

## WestConnex M4East EIS (SSI 6307) Submission

I am writing to express my strong **objections** to the WestConnex M4 East Motorway proposal (**the Project**) and to request a response to my concerns.

### 1. No Gateway Review, Transparency or Due Process

I strongly object to the complete failure of appropriate and due process for the Project.

- 1.1. I object that Project has proceeded to the current extent despite the **NSW Auditor General** criticising development of the Project and its business case and highlighting serious defects. For example, the following are extracts from the NSW Auditor General's Report: *Performance Audit : WestConnex Assurance to the Government of 18 December 2014* at : <http://www.audit.nsw.gov.au/publications/performance-audit-reports/2014-reports/westconnex-assurance-to-the-government/westconnex-assurance-to-the-government>

From the **Executive Summary, Conclusion** page 3

*"In the period covered by this audit, the processes applied to WestConnex to provide independent assurance to Government did not meet best practice standards..."*

*"The confusion and lack of clarity noted above occurred despite the Major Projects Assurance Framework being developed and announced concurrently with the WestConnex concept. It is surprising that the agencies concerned held the view that the Major Projects Assurance Framework would not apply to such a major project as WestConnex"*

*"These shortcomings have had practical implications. The preliminary business case submitted for Gateway review had many deficiencies and fell well short of the standard required for such a document. Further, on our analysis, the business case put to the Government still included some deficiencies that independent Gateway reviews and external assurance arrangements, if they had occurred, should have identified..."*

From the **Overview** page 15

*"The absence of a Gate Zero Gateway review strengthened the need for a Gateway review early in the business case development phase. No such Gateway review occurred."*

*"Infrastructure NSW was also conflicted in its roles of developing the concept and providing independent assurance to Government."*

- 1.2. I object to the failure to abide by the Major Projects Assurance Framework and employ best practice governance from the Project's inception and that the public is being asked to comment on an EIS that is deficient in analysis of Project justification.
- 1.3. I object to the business case for the Project not being released to the public or provided for public scrutiny. That the NSW Auditor General has criticised the development of the Project only heightens the urgency for public scrutiny and debate.
- 1.4. I object to the acquisition of properties for the Project commencing before a business case has been released for public scrutiny, before the failures identified by the NSW Auditor General have been addressed and the Project re-considered, and before the EIS was produced and released.

- 1.5. I object to the Government awarding tenders for the Project before any of the above, before any opportunity for community consultation, and against strong community protest.
- 1.6. I object to AECOM having been engaged to play a central role in the EIS as referred to in paragraph 3.4 of this submission despite a vested interest in the Project proceeding and an alarming conflict of interest.
- 1.7. I object to all of the above occurring despite strong protest from affected local communities, including from the Councils of Ashfield, Leichhardt and the City of Sydney which have been outspoken against the Project from its early stages, and from the Councils for other affected suburbs including for Newtown and St Peters.
- 1.8. I object to the public not knowing how the balance of the cost of the Project after State and Federal contributions, will be funded, and that it must be assumed that the Government also does not know.
- 1.9. I object to control of the Project having now been transferred to a “private corporation” preventing information being captured by freedom of Information requests - effectively shutting down public scrutiny.

The EIS process is supposed to allow for genuine public input and to result, potentially, in approval, non-approval, or approval with modifications, of the Project. The procedure for the Project makes a mockery of that right and represents a total failure of due and proper process, which requires a public inquiry.

## **2. Severe Negative Impact on Haberfield and the Local Community**

I have resided in Haberfield for over 25 years. I object to the severe impact of the Project on Haberfield and surrounding areas including Ashfield, and their communities.

### **2.1. Haberfield**

Haberfield is a residential community of federation houses and buildings unique in Australia and of international significance as Australia’s first planned garden suburb. It is protected by the Haberfield Conservation Area (HCA). Haberfield is a conserved Federation jewel, not only in Sydney, but NSW and Australia.

