respond to [jawactiongroup@gmail.com](mailto:jawactiongroup@gmail.com)

No WestCONnex Public Transport Now (NOW PT)

WestCONnex Action Group (WAG)

No WestConnex Annandale

Save Newtown from WestConnex

Newtown Residents Against WestConnex

Save Ashfield Park

Stop WestConnex - Glebe Forest Lodge

Camperdown Residents Aware of WestConnex (CRAW)

Rozelle Against WestConnex (RAW)

Leichhardt Against WestCONnex (LAW)

## M4-M5 Link Concept Design document defects

Item	Defect	Outcome required
1. Printing	<p>The printable version of Concept Design document is 160-170MB and takes approximately 10 minutes to download. Community members have advised us that the document simply cannot be downloaded due to its memory size.</p> <p>Many users have reporting difficulties in emailing the document, due to its file size</p>	<p>SMC to provide a Concept Design document that is able to be downloaded by community members.</p> <p>SMC to ensure that the online version can be downloaded and readily emailed.</p>
2. Format of printed version	<p>SMC have designed the Concept Design document to be printed on A3 paper. While there is much use by SMC of large pictures, inexplicably SMC have chosen a very small font size and once printed on A4 it is difficult to read.</p> <p>This disadvantages those without access to a printer that accommodates A3 paper.</p>	SMC to reformat the Concept Design document so that font size is adequate when printed in A4
3. Format of on-line version	<p>SMC's on-line version of the Concept Design shows two pages at a time in landscape format.</p> <p>When looking at the document in this format, the font size is unreadable and the detail of the images and diagrams cannot be discerned.</p> <p>When one zooms in, in order to be able to read the text or see the detail, the whole of the page cannot be viewed on the screen. For example, where a street diagram is depicted, the accompanying text cannot be read on the same screen. This is an impediment to understanding and interpreting the design.</p>	SMC to reformat the on-line Concept Design so that each page can be viewed on screen without the need to zoom in.

4. Mobile phone version	SMC's Concept Design cannot be viewed at all on a mobile phone.	SMC to produce mobile phone version.
5. Accessibility	SMC's Concept Design document does not meet the NSW Government's Accessibility requirements, which are intended to ensure that content is available to the widest possible audience, including visually impaired readers. Any text should be printed to an appropriate font size and type and images should be clearly depicted, so as to be capable of being read, as well as printed.	SMC to produce a Concept Design document that meets the NSW Government's Accessibility requirements

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Item	Defect	Outcome required
6. Availability	SMC has provided only one hard copy of the Concept Design at local libraries. This is inadequate and, given the issues with printing outlined above, it means that most readers are forced to view the document solely on screen.	SMC should provide bound A3 copies to all who request at SMC's expense. This can be done via a request form on the westconnex.com.au website.
7. Inaccurate, confusing and misleading content	a) The cover page, which depicts the 'Rozelle interchange' is different from the image on page 44. SMC advised a community member that the cover image is not to be relied upon as it an outdated image and the image on page 44 is accurate. The cover page image chosen	SMC to reissue omitting the out of date cover page image.

	<p>by SMC is therefore misleading.</p> <p>b) The 'Rozelle interchange' as described by SMC is actually also in Lilyfield and SMC's description, used throughout the document is therefore misleading residents of Lilyfield who may think they are not impacted.</p> <p>c) The trees SMC depicts via the artists' impressions would take dozens of years to reach the height shown. SMC is misleading the community because they suggest an outcome that cannot be guaranteed by them.</p> <p>d) SMC has used diagrams of the tunnel route that are not consistent in scale. For example, the proposed tunnel illustrated in such diagrams does not reflect its scale of eight lanes, resulting in a tunnel footprint which is misleading. Therefore the 'proposed alignment' of the tunnel, which is supposed to be disclosed in the Concept Design, is simply unclear.</p> <p>e) The images used by SMC do not depict scale and therefore the heights of the ventilation stacks is not disclosed, nor readily apparent.</p> <p>f) The legends in SMC's street diagrams do not contain a key to all of the information</p>	<p>SMC to amend to refer to the Rozelle/Lilyfield Interchange.</p> <p>SMC to provide images that show what the green spaces will look like upon completion and to include clear and prominent disclaimers.</p> <p>SMC to address points d) to j) by providing new diagrams and images.</p> <p>SMC to ensure that all touted benefits are accompanied by appropriate disclaimers.</p>
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Item	Defect	Outcome required
	<p>in the map. In some parts, it is not clear what tunnels are proposed or their direction.</p> <p>g) Even in SMC's high-resolution version it is hard to work out what and where the numbered items are on the diagrams as they are in such small font.</p> <p>h) SMC have not made it possible to ascertain whether the indicative tunnel routes are above or underground, as the lines cross over each other in parts.</p> <p>i) SMC's depiction of tunnel route and the arrows simply do not make sense.</p> <p>j) SMC does not make it clear which 'portals' are for tunnel entry and which are for tunnel exit.</p>	
<p>8. Omission of images of adverse features</p>	<p>SMC have included artists' impressions of features that will be sold as benefits to the community such as playing fields and parkland. However, SMC has not included any pictures of features that will be of serious concern to the community such as unfiltered ventilation stacks and tunnel portals in Lilyfield and Rozelle.</p> <p>SMC do not provide an artist's impression of the ventilation facility on Victoria Road and the ventilation towers in Lilyfield at the end of the Crescent are a small detail in the image offered.</p> <p>The effect of this is that SMC minimises the attention that the community will give to these elements. As a result, the community may not make objections or give feedback in relation them.</p>	<p>SMC to reissue the Concept Design with images depicting unfiltered ventilation stacks and portals in a way that truthfully shows their scale and how they will look from the standpoint of pedestrians, drivers on local roads and residents and not just bird's eye view.</p>



9. Incomplete information about construction vehicles and location of worker parking	<p>SMC have omitted information about proposed worker contractor parking and how construction trucks will enter and exit construction sites.</p> <p>SMC have advised that 250 worker car parks will be required for the proposed dive site at Dan Murphys, which is a narrow site with limited parking. By omitting this information, SMC are minimising the potential impact of the proposed dive site.</p> <p>SMC have neither acknowledged nor addressed any of the identified traffic and</p>	SMC to incorporate their proposals for worker parking and construction truck entry and egress in the Concept Design.
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Item	Defect	Outcome required
	safety issues at the Darley Road or Camperdown proposed dive sites. These omissions make it impossible for the community to comment meaningfully on the proposed dive sites.	
10. Omission of location of schools, aged care facilities, child care centres and healthcare facilities	SMC have omitted to include the location of schools, aged care facilities, child care centres and healthcare facilities, all of which will be impacted by proximity to high volume traffic, unfiltered ventilation stacks and portals.	SMC to include locations of all schools, aged care facilities, child care centres and healthcare facilities in all map style images that include the location of unfiltered ventilation stacks and portals

11. Omission of information about traffic impacts	SMC have omitted to acknowledge the impact of increased traffic congestion both during and after the construction phase and the safety issues arising from heavy vehicle movements in local streets.	SMC to acknowledge these impacts in the Concept Design.
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Submission M4-M5 Link Environmental Impact Statement

6/10/17

From: Gia Jenkins

61 Lilyfield Rd

Rozelle 2039



Attention Director

Infrastructure Projects, Planning Services

Department of Planning and Environment

Re: application no SSI 16\_ 7484

I do not support the Westconnex. My objections are based on concerns for air quality, increased traffic, still lack of public transport and huge amounts of money wasted. If the project is to go ahead the following should be taken into account and considered to ameliorate a whole range of problems. I hope these submissions do not just receive lip service. I have put submissions in, in the past and the Department seems to have an answer for everything and nothing is really taken on board.

