

**Application Number SSI 7485****WestConnex M4-M5 Link – Modification 2 The Crescent overpass**

**Les Johnston**  
**Balmain**

**Submission redesign of Rozelle Interchange**

The change to this interchange to that of being above ground is totally unacceptable. Current arguments for the removal of the Cahill Expressway in the CBD arise because of the impact this expressway has on the amenity and aesthetics on the city foreshore. The construction of a similar structure in the 21st century will have a long-term impact on the foreshore and aesthetics of the suburbs of Annandale – Rozelle – Lilyfield. This high-level overpass would display a failure to learn from the lesson presented by the short-sighted construction of the Cahill Expressway.

The proponent has failed to accurately identify and respond to the scale of the impact in both construction and operational phases. The dive site in Darley Road, Leichhardt was proposed in the previous EIS but rejected due to the magnitude and scale of the impact on residents around Darley Street. The proposed above ground interchange at Rozelle will cause noise impacts comparable to that of the Darley Road dive site and must be rejected on the same basis. This is because the approved plan would cause less environmental impact than the proposed high level roadway modification.

The proponent claims the alteration is necessary because of “a number of potential design and constructability improvements.” The proponent has not set out in detail exactly what these “potential” issues might be. Public exploration of these “issues” must take place prior to this proposal being given serious consideration. The reasonable inference to be drawn from the lack of analysis of these “issues” is that the “potential” issues are purely for the convenience and profitability of the selected contractor. There is no economic analysis of the “potential” issues. Cost benefit analysis as a minimum would provide some scrutiny of the claimed “potential” issues.

**Air Pollution**

The proponent states some residents will be subjected to an increase in air pollution. The proponent has failed to provide air quality data in the local area from either 2018 or 2019 and modelled the impact of the proposed change. The proponent has not identified the extent to which existing local air quality exceeds current air quality criteria specified under the NEPM. No justification was made as to why the increase should be permitted when the existing air quality is non-compliant at some residents. The mere convenience of the proponent is not sufficient justification to exacerbate the breach of current NEPM criteria. No explanation was offered as to why data from either 2018 or 2019 was not able to be obtained to satisfy the rigor that needs to be demonstrated to justify this proposal rather than “potential” issues posed by the proponent.

The proponent has demonstrated its contempt for local residents by its failure to provide air quality data from 2018-2019 relating to air pollution levels in the local area and to apportion motor vehicle pollution and its contribution separately. The former EIS focussed on stack emission modelling and failed to assess local roadside pollution. The failure to assess local roadside air pollution in the former EIS means that this project variation is now the first occasion that local roadside air pollution is being considered in the WestConnex project.

The air quality assessment includes what is termed “background” air quality. The “background” concentrations appear to come from some unknown “site.” It is rather meaningless to add such “background” air pollution levels when actual existing air quality data could have been obtained. The proponent has had access to many parts of the locality and every opportunity to collect actual data rather than introduce a rather meaningless “background.” It would be irresponsible for the



regulator to approve this proposed variation without the knowledge of actual existing air quality data.

The proponent has proposed to use an assessment criterion of an always "allowable" increase in air pollution as an annual mean of  $1.8\mu\text{g}/\text{m}^3$  for  $\text{PM}_{2.5}$  which is not included in the NEPM. This criterion does not reflect the established scientific evidence for no safe level for this pollutant and does not include any consideration of the existing ambient pollution level. A simple 1 in 10,000 mortality threshold does not justify this project when the proponent has failed to identify the existing air quality and develop options to reduce air pollution so that there is no impact on the existing air quality. The proponent could have presented different analysis, such as, number of hours when the NEPM criteria are exceeded. This would be more meaningful to local residents.

The proponent has made no attempt to evaluate motor vehicle emissions in 2019 relative to those in 2010 which was the basis of air pollution modelling used in the previous EIS. It is now time for the regulator to insist on updated motor vehicle emission data as the previous modelled assumption of lower emissions due to tightening of motor vehicle emissions by the Federal Government has not eventuated. The current position is that there is little likelihood of tougher pollution controls being introduced by the current Federal Government. The projections made in this proposed modification report are questionable and do not reflect the best evidence on which to make a long-term planning decision. In the light of this, the responsibility rests with the proponent to provide current data on ambient air quality and motor vehicle emissions in 2019 not rely upon outdated projections. The proponent has had many years to collect such data and should be required to provide current data rather than rely upon out of date information. If vehicle emissions have reduced relative to that forecast in 2010, current emission data may show that the proposed change would enable the current NEPM criteria to be satisfied at the local residences.