The Environment Impact Statement (EIS) comments about Haberfield include:

*“The Haberfield Conservation area has significance as it is the first successful comprehensively planned and marketed garden suburb in Australia.... Haberfield predates the first garden suburbs in Britain by some five years.”*

*“It is significant in the history of town planning in NSW...”*

*“It is significant in the history of Australian domestic architecture for its fine ensemble of Federation houses and their fences, and shops, most with their decorative elements intact.”*

*“It is outstanding for its collection of modest Federation houses displaying skilful use of material and high standard of workmanship of innovative design and detail particularly reflective of the burgeoning naturalistic spirit of the Federation year in which they were built.”*

*“Almost the entire suburb of Haberfield, from Dobroyd Canal (Iron Cove Creek) to Hawthorne Canal and northwest to Iron Cove, but excluding the properties along Parramatta Road, is listed as a HCA of local and potential state significance on the Ashfield LEP 2013. It is Australia’s first fully planned and developed garden suburb and is highly intact....”;*

## **2.2. Project Impacts**

The impacts of the Project on Haberfield and the local community will be severe and cannot be reasonably mitigated. The impacts include:

- the acquisition and bulldozing of 53 properties, including those with heritage significance;
- the impact on tree lined streets within the Haberfield Conversation Area;
- loss of homes for those affected including long term residents and the elderly;
- the demolition of approximately 50% of Haberfield’s apartment buildings which house residents who will find it difficult to find equivalent replacement homes;
- the impact of the constructed road, ramps and tunnel on the community ;
- right hand turn exits from the completed Project tunnel at Ramsay and Waratah streets funnelling traffic into Haberfield - significantly increasing traffic on local streets, permanently;
- air pollution from unfiltered ventilation stacks and the associated health impacts, including on children at Haberfield Public School and residents in their homes;
- the cutting off of one part of Haberfield from the remainder - and isolation of the western side;
- many years of high level construction effects – dust, noise and pollution;
- increased traffic on local streets from trucks and work vehicles during the many years of construction; and
- the attendant negative heritage, social, health, and community impacts of all of the above.

## **2.3. EIS Findings**

The EIS finds all aspects of the Project to be significantly detrimental to Haberfield and not able to be mitigated. The following are only some extracts from the EIS concerning just the HCA and heritage impacts alone:

*“the demolition of this number of individually listed and contributory items would have a major adverse impact on the heritage significance of Haberfield Conservation Area.”*  
(refer to table 19.26)”

*“The project would impact on the legibility of the original subdivision designed by Richard Stanton, evident in the existing street layout and the pattern of the*

*freestanding and semi detached houses. The project would effectively fragment the suburb...”*

*“The new motorway infrastructure and associated elements would not be sympathetic to the existing built environment or landscape character of the conservation area.”*

*“Heritage items, potential heritage items and HCAs above the proposed tunnels and in the vicinity of the construction works may be subject to vibration impacts. Vibration could affect the condition of the heritage fabric through cracking and settlement and in the worst case scenario, compromise a heritage item’s structural integrity.”*

*“The proposed future stage of WestConnex (M4-M5 link) could potentially have further impacts on the Haberfield HCA. The proposed scope of works would include tunnels underneath the Haberfield HCA and, while detailed information is not yet available, further surface works and additional demolitions may be required for construction compounds.”*

***“..the impact of the proposal on the heritage significance of the Haberfield HCA and individual items within it would be significant and unable to be effectively mitigated.”***

#### **2.4. Mitigation**

The EIS makes it clear that the Project will have an extreme adverse impact on the Haberfield Conservation Area and the Haberfield community which is not able to be reasonably mitigated. The impacts cannot be justified.

If the Project proceeds notwithstanding all objections and the failure of due process, I strongly support all submissions by Ashfield Council for measures to seek to ameliorate impacts plus I urge:

- no exits at Ramsay and Waratah streets;
- any exits be confined to Parramatta Road; and
- continuation of the Project tunnel through to Glebe Island Bridge in substitution of Stage 3 of the WestConnex.