1. There should be no portals exiting or entering at the Rozelle interchange, everything should be underground, the city west link should be used to access Anzac bridge. A number of historic terrace houses already suffer from noise and pollution from the city west link and a portal near them would make the conditions insufferable. The portals would also interfere with the parkland that is proposed.
2. The ventilation stacks are grossly oversized and should be filtered. They will be a blight on the so called parkland. There should be another way to ventilate the tunnels, such as smaller openings along the length of the tunnel. Rozelle is already one of the most polluted suburbs in Sydney. Fig 4.36

3. The original park bears no resemblance to what appears on the design now. It is vastly inferior. This is shameful that the public has been misled. Who is going to pay for the establishment of the park?
4. It is very hard to comment when the final design, this is only a concept design, has still not been released and appears the contractors will have the final say. There should be a lot more detail. The indicative aspects of the EIS provide little certainty as to how this project will impact communities.
5. The Rozelle East motorway operations complex seems very large, taking up a lot of the supposed parkland. This should be underground along with the Rozelle ventilation supply facility.
6. No parking should be taken away from Lilyfield Rd especially near Easton Park as families need to park for sport, residents need parking and so do commuters. Parking is at a premium in this area.
7. Gordon St is a public road and should not be closed. This would be good access for entry to the site as opposed to coming in and out directly onto Lilyfield Rd. Fig 4.39. This would also not take parking away from Lilyfield Rd.
8. How are people to cross Victoria Rd if the walkway bridge is removed bearing in mind that a lot of cyclists, pedestrians and disable people use it?
9. The Gillespie warehouse and other warehouses should be kept as a buffer for residents from the work site.
10. The whole project seems overly complicated and a lot of damage to the community for not much benefit if any. The main outcome seems to be to create a tunnel for the western harbour crossing and direct a whole lot more traffic onto Iron Cove Bridge and Anzac Bridge. Will all these tunnels affect the Sydney Metro tunnel?
11. The experience of the Haberfield residents is totally unacceptable. It seems suburbs such as Rozelle, Lilyfield and many other inner west suburbs are going to be subjected to the same treatment.

12. Construction noise and vibrations will severely impact health and quality of life.
13. The people of western Sydney are going to be subjected to very high tolls for many years to come. This will add to the already high cost of living in Sydney. The road should not be sold it should be owned by the people of Sydney and proceeds directed to state revenue.
14. This community know from the experience of Haberfield and Ashfield residents that they have suffered enormously and will continue to do so for a much longer period of time than anticipated.
15. Alternative routes need to be investigated.
16. All heritage items within the Rozelle goods yards should be retained.
17. A public transport corridor should also be retained in this area for the future.
18. The preferred infrastructure report must go to the public for further submissions before it is approved by the Minister.

Yours sincerely

Gia Jenkins

The Hon. Anthony Roberts  
Minister for Planning  
GPO Box 5341, SYDNEY NSW 2001

11 Oct. 2017

Dear Minister,

We are writing to make my submission in response to the Environmental Impact Statement for the M4-M5 WestConnex Link. In particular, we strongly object to a number of the proposals of the Stage 3 of the project which will directly impact the areas around Rozelle where we currently live.

In general, we feel that there's hasn't been adequate research and analysis invested to explore the public transport options as an alternative choice for infrastructure investment to address the road congestion problems along the Victoria Road corridor between the Gladesville Bridge and the proposed Rozelle Interchange. We have not seen any evidence based analysis that indicates categorically that the public transport option is not economically viable and more importantly could result in a greater social, economic and environmental impact compared to the proposed Stage 3 WestConnex Link.

More specifically, the following are some of the proposals for the Iron Cove Link Tunnel we strongly object to:

1. **Exhaust Stacks** – we're opposed to any use of unfiltered exhaust stacks as the air pollutants emitted from these stacks will further exacerbate the poor air quality of surrounding areas. Especially areas surrounding Rozelle primary school. We regard it as a serious failure by the proponents to safe guard the health and well-being of the local residents, particularly the health of young children, if the proposed unfiltered ventilation outlet near Rozelle Primary school is permitted to go ahead. Only filtered exhaust outlets that are fully compliant with all relevant standards should be considered. Any consideration to use filtered exhaust stacks must also be explicitly outlined with sufficient details on the environmental impacts within the proposal and made available for public exhibition before it is put forward for final approval by the Minister.
2. **Iron Cove Link Tunnel on Iron Cove Bridge end** – we feel that the proposal to construct the tunnel entrance/exit portal near the intersection of Terry Street and Victoria Road in Rozelle has not taken into consideration the persistent traffic congestion along Victoria Road between the Gladesville Bridge and the Iron Cove Bridge. We're aware that this is a contentious issue and has been raised by many concerned residents with suggestion to continue the tunnel through to Gladesville Bridge. However, we find the proponent's response in the M4-M5 Link Community Report suggesting that the continuation of the tunnel through to Gladesville Bridge is not within the proposal scope totally undermines the seriousness of this issue. We would strongly urge the proponents to reconsider the scope of this proposal that will also take into consideration the obvious traffic congestion between the two bridges mentioned above. Building the entrance/exit portal east of the Iron Cove Bridge will in our view simply worsen an existing problem. Not to mention the increase in air pollutants that will accompany the increased volume of vehicles along this corridor. It is also worthwhile learning from the lessons of the construction of the second Iron Cove bridge (opened in 2011) which has not resolved the traffic congestion problems along Victoria Road up to the Gladesville bridge and this is not addressed in the current proposal.
3. **Construction Sites** – we have serious concerns with the proposal for the construction sites in and around the Iron Cove Bridge end of the Bay Run and Byrnes St, Rozelle. Byrnes St is a very narrow street and constantly filled with parked vehicles leaving very little room for moving cars to traverse the narrow street, especially during the weekends when major sport activities are conducted at King Georges Park. Nominating Byrnes St as a site for utility works, traffic management, etc. during the construction of the Iron Cove Link Tunnel will simply make an already inaccessible road even less accessible for the residents living on Byrnes St. We're also very concerned with the inevitable increase in both noise and dust pollutions throughout the construction period. In the current form of the proposal, we do not feel assured that the proposed construction time nor the proposed enforcement measures to minimise noise and dust pollutions, and disruptions to the local residents will be adhered to by the construction companies. To give us an acceptable level of assurance we require quantifiable and enforceable measures be put in place with all relevant construction companies and made contractually binding with commensurate penalties when they're breached. The details with respect to the assurances must also be available for public exhibition before they are presented to the Minister for final approval.