The proponent has not identified any options to reduce air pollution from the proposed alteration. With no existing air quality data and no source apportionment analysis, the proponent has failed to provide any options so that air quality will not be impacted by the proposed change. The proponent has not demonstrated any changes to its operational controls which would permit the facility to operate without any air pollution change to that already approved. It is not up to the public to suggest these operational changes. It is the responsibility of the proponent to demonstrate what changes could be made and the evidence why those changes will not deliver the sought pollution reduction to not cause any increase in air pollution to that approved in the existing approval. The proponent could have identified alterations to its air pollution stacks to reduce air pollution levels at local residences. It could have identified changes in road configuration to move roads further away from local residences. The proponent has simply provided its "solution" based upon "potential" issues. The failure of RMS to document operational changes and provide evidence in 2019 as to the effect of those possibilities should result in this unjustified proposal being rejected.

#### Noise Pollution

The proponent has failed to identify appropriate noise controls to reduce the magnitude of noise pollution imposed on the residents of Bayview Crescent. The simplistic proposal to provide controls at receiver fails to protect the amenity of residents in external areas of their property. The imposition of "acoustic" controls on residential dwellings means that the proponent absolves itself from long term responsibility for the additional noise pollution caused by the proposed variation to that previously approved.

The proponent has not identified any noise level in residential areas as being unacceptable for human occupation. This position is inconsistent with an ideology for a civilised society because it is

based upon the view that road operation and construction is rightfully unbounded in the 21st century. The failure to recognise any rights for residents displays an arrogant disregard and



contempt for residents. This is evident by the noise assessment which claims that a 25dB(A) exceedance of night-time noise limits is "acceptable" and provides no basis for the project to be rejected. Residents must not be subjected to this level of noise time noise without generous financial compensation in the form of relocation or equivalent. The RMS noise abatement strategy is an attempt to diminish the extent of noise compensation and response by residents. It is lacking in reasonable fairness for the magnitude of noise impact imposed on residents.

The proponent has stated that "the requirement for night-time works would be confirmed as the project progresses." This commitment exposes residents to an undefined number of hours where they are subjected to excessive noise pollution. The proponent has not identified the extent of this exposure. The proponent must identify the actual number of hours where excessive noise pollution will occur. The opportunity for bans on night-time activities is only available during this assessment period. The proponent has not considered the opportunity for banning specific night works instead has shifted the noise impact onto the residents in the form of "at property treatments." This methodology is flawed as the basic principle of noise control is that of control at source and that includes times of use. The proponent has not identified any opportunity for changing its proposed work methods to reduce noise pollution imposed on residents. The proponent has kept its assessment to that of being indicative thus providing the opportunity for the contractor to vary its work method extensively without being subject to any regulatory constraints.

The mere "offering of at property treatments" does not equate with the principle of internalising the cost of externalities as it provides the opportunity for the understatement of those costs. It is reasonable for impacted residents to reject such a token offer for many reasons including the imposition of unaesthetic acoustic treatments, forcing windows and doors to be kept closed, and making the residence claustrophobic. Building treatments provide little if any noise reduction for external areas. A more acceptable offer for some residents would be to offer all expenses paid relocation in the local area.

For residences subject to any increase in operational noise levels, the proponent should be required to offer rebuilding of dwellings to an agreed design or permanent relocation in the local area. The "Quiet House" built by the State Pollution Control Commission (SPCC) in the 1980's provided the model that should be applied for rebuilding of houses.

The claim of 2dB(A) increase in road traffic noise always being "acceptable" is out of context with this guideline at the time it was developed when I worked in the noise policy unit at the former SPCC. The guideline was developed for the case of rural roads and the assessment of additional vehicles arising from mining activities for example. It was not developed for heavy traffic roads where noise levels already exceeded acceptable noise levels.

#### Conclusion

The extensive documentation submitted by the proponent fails to identify the full and detailed extent of the "potential" issues arising from the existing approval. Whatever these "potential" issues are, remains unknown. These "potential" issues may never eventuate. The project has not been justified.

Without critical analysis or financial assessment, the proponent has sought to impose its huge Cahill Expressway like structure on the local area. Air pollution will increase and the assessment is lacking

in 2019 information. For the first time, WestConnex should have provided detailed air pollution information in the local area with major existing roads. It failed to do so. The information provided by the proponent in this assessment is outdated. The justification for an increase in air pollution has not been provided.

The proposal will impose a large increase in noise pollution on residents during both construction and operation. The proponent has not identified reasonable and fair compensation for the residents subjected to excessive noise pollution. Proposed noise "controls" consist of transference of cost onto residents and do not amount to a true



internalisation of externalities.

This unjustified project must be rejected due to the increase in short and long term impacts on local residents.