### **3. Project Traffic Issues**

#### **3.1. Insubstantial Commuter Savings**

I object that for the cost of the Project and enormous adverse community, social, heritage and health impacts to be imposed on the inner west of Sydney by the Project, the EIS predicts only a 6-8 minute saving on travel times from the Western suburbs. Even if this correct, that is horrifyingly poor.

#### **3.2. Insufficient Data and Analysis**

I object to the EIS’s failure to provide enough data to allow independent experts to verify its traffic analysis and that its analysis conflicts with that of others. For example:

- a) the EIS claims the Project will improve traffic, but offers very little data that would allow experts to objectively assess this analysis;

- b) a detailed study undertaken by SGS Economics & Planning for the Sydney City Council concluded that WestConnex would make traffic worse on Parramatta Rd, Victoria St and many local roads;
- c) Eco Transit predicts that traffic on the motorway and arterial roads will be higher with the motorway in place and that the overall poor results will not be worth the estimated expenditure (*October 2015 Eco Transit News*); and
- d) the EIS however also admits that traffic would get worse with the Project, not only during construction, but after completion when more cars will be lured onto the road with greater traffic at places such as the City West Link which would only reduce when (and if ) Stage 3 was built. The analysis of traffic figures in the EIS shows at least four intersections in Haberfield/Leichhardt would be worse if the motorway were built, compared with if it were not built- Parramatta Road at Sloane, Norton and Crystal streets, and Dobroyd Parade at Timbrell Drive.

### 3.3. EIS Assumptions and Omissions

I object that the EIS in relation to traffic analysis:

- a) fails to take into account the increased traffic which will result from construction of apartments and increased population along the corridor for the Project;
- b) assumes unfunded infrastructure and factors not provided for in the Project's budget to achieve the forecasts, including:
  - dedicated bus lanes including a dedicated bus lane on Parramatta Road and a new high frequency bus route between Burwood and the CBD,
  - improved access to rail stations;
  - upgrades to pedestrian and cyclist connections; and
- c) repeats mistakes made in the modelling for the Lane Cove and Cross City Tunnels.

### 3.4. AECOM Conflict of Interest

I object to the alarming conflict of interest of AECOM in playing a key role in the EIS when AECOM has been awarded other WestConnex contracts, and is involved in NSW Urban Growth proposals for high rise apartment development along Parramatta Road - all comprising a huge vested interest in the Project going ahead. The involvements demonstrate a lack of independence, severe conflict of interest and makes the superficial analysis that characterises the EIS highly suspect and unreliable.

Further, AECOM has been sued in relation to its past traffic studies, and has reportedly paid more than \$250m in settlement costs in relation to the insolvent Brisbane Airport Link, for misleading and deceptive conduct associated with its traffic forecasting.

In the circumstances it is wholly inappropriate for AECOM to have been involved in the EIS in a central role, or at all, and renders all traffic modelling and analysis highly suspect and unable to be relied upon.

### 3.5. Increased Local Traffic

I object that the Project will result in significantly increased traffic flow into, and congestion for, Haberfield, the City West Link and surrounding inner west suburbs including for the following reasons:

- a) the City West Link between Haberfield and the Glebe Island Bridge, particularly between Haberfield and Balmain Road, Leichhardt, is already heavily congested and at a standstill at peak times and at various other times. The congestion already encourages rat running through Haberfield and Leichhardt to avoid the congestion;
- b) termination of the Project tunnel and exits at Haberfield and the additional traffic generated by the tunnel from the western suburbs will severely exacerbate the pressure on that already congested section of road - which will not be tolerable;
- c) right turn tunnel exits at Ramsay Street and Waratah Street will provide an escape route from the congestion, funnelling traffic into the centre of Haberfield's residential streets and on through to Leichhardt and other inner west suburbs;
- d) the EIS itself admits increased traffic in areas such as the City West Link as commented above; and
- e) local Council evaluations confirm increased traffic and rat running on local roads. For example Leichhardt Council's analysis of the EIS and the impact of the M4 East on roads not studied in the EIS criticises the EIS for not evaluating the impact of the Project on roads such as Ramsey Street, Marion Street and Darley Road in Haberfield and Leichhardt, and increased "rat-run" traffic on Balmain Road, and Catherine, Young and Johnston streets in Annandale.  
*"The smoking gun has now been revealed that the first stage of WestConnex will in fact significantly worsen congestion on Parramatta Road in Haberfield and Leichhardt." ( Mayor Darcy Byrne October 2015 following the EIS release)*

I also object that other inner west areas affected by the M4 East may be similarly impacted.