4. **Lack of Evidence Based Proposals** – It is not unreasonable to expect that the proposals for such a sizeable infrastructure investment and associated decisions to be taken are based on evidence and empirical data rather than modelled on speculations and assumptions, which are very prevalent throughout the proposal. In particular, the analysis of the combined effects of various air-borne pollutants and other forms of environmental impacts. The modelling of these impacts is largely based on assumptions and indicative measures which can be skewed and adjusted to favour particular outcomes. We do not feel assured with any modelling and analysis that are largely based on opinions and assumptions that can only produce 'indicative' outcomes. We would like to see all analysis and models in the EIS to be supported by trustworthy evidence with strong reliance on empirical data rather than speculations and with a higher degree of certainty in its predicted outcomes that can also be independently verified before final approval is granted.

In closing, we would appreciate that the Minister give due consideration and provide adequate responses to our concerns as outlined above. We are always in favour of, and willing to support, prospective proposals for further transport infrastructure investments in our state that put the concerns of the impacted residents first, are socially, economically and environmentally responsible, apply evidence based assessments and provide proper due consideration to public transport as the first choice for an effective way to alleviate current, and prevent future, road congestions and improve the travel experience for commuters.

Yours sincerely,



Stephen La  
8 Byrnes St., Rozelle NSW 2039



Karen Atfield  
8 Byrnes St., Rozelle NSW 2039



**Director, Infrastructure Projects, Planning Services  
Department of Planning and Environment  
GPO Box 39 Sydney NSW 2001**

**Application Number: SSI7485**

**WestConnex M4-5 Link from Haberfield to St Peter's with additional connections to the Iron Cove Bridge & Rozelle Inter-change.**

I am happy to clarify or discuss any of the issues that I have raise in my submission. I look forward to your considered response. I request that my name and objection be noted and recorded and that my submission is made publicly available.

I write this submission as a local resident. However I also hold specific expertise in health areas, both in psychiatry and public health, which inform my observations and comments.

**I object to this application SSI7485.**

Specifically, I write to object to what the EIS presents in Volume 1A Chapter 11, Human health risk, as an accurate synthesis of how health and human risk can be best managed within the M4-M5 project proposal. The remarks focus particularly on the Haberfield/Ashfield end of the project proposal. It is also informed by my lived experience as a resident of Haberfield, of the ongoing impact of the M4E project on daily life.

I request the Department of Planning not approve the current application because Chapter 11, in association with Appendix K , of the M4-M5 EIS identifies a number of deficiencies in the applicants proposal and as such makes EIS incomplete and not ready for exhibition, assessment, or approval.

I make specific suggestions on how Departmental officers could better inform the Minister review, by seeking further information sought from affected stake-holders. I also make a series of specific suggestions about specific conditions of approval that should be added so that the objectives of this chapter as defined in the SEARS would have greater chance of being met.

## **Chapter 11 Human Health Risk**

This chapter outlines the potential human health impacts and quantifies the risks to human health associated with the M4-M5 Link project (the project), including:

- An outline of the methodology used to undertake the human health risk assessment
- A summary of the existing environment relevant to human health
- A description of the potential impacts of the project on human health during construction and operation

- Environmental management measures to be implemented to minimise any potential impacts of the project on human health.

**The central question is what different measures will be taken by the M4-5 project team to deal with manifold failures of implementation on M4 E project to satisfactorily minimise human health risk and the project impacts on surrounding residents? Further if more robust conditions of approval are made, how will compliance be regulated & enforced?**

The methodology for the human risk assessment is based on defining, quantifying where feasible, and assessing the potential risks to human health from the construction and operation of the project. The assessment focused on the key impacts of local and regional air quality, in tunnel air quality for tunnel users, noise and vibration and social changes.

This response will raise comments and questions about aspects of the chapter, adding some suggestions & then conclude with a series of suggestions that, I believe enable a more robust analysis of the application to be considered.

### **Section 11.2 Project design to minimize health impacts:**

This section asserts that placing the project underground minimizes health impacts. Sadly this does not resolve the health impact problem when the project surfaces, as it does in multiple places in Haberfield/Ashfield. The M4-M5 project as currently proposed will not minimize but rather increases and expands adverse health impacts in Haberfield/Ashfield.

The proposed Options A and B in Haberfield will further lengthen the duration of construction work in Haberfield /Ashfield, because of overlaps with the M4 East project and Option proposals which renege on promises to the local community during the M4E consultations & variations, that there would be no need for additional or new above ground construction sites in Haberfield/Ashfield.

### **Section 11.3 Existing Environment**

#### **Section 11.3.1 Population profile**

**Is the population estimate up to date, in respect of expected population growth figures for the Inner West over the period 2011-36?**

**Section 11.3.2:** This chapter references information received from the Sydney Area Health Service (which has never been an entity). This indicates that the data relied upon in the EIS is not new, may be out of date and cannot to be relied upon in this EIS. The use of the term Sydney Area Health Service (or CSAHS, SSWAHS) indicates that reference material in the EIS has just been cut and paste from M4 East EIS (which also referred to Sydney Area Health Service rather than Sydney Local Health District, which was established in 2011). This suggests that the RMS was also probably using out of date information in 2015.

This raises concern on how up to date is the scientific and other information, that is being used to inform this EIS. The lived experience of residents affected by the current projects is that current measures have been inadequate to eliminate or minimise human health impacts during construction.

**I recommend that DP&E confirm and ensure that EIS uses the most up to date information about the population and relevant health statistics. The EIS needs to ensure that it is considering the current health of the existing population living along the project route.**

**Section 11.3.4, Existing Noise and vibration:** It was unclear, when were the measured noise levels, generally referred to in the EIS done around Haberfield, Ashfield and St Peters? Where new measurements taken for this EIS? Or are the background measurements that are referred to measures taken for the M4-5 and M5, prior to demolition of the built environment and removal of vegetation?