### 3.6. Flawed Traffic Modelling

The history of traffic modelling for major road projects predicts that the EIS's traffic analysis will prove to be deeply flawed, superficial and misleading, such as for example, predictions for the Brisbane Rail Link, Cross City Tunnel and Lane Cove Tunnel.

If the EIS's current predicted minor saving in commute time from western Sydney is somehow deemed an acceptable justification for the Project - which I strenuously submit it is not - the size, cost, and multiple serious adverse impacts of the Project make the risks of misleading or flawed predictions too high.

## 4. Stage 3 Issues

### 4.1. Lack of Disclosure or Analysis

I object that:

- a) there has been no disclosure of the potential locations for the connections at Haberfield to the Stage 3 tunnel or of the tunnel route for Stage 3 of the M4 East which is to comprise a multi lane freeway under Haberfield, Leichhardt and Annandale;
- b) the EIS and plans for the Project disclose only vague initial locations for the connections to Stage 3 at Haberfield yet the EIS recommends that the works to connect to Stage 3 should be done as part of Stage 1 and Stage 2 to minimise further impact on Haberfield. For example the EIS states:

*"The proposed future stage of WestConnex (M4-M5 link) could potentially have further impacts on the Haberfield HCA. The proposed scope of works would include tunnels underneath the Haberfield HCA and, while detailed information is not yet available, further surface works and additional demolitions may be required for construction compounds."*

and also:

*"Heritage items, potential heritage items and HCAs above the proposed tunnels and in the vicinity of the construction works may be subject to vibration impacts. Vibration could affect the condition of the heritage fabric through cracking and settlement and in the worst case scenario, compromise a heritage item's structural integrity."*

- c) the EIS contains no disclosure or analysis of the effects of construction, vibration, ongoing noise, pollution from ventilation stacks and potential damage to the structural integrity of buildings including within the Haberfield Conservation Area from Stage 3;
- d) the EIS does not say what works will be done or where for Stage 3, and the location plans provided in the EIS for Stage 3 connections in Haberfield, assuming they are even final, are impossible to interpret as to specific location or route;
- e) if the Project proceeds as proposed by the EIS to Stage 3, the locations for the Stage 3 connecting ramps will be locked into position without any opportunity for public consultation, without an environmental impact assessment on those works and without any transparency or due process; and
- f) alternatively, if the Project is constructed without the works being done for the Stage 3 connections at Haberfield- the EIS makes it clear that the severe and negative impacts on Haberfield of the Project will be repeated when the Stage 3 works are subsequently done.

Either way, Haberfield (and Leichhardt and Annandale) residents are being excluded from information and consultation about a significant adverse impact on their homes, environment and health - which is unacceptable.

#### 4.2. Non Viability of Stage 3

Notwithstanding the above points:

- a) the nature of WestConnex is that if Stage 3 does not proceed, the increase in traffic onto the already congested City West Link and into local roads radiating from the current planned tunnel exits will be permanent and ever increasing. Minister Duncan Gay admitted before the NSW Government March 2015 election that without Stage 3:

120,000 cars per day will be *“spewed into Newtown, Balmain, Leichhardt and Erskineville”* and with Stage 3 *“instead of rat runs through suburban streets, motorists can jump on and off this motorway,”*. Haberfield should also have been included in the Minister’s prediction.

If Stage 3 does not eventuate, the Project condemns Haberfield and large sections of Sydney’s inner west to permanent *“rat running through suburban streets”*.