**I recommend that it is confirmed when noise measurements were taken across the M4-5 link footprint. If the measures relied on for this EIS include those taken several years ago, then there needs to a review and re-assessment of the baseline measures obtained, so that modelling can be based on the current environment of sound dispersal.**

#### **Section 11.4: Assessment of potential construction impacts**

Section 11.4.1: Potential Air Quality Impacts: “Significant mitigation of air quality impact” will be “managed” to minimise impacts. Dust mitigation failures will be “short-lived”. How will this occur? It has not been the experience of residents to date, whose homes and cars are constantly covered in fine irritant dust.

One issue of concern is the large number onsite diesel generators proposed for use across the project. While there is no Australian standard for the safe running of these machines in residential settings, the Woolcock Institute identified that there can be significant fine particulate pollution problems from the operation of these generators. Experience from the M4E project has been that these cause both noise and air pollution to nearby homes. It is unacceptable that residents should be subjected to a diesel motor running day and night close by and polluting their homes.

Indoor air quality monitoring was not undertaken as part of the initial assessment. This again was noted as a deficiency and should be addressed prior to any work commencing.

**I recommend that, as part of the conditions of approval, there be no use of off road diesel equipment**

**I recommend that, as part of the conditions of approval, there be Indoor air quality monitoring inside nearby schools and homes, prior to, and during the project life.**

Section 11.4.2: Potential noise impacts from movement of construction vehicles “In all areas evaluated, there are no noticeable increases in noise from construction traffic on the proposed routes during the daytime or night-time.”

This appears nonsensical. If you have large truck & dogs hauling 25 tonnes of material day & night, you do experience construction noise increase. You can hear every gear change as these trucks go up and down Parramatta Road and Wattle Street at all hours.

Section 11.4.2 discusses ground-borne construction noise and says “The modelling addressed the worst-case situation when the tunnelling is occurring immediately beneath a sensitive receiver”

Was any worst case scenario modelling done for the Wattle St interchange/portals, which will also be constructed?

**Section 11.4.3, Table 11-5, p13:** Contamination risks from asbestos are cited to be low; how can we be assured that public safety risk is low, given the multiple recent breaches in management of asbestos contaminated soil in the M4 widening and M4E projects?

p14 Traffic management risks are also cited to be low: but again there are multiple examples of failure by trucking contractors to observe safety requirements

Pedestrian Safety has also been problematic, particularly for frail and vision impaired residents during road and path detours required for M4E construction.

### **Section 11.5 Assessment of potential operational impacts**

This is an area where the science has expanded knowledge at a rapid rate in the past 5 years. Public policy in most European countries is taking this on board, with proposals to limit motor vehicles in inner urban locales and ban petrol & diesel vehicles altogether.

Impaired air quality impacts on cardio vascular and respiratory health. It also impacts on children’s cognitive capacity. What is apparent from Tables 11-18, 11-19 & 11-20 is that:

We exceed air quality standards for Particulate Matter (PM) now and that with the introduction of this traffic inducing project we will increase Maximum 24 hour averages of PM10 with the project, compared to not having the project and we will also increase the annual average of PM2.5 by over 7% and PM10 by 5.5% with the project, compared with not having the project. This is a serious problem, given that we already exceed health targets in these measures, which has long term health implications that are not quantified in the tables. Work done by the Woolcock Institute in their 2015 report and by Adrian Barnett in Queensland, highlight the problem that we face, and if this project is implemented as planned, would exacerbate.

Also Table 11-24 highlights increases in ill-health effects from PM2.5 for residents of Canada Bay, Sydney, Botany & Burwood. These effects require further analysis and explanation before any approval should be granted.

Table 11-25 notes the unacceptable increase in mortality risk from PM2.5 for elevated receptors. This brings into question impacts on residents around Homebush & North Strathfield from already established Westconnex infrastructure, into which the M4-5 link will drive more traffic.

**I recommend clarification of the PM burden from the project and reasons for locality based PM burden as identified in Table 11-24**

### **Section 11.5.2 Noise and Vibration**

Noise and vibration is correctly identified as having a number of adverse impacts. More recent evidence published this year implicates noise related sleep disruption as playing a contributory role in the development of Alzheimer's Disease.

It is also of note that children's cognitive development has been identified as being impaired by both poor air quality (even on exposure during a walk to school) and excessive noise exposure.

The lived experience of residents from the M4E project has been that the predicted modelling of impacts was flawed. Many residents were told that a variety of projects undertaken would have no impact on them. Engineers continually expressed surprise that residents could hear work and would be awoken at night by work 400-500 metres away. The reasons for this problem are unclear. Perhaps sound modelling was undertaken prior to the demolition of many buildings and removal of large trees. Or the calculations were just incorrect. On the basis of this, there must now be accurate modelling and pre-emptive mitigation, not the practice of retrospective denial of impact.

**I recommend that, as part of the conditions of approval, there be no commencement of works unless mitigation measures are available and ready to be installed i.e mobile sound walls closer to source of sound (sound blankets on mobile cages able to be moved and positioned closer to the source of sound, better baffling than we have experienced with the M4 East), acoustic covering of jet fans and ventilation equipment. Also note the use of the containers as sound wall on New M5 site near airport.**

### **11.6 Assessment of potential social impacts on health**

**11.6.1: Changes to traffic and transport:** The M4E legacy is one of profound disruption to the Haberfield community, which the M4-5 link project will only prolong. A further 4-5 years of construction will take its toll. Public transport, pedestrian and cyclist access will remain interrupted. Commuting by car will continue to be disrupted for several more years.

**11.6.2: Property acquisition,** resulting in the loss of friends and neighbour continues to impact on many families.

**11.6.3: Green space** has been alienated both public and private. The ongoing construction noise & dust intrusion significantly diminishes the enjoyment of both

parks and also private gardens. The reduced vegetation cover and the broad heat sink created by the project have increased the heat load and burden on the suburbs of Haberfield/Ashfield.

Any delays in restoring UDLP lands, with consequent delays in restoring aspects of the street tree canopy will exacerbate this problem.

**11.6.4: Changes in community:** Community links within Haberfield, between Haberfield & Ashfield and Haberfield & Five Dock will be impaired by increased vehicle traffic flows from Westconnex. This occurs both during construction and following completion.

**11.6.5: Visual changes:** The visual impacts are sustained and in the case of the prolonged nature of this project, not short-lived. Loss of aspect and longer site lines are irreplaceable.

**11.6.6: Equity:** The impact on Haberfield has meant that over 50% of its apartment base was demolished for the project. Also Housing Department tenants have been badly affected by noise intrusion around Dobroyd Parade, and their problems have not been adequately addressed for many months.

## **11.7 Economic Aspects**

Local businesses have suffered and continue to suffer in Haberfield. This is set to be extended by ongoing work for another 4-5 years. Many local businesses and jobs have been lost on the Parramatta corridor, which also reduces benefits to local businesses.

**11.7.1 Road tolling:** Tolling impacts on those with lowest incomes. The proposal to permit tolls to increase at 4% per annum, even when inflation is far below that, is a licence to print money for toll operators. It defers the cost of the project onto future generations at a compounded price level, which raises questions of inter-generational equity.

**I recommend that tolls only be increased in line with the CPI.**

## **11.8 Construction fatigue**

Construction fatigue is well and truly with us. The prospect of a further 6 years of work, some in combination with the M4E project over the next 2 years moves this decade long impact into the realm of unacceptable and unreasonable oppression of a local community. The lived experience has demonstrated that the current approval processes, based around impacts of short term projects should not apply. If a government has “state significant infra-structure” that it wishes to construct, it should not throw out the rule book and allow normal regulations that control such industrial work in the every-day world to be ignored. In fact the rules for a decade long intrusion into people’s lives need to be more thorough, better regulated and more closely monitored and enforces.

In addition to construction fatigue, there is also complaint fatigue. The experience residents have, when they have legitimate complaints about dust, noise or other pollution, is one of slow response and often no response. If the communication team is pushed, the team member is often irritated by the complaint (as they cannot do



anything about it). The most common response is a cut and paste email that states that the EPL licence allows such unreasonable noise or other intrusion.

**I recommend that as part of the conditions of approval, improved communications and complaints mechanisms are developed and implemented as part of any approval process.**

**I recommend that, as part of the conditions of approval, there is local project public liaison officer in at every construction site or area. Residents need to be able to make direct contact, in person, and not just through a service centre.**

**I recommend that as part of the conditions of approval, an independent and co-ordinated complaints system be established, possibly under the jurisdiction of relevant local Councils. This would serve as a one stop system that can accommodate phone, letter, email, or in person complaints, with support and follow capacity provided.**

**I recommend that as part of the conditions of approval the Department of Planning to establish and auspice neighbourhood group meetings and liaison, between local residents with relevant construction and project employees.**

**I recommend that as part of the conditions of approval there are regular, advertised weekly/monthly resident drop in sessions held either on site, or in the local area with: DPE compliance team and post approval teams, EPA reps, IWC Westconnex Unit, (and on a quarterly or six monthly basis inviting reps from Safe Work NSW, RMS, TfNSW, Transport Management Centre, SLHD, Primary Health Network, and technical and senior people from the contracted Project builder (and not the community engagement team). The project builder should finance, but not control the administration of these sessions.**

**I recommend that as part of the conditions of approval that there up to date project community notice boards at each construction site, and also at central project notice boards in other suitable locations, i.e. shopping centre, library, civic centre.**

### **11.9 Stress and anxiety issues**

The main factor contributing to stress and anxiety for local residents is the sense of loss of control of your own environment. The Westconnex project has been imposed on our community and consistently intrudes into everyday (& night) life, by disrupting sleep, leisure and recreation. It can have many physiological and psychological impacts. The decade long intrusion into the lives of ordinary people, without remit or mitigation is oppressive and discriminatory.

The M4E project team have handled stress and anxiety issues poorly.

**I recommend that better management of impacts and proper mitigation are required before any approvals are given.**

The Westconnex series of projects present challenges and difficulties that have not been faced in modern densely populated Australian urban environments. The initial approvals for the M4 widening, M4E, & New M5 have highlighted limitations of the review of approval mechanisms, when modelled projections and predictions are

contradicted by the actual outcomes. The public have discovered that there are multiple restrictions to gaining satisfactory resolutions to problems, because the proponent responds that they are working within approvals already granted.

Whilst the initial approvals may have been granted based on information that the Minister received at the time, subsequent experience has demonstrated that many concerns raised by responders to the M4E and M5 EISs were in fact accurate. Now the Minister must acknowledge the actual experiences of residents affected by projects to date.

**I recommend that the Minister ensures that Westconnex current projects modify practice through revised conditions of approval and that new projects operate under more stringent and socially responsible practices.**

Constructive Suggestions that are embedded throughout this submission and are listed, with some additional ideas below.

### **Recommendations for consideration PRIOR TO ANY APPROVAL**

**I recommend that DP&E confirm and ensure that EIS uses the most up to date information about the population and relevant health statistics. The EIS needs to ensure that it is considering the current health of the existing population living along the project route**

**I recommend that it is confirmed when noise measurements were taken across the M4-5 link footprint. If the measures relied on for this EIS include those taken several years ago, then there needs to a review and re-assessment of the baseline measures obtained, so that modelling can be based on the current environment of sound dispersal.**

**I recommend that, as part of the conditions of approval, there be no commencement of works unless mitigation measures are available and ready to be installed i.e. mobile sound walls closer to source of sound (sound blankets on mobile cages able to be moved and positioned closer to the source of sound, better baffling than we have experienced with the M4 East) acoustic covering of jet fans and ventilation equipment. Also note the use of containers as a sound wall on New M5 site near airport.**

**I recommend that the DP&E planning assessment and approval team for the M4-M5 consults with residents directly from along both the M4 East and New M5 routes about their lived experiences of WestConnex building, PRIOR making a determination on the M4-M5 Link application.**

**I recommend that DP&E assessment and approval team run a series of workshops with residents, from different locations, who have or are willing to engage with the EIS PRIOR to approval and AFTER release of the Preferred Infrastructure Report.**

**I recommend that approval not be granted on the basis of this EIS. The proponent needs to review, revise and re-submit the EIS to DP&E so it can be**

re-exhibited, in combination with the Preferred Infrastructure Report to ensure proper public engagement.

I recommend that, as part of the conditions of approval, there be no commencement of works unless mitigation measures are in place, i.e. mobile sound walls closer to source of sound (sound blankets on mobile cages able to be moved and positioned closer to the source of sound, better baffling than we have experienced with the M4 East) acoustic covering of jet fans and ventilation equipment. (Also note the use of the containers as sound wall on New M5 site near airport.)

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I recommend that as part of the conditions of approval there are regular, advertised weekly/monthly resident drop in sessions held either on site, or in the local area with: DP&E compliance team and post approval teams, EPA reps, IWC Westconnex Unit, (and on a quarterly or six monthly basis inviting reps from Safe Work NSW, RMS, TfNSW, Transport Management Centre, SLHD, Primary Health Network, and technical and senior people from the contracted project builder (not just employees from community engagement team). The project builder should be required to finance the administration of these sessions.

I recommend that as part of the conditions of approval that there are up to date project community notice board at each construction site, and also central project notice boards in other suitable locations, i.e. shopping centre, library, civic centre.

I recommend that, as part of the conditions of approval, all project, utility and associated work slip notices, letters, notifications, published public notices, Agency and Government notices and letters (gazetted or not) as well as the Local Updates should go onto a community notice board as well as a website.

**I recommend that, as part of the conditions of approval, there are hardboard and illuminated pedestrian notices re detours, road changes and bus stop closures or relocations.**

**I recommend that, as part of the conditions of approval, there be no construction work or utility work unless noise and dust mitigation measures are in place.**

**I recommend that, as part of the conditions of approval, there be no use of off road diesel equipment (eg Diesel generators).**

**I recommend that, as part of the conditions of approval, Indoor air quality monitoring occur inside nearby schools and homes, prior to and during the project life.**

**I recommend clarification of the project PM burden on buildings over 3 storeys upon air quality, and new developments and concentration of high rise buildings along transport corridors. (CAUL, [www.nespurban.edu.au](http://www.nespurban.edu.au) and the Woolcock Institute, <https://woolcock.org.au> )**

**I recommend clarification of PM burden from the project and reasons for locality based PM burden referred to in the EIS.**

**I recommend that as part of the conditions of approval, that appropriate independent regulatory, supervision and compliance resources are funded by the proponents and provided, to ensure that conditions of approval are observed and met at all times.**

**I recommend that, as part of the conditions of approval, there be substantially improved communication with blind, vision impaired, deaf or hearing impaired, non-English speaking, or English speaking but functionally illiterate people, as well as residents who are socially isolated, or with limited mobility.**

**I recommend that, as part of the conditions of approval, there be substantially improved liaison with tenants, public or private.**

**I recommend that, as part of the conditions of approval, there be proper induction, training and better supervision of road traffic controllers.**

**I recommend that, as part of the conditions of approval, there be regular mandatory disability audits from qualified person/service re all aspects of project impacts in local community – (a safety officer from the M4 East project has admitted he was not qualified to assess and make appropriate suggestions on this topic).**

**I recommend that tolls only be increased in line with the CPI.**

Yours sincerely

Victor Storm

E hvstorm@gmail.com



16th October 2017

Attention Director  
Infrastructure Projects, Planning Services  
Department of Planning and Environment  
GPO Box 39  
Sydney  
NSW, 2001

**RE: Application number SSI 16-7485, Westconnex M4-M5 Link, EIS Submission**

To Whom It May Concern,

I write on behalf of my neighbours living in the area roughly bounded by Albert St, Foucart St, Cheltenham St and Denison St, Rozelle (the "Neighbourhood"). **This submission includes the attached petition with 128 signatures of people who either live in this Neighbourhood or visit Easton Park. It should be treated as submissions from 128 individuals, not just one submission.** I request that the names and addresses of the individuals not be published.

I note that 120+ signatures were gathered from only a few days of door knocking this Neighbourhood and approaching people in Easton Park so it may not seem like a large number for a petition, but it is significant when you consider that 93% of the addresses in the above Neighbourhood where someone was home are represented. Only three residents declined, two of which were conflicted by their occupations.

**Firstly, we object to the lack of proper community consultation as part of the Westconnex M4-M5 Link (the "Project") Environmental Impact Statement ("EIS").** Consultation is not a few meetings in a town hall and the provision of glossy brochures which minimise the negative aspects of a project and state that every impact will be managed by a 'plan'. Nor is it bombarding the public with thousands of pages in an EIS which many of them cannot even understand where the details of shallow tunnels, ground settlement and night time noise are almost impossible to decipher. Nearly all of my neighbours were completely unaware of the shallow tunnels proposed beneath their properties or their impact until they heard about them through my petition. As I door knocked I was met with faces of despair, anger, shock, frustration, confusion and helplessness with many of them asking numerous questions they were unable to find answers to in the EIS. This is completely unfair and unacceptable.

Despite the above, this Neighbourhood is deeply concerned by findings outlined in the EIS. In particular, the current Project design results in multiple tunnels beneath our Neighbourhood for the Iron Cove Link, Western Harbour Tunnel ("WHT") links and for exhaust ventilation tunnels. The Western Harbour Tunnel connections are particularly concerning given they are proposed to be at an unnecessarily shallow depth of less than 10m at the Burt St / Denison St corner of



Easton Park (EIS pg 6-25) which is otherwise only proposed at tunnel entry and exit points. They are also for a project which is years away from approval and may never proceed.

The EIS states that the above tunnels will result in the following impacts to our Neighbourhood:

- Higher ground borne noise than recommended night time levels of 35dB for periods of up to 19 days (EIS pg 10-128 and 10-129) and “Due to the number of tunnels being constructed in this area (consecutive construction works) the duration of impacts may extend at these locations”. This is highly likely to impact our sleep, mental health and comfort on multiple occasions and is absolutely unacceptable in a neighbourhood with so many young families and children.
- Ground movement above the preferred criteria of 20mm and up to 35mm for some properties (EIS pg 12-39, 12-44). This is highly likely to cause significant, irreversible and avoidable structural damage to our properties.

The EIS notes that steps can be taken to mitigate the above impacts but these steps provide us with no comfort whatsoever given there is currently no commitment to these measures. We also believe they could be avoided completely by delaying the tunnels until the WHT is approved in its entirety (which may never happen) or by increasing these tunnel depths to 20-35m like all other tunnels throughout Rozelle to **meet your own criteria of <20mm settlement and <35dB noise**.

We are aware that an independent panel will be established to assess properties before and after tunneling and that the Project will be liable for fixing property damage. We would expect nothing less. These measures provide us with little comfort given the stories we are hearing from residents above the M4 tunnels in Haberfield and the lack of accountability of the construction contractor for damage caused to their properties. We also note that this does not account for the considerable anxiety, financial stress and inconvenience to our families to repair damage which will not be compensated for.

The EIS also provides no information on what residents above these 10m shallow tunnels will suffer in ongoing noise and vibration and we find it hard to believe that there will be no impact. Nor does it mention the depth or ongoing operational impact of exhaust ventilation tunnels under our properties, and whether these tunnels were included in the above settlement analysis. The existence of these tunnels were hidden in an unrelated section of the EIS. These issues must be addressed and mitigated from the perspective of residents as they are likely to have a large impact on the value of our properties which will not be compensated for. I am told by Cindy Kennedy of McGrath that residents in Haberfield with shallow tunnels underneath them have suffered a ~10% decline in the value of their houses due to the M4 Project. Those types of losses would soon start to justify a legal class action from residents in this Neighbourhood.

The EIS also fails to address the fact that the main stormwater drainage pipes for our Neighbourhood flow beneath our properties and beneath Easton Park. These pipes could be accidentally damaged by shallow tunnelling, resulting in unintended catastrophic flood damage

given many properties in this Neighbourhood are identified as flood lots by the Inner West Council. Residents would be forced to take legal action to remedy these losses.

**Put simply, the current design is unjust. We are outraged and demand that:**

- **No tunnelling of the Western Harbour Tunnel connections proceed in our Neighbourhood until that project is approved in its entirety.**
- **The depth of the Western Harbour Tunnel connections be increased to at a minimum, reduce ground movement settlement in this Neighbourhood to below the 20mm EIS criteria.**
- **Conditions of approval of the Project include clear mitigation strategies to ensure ground borne noise does not exceed the recommended night time NML of 35dB for extended periods on repeat occasions in our Neighbourhood.**

Our voices must be heard as part of this EIS process.

Kind Regards,  
Rachael Davern  
81 Denison St  
Rozelle, NSW, 2039

Note: Petition pages are attached separately





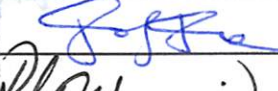
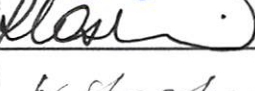
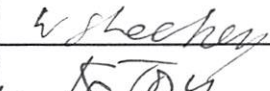


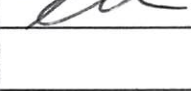
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12.11.2017 10:00 12.11.2017 10:00 12.11.2017 10:00

**Petition to Stop the Unnecessary Western Harbour Tunnel Connections**  
 In response to the Westconnex M4-M5 Link EIS  
 October 2017

**We are outraged and demand that:**

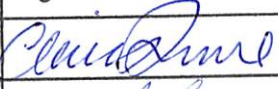

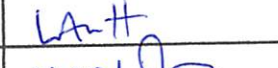
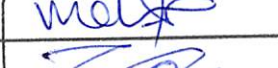




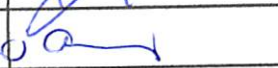
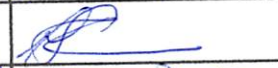


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- Conditions of approval of the Project include clear mitigation strategies to ensure ground borne noise does not exceed the recommended night time NML of 35dB for extended periods on repeat occasions in our Neighbourhood.

Name	Address	Signature
Josh Stafford	3/1 Albert Street Rozelle	
Gabrielle Stafford	3/1 Albert Street Rozelle	
Oliver Roberts	1/1 ALBERT ST "	
Edwards Folcione	4/1 ALBERT ST "	
Polly Puller	4/1 Albert St Rozelle	
Roxanne Castello	2 Alice St Rozelle	
Will Sheehey	4 Brockley St	
Kevin Tory	83 Denison St, Rozelle	
Ted Robinson	48 honsy Street	
Kate Greene	4 Brockley St	

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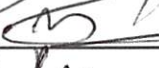





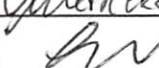
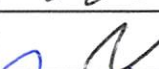




Name	Address	Signature
Claire Dunne	103/29 Margaret St., Rozelle <sup>2039</sup>	
Liam Muller	5 Rayner St Lilyfield <sup>2036</sup>	
Laura Arnott	106 Hubert St, Lilyfield	
MELANIE ELEK-HARDWICK	210 YOUNG ST, ANNANDALE <sup>2038</sup>	
JOHN ARNOTT	106 HUBERT ST, LILYFIELD	
DARIUS COVENEY	75 DENISON ST, ROZELLE	
KRISTI COVENEY	75 DENISON ST ROZELLE	
TARIQ KHAMUL	11A EASTON ST ROZELLE	
VASON LEE	87 DENISON ST ROZELLE	
CASSIE MULLER	5 RAYNER ST LILYFIELD <sup>2036</sup>	
MAIRA STEWART	304 NORTON ST. LEICHHARDT	
MURRAY STEWART	304 NORTON ST. LEICHHARDT	



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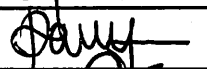
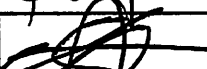


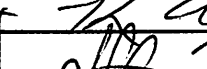
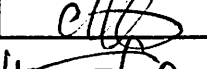
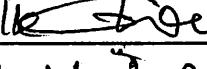
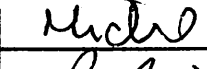
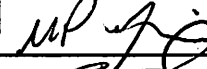





Name	Address	Signature
ADRIAN LEPPARD	99 DENISON ST. ROZELLE	
Shirley Leppard	99 DENISON ST ROZELLE	
Kenneth Jacobson	103 Denison St Rozelle	
YANNI KRONENBERG	261 BALMAIN RD LILYPOND	
POPPY TALLOSON	" " "	
ROBERT RUDY	103 DENISON ST. ROZELLE	
JANINE HOFFMAN	2A ALICE ST, Rozelle NSW 2039	
Greg Hoffman	2A ALICE ST. Rozelle, NSW 2039	
Shirley Hartin	56 Glover Street, Lilyfield	
Andrea Sorensen	26 PROSPER STREET ROZELLE	
L. diamorello	151 Lilyfield road Lilyfield	
MATTHEW PRY	6 Spring St Birchgrove	
DAVID KENT	7 EASTON ST ROZELLE	
RICHARD TOWNSEND	4 EASTON ST ROZELLE	
Phil Smyth-King	2 Easton St Rozelle	

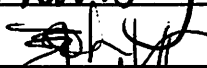


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Name	Address	Signature
Colleen Andreacchio	3 Easton St, Rozelle	
Paul Andreacchio	3 EASTON ST ROZELLE	
Seb Blades	81a Denison Street	
Toni Smith	83 Denison St, Rozelle	
KEVIN TOLY	83 DENISON ST ROZELLE	
MIC COWAN	26 GARNON AVE ULTFIELD	
Gisela Weber	1 Cheltenham St Rozelle	
Michael Williams	18 Stewart St. Balmain	
Mick Pajovic	10 BURT ST Rozelle	
GARY MCGILVER	8/3 PINE STREET ROZELLE	
Adam Myers	4/6 Joseph St, Rozelle	
Amanda Campbell	89 Denison St Rozelle	
A. Campbell	89 Denison St - Rozelle	
Kerry Flynn	91 Denison St Rozelle	
Elizabeth Johnstone	97 Denison St Rozelle	

Jake Johnstone 97 Denison St Rozelle 

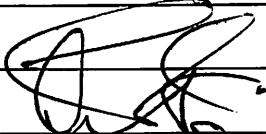
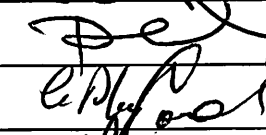
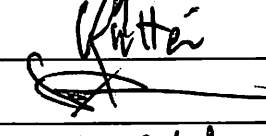
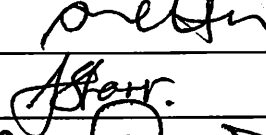
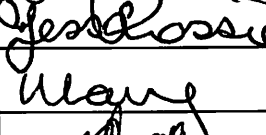
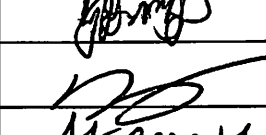
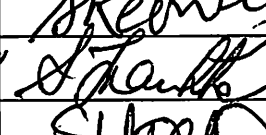
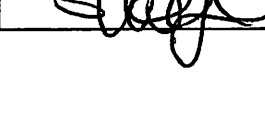


# Petition to Stop the Unnecessary Western Harbour Tunnel Connections

In response to the Westconnex M4-M5 Link EIS

October 2017

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Name	Address	Signature
Simon Jeffery	10 ALFRED ST. ROZELLE	
ANNABEL KUNC	66 RYANST LILYFIELD	
J. Lawrence	42 O'NEILL ST LILYFIELD	
A. PRAVORA	62 CECILY ST LILYFIELD	
P. BRITTA	11 DENISON ST, ROZELLE	
S. SHIMMER	45 COOK ST ROZELLE	
SHAND	49 ALFRED ST, ROZELLE	
Annie Starr	62 Cecily St, Lilyfield	
Jess Rossie	27 Denison St Rozelle	
Lesley Lang	2 Percy St Rozelle	
G. BRISLEY	5-2-12 Emily St Rozelle	
R. GRANGER	58 ALFRED ST ROZELLE	
S. Kenny	2/35A FOUCART ST. ROZELLE	
S. Frankham	24A Seaview St, Summerville	
S. Lloyd	40 Cecily St Lilyfield	

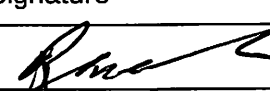


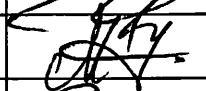


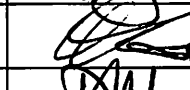
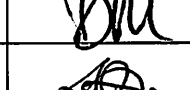
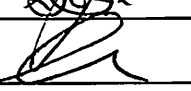

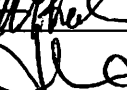
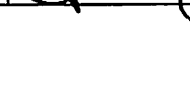



# Petition to Stop the Unnecessary Western Harbour Tunnel Connections

In response to the Westconnex M4-M5 Link EIS

October 2017

We are outraged and demand that:

- No tunnelling of the Western Harbour Tunnel connections proceed in our Neighbourhood until that project is approved in its entirety.
- The depth of the Western Harbour Tunnel connections be increased to at a minimum, reduce ground movement settlement in this Neighbourhood to below the 20mm EIS criteria.
- Conditions of approval of the Project include clear mitigation strategies to ensure ground borne noise does not exceed the recommended night time NML of 35dB for extended periods on repeat occasions in our Neighbourhood.

Name	Address	Signature
PG M ANTON	48A DENISON ST ROZELLE	
VIKI JONES	87 Ryan St Lilyfield	
T JOHNSON	Unit 101 47-57 Rykytel Rykytel	
GRAHAM HEARLEY	69 Lilyfield Rd Rozelle	
MARK FAYLE	32 Foucart St, Rozelle	
ROBERT WAI	43 ALFRED ST ROZELLE	
M WAI	ANSON ST ROZELLE	
Vicki Soosoucas	20 Ryan St, Lilyfield	
Andrew Nicholls	Unit 2/12 Emily St Rozelle	
DONNA MOSFORD	90 FOUCART ST, ROZELLE	
Sandra Huckerby	68 Foucart St, Rozelle	
LIZ BRIDUE	530 ADARLING ST ROZELLE	
Yoko Pembroke	84B FOUCART ST Rozelle	
Miniam Krohn	1/35B FOUCART ST Rozelle	
Tracy Lines	19 Percy St Rozelle	

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Name	Address	Signature	Ph N°.
DOUGLAS MILES	FOUCAULT ST ROZELLE	D. Miles	
Sally Baird	Burt St Rozelle	Sally Baird	
Lizzie Watson	Denison St Rozelle	Lizzie Watson	
Sue-ellen King	Denison st. Rozelle	Sue-ellen King	
Mark Prouost	48 HURLEY STREET	Mark Prouost	
James Prouost	3/2 BURT ST ROZELLE	James Prouost	
Jennifer Pringle	19 Ryan St Lilyfield	J Pringle	
Rebecca Orizzi	61 Denison St, Rozelle	Rebecca Orizzi	
Jake Smith	Cheltenham St Lilyfield	Jake Smith	
Georgie Watts	ALBERTO ST LILYFIELD	Georgie Watts	
DBALMENT	2 CHELTENHAM ST ROZELLE	DBALMENT	
A. SCARPINATO	181 ALFRED ST ROZELLE	A. Scarpinato	
N. BURRICH	78 Lilyfield Rd Rozelle	N. Burrich	
P WARRINK	16 FOUCAULT STREET	P WARRINK	
R. Budge	10 COOK ST ROZELLE	R. Budge	

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Name	Address	Signature
Rachael Davenport	81 Denison St, Rozelle	Rachael Davenport
Stephen Davenport	81 Denison St, Rozelle	Stephen Davenport
Troy Brewster	73 Denison St Rozelle	Troy Brewster
Victoria Welsh	10 Reynolds St Rozelle	Victoria Welsh
Sam Jones	5/33-35 Alfred St Rozelle	Sam Jones
Isla Lozer	16 Bloor St, Rozelle	Isla Lozer
Kristen Long	9/5 ALFRED ST ROZELLE	Kristen Long
Clair Daley	3 Percy St, Rozelle	Clair Daley
ELIZABETH VLASSIS	79 Denison St Rozelle	Elizabeth Vlassis
BRENDAN SMITH	71 DENISON ST ROZELLE	Brendan Smith
KENNY JOSEPH	8 CHELTENHAM ST ROZELLE	Kenny Joseph
Stuart Smith	10 Cheltenham St Rozelle	Stuart Smith
Kristen Dunphy	10 Cheltenham St Rozelle	Kristen Dunphy
DIANA THOMAS	12 Cheltenham St Rozelle	Diana Thomas
Michael Hurley	1 EASTON ST, ROZELLE	Michael Hurley

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Name	Address	Signature
K Jacobson	103 Denison St Rozelle	[Signature]
KENAN COLEMAN	3 CECILY STREET, LILYFIELD	[Signature]
Steven Porter	56 BURT ST, Rozelle	[Signature]
Terry King	69 Denison St Rozelle	[Signature]
Pamela Joy Fige	6 Elizabeth St Rozelle	[Signature]
Seb Blades	61A DENISON STREET	[Signature]
Margot Saville	65 Foucart St Rozelle	[Signature]
MOSSIE HARTNETT	83 Cecily St, Lilyfield	[Signature]
DANIEL LANCE	5 MAIDA ST LILYFIELD	[Signature]
JUDY SMYTH-KING	2 EASTON ST ROZELLE	[Signature]
S. OSBORNE	35 FOUCART ST ROZELLE	[Signature]
N. OSBORNE	35 FOUCART ST ROZELLE	[Signature]
J CONNOR	33 FOUCART ST ROZELLE	[Signature]
Julie Mills	31 Foucart St Rozelle	[Signature]
KATE REILLY	27 Foucart St Rozelle	[Signature]