This is also admitted by the EIS ( as noted at paragraph 3.2 above), in admitting the increase in traffic in local streets in the absence of Stage 3; and

- b) there is as yet no funding or approval for Stage 3, and its viability must be questionable given the failures of similar projects including the Cross City Tunnel. The study of the WestConnex by SGS Economics commissioned by the Sydney City Council also questioned the viability for Stage 3 and reported that even if the last Stage proceeded the overall benefits would be small for the size of the undertaking.

#### 4.3. Damned If Stage 3 Proceeds and Damned If It Doesn’t

Whether Stage 3 proceeds with its attendant impacts and without due process and opportunity for consultation, or whether it doesn’t proceed for lack of funding or viability, the Haberfield community (and other inner western suburb communities impacted by Stage 3 issues) will bear a severe impact if the M4 East project proceeds - just to reduce the travelling time of western suburbs commuters by potentially only a few minutes.

How can that be justifiable on any basis?

### 5. Major Opportunity Cost for Insubstantial Benefit

- 5.1. I object that Government funding for the Project, as part of the whole WestConnex proposal, will claim an extraordinary proportion of the State’s transport and infrastructure budget for years to come. However the EIS has failed to honestly and fully discuss its social, environmental, and economic impacts or to explain why it is preferable to other, alternative public and active transport solutions;
- 5.2. I object to over \$15 billion being spent on WestConnex for small savings that will not benefit most commuters or the public, and will not benefit wider communities including regional communities desperately in need of public expenditure. Instead of spending this amount of money to benefit a very small percentage of drivers in Sydney, and cut just a few small minutes off overall road network traffic speeds in the short term, the NSW Government should be investing in public transport, traffic management solutions, and



regional city centres to address traffic congestion and boost NSW's economic prosperity in the long term;

As the City of Sydney Council points out about WestConnex on its website:

*"It won't improve access to the city centre jobs as 90% of western Sydney workers commute to the city on overcrowded public transport.*

*It doesn't align with the State Metropolitan Strategy to create job opportunities in Western Sydney and transport links to them.*

*It won't help transfer freight from Port Botany Sydney Airport to Western Sydney.*

*Critical linking roads are underfunded.*

*It doesn't take it into account Badgerys Creek Airport.*

*It won't help the renewal of Parramatta Road.*

*It will funnel thousands more cars into Newtown, Erksinville, Alexandria, Waterloo, Redfern and Green Square. "*

[ to which we can add suburbs within the Ashfield and Leichhardt Council areas of Haberfield, Leichhardt and others];

- 5.3. I object to the poor analysis of alternatives undertaken in the M4 East EIS. This section of the EIS is superficial and amounts to no more than saying that the M4 East tunnel project is preferred by WestConnex;
- 5.4. I object to the EIS's failure to consider total negative impacts against the total claimed positive aspects. While the EIS repeatedly refers to the positive impact of the entire WestConnex when arguing for the Project, it fails to consider the negative impacts of the whole Project, including loss of housing, heritage, biodiversity and community; and
- 5.5. I object to the Project in its entirety when so many transport experts advise that decades-long global experience of urban motorway construction has demonstrated that big new urban roads are counterproductive. They generate a flood of new road traffic and rapidly reach capacity. Globally, traffic commentators agree they have fallen out of favour and are no longer seen as a solution to congestion, yet the NSW Government is committing over \$15bill of public funds to proceed with an outdated and horrendously negative project.

## **Reject the Proposal**

I object to so many aspects of the M4 East that it is not possible to comment on all given the complexity and volume of the EIS and the Project documentation. For instance I also object:

- that the EIS document runs to nearly 5,000 pages, yet the public was only given 55 days to respond, despite strong community protest and requests for extension;
- to the severe health impacts and social dislocation aspects of the Project on inner western Sydney communities which are better commented on by others, but which are deeply disturbing;
- to the compulsory acquisition of so many homes and properties throughout the inner west of Sydney to make way for the construction of the Project;

- to the impact on the residents and communities of Leichhardt, Ashfield, Croydon, Newtown, St Peters and other inner western suburbs of Sydney- which will no doubt be the subject of many objections from those communities and their Councils; and
- that the role of Government is to properly consider, act judiciously and wisely, and not endanger the health and welfare of the public- yet in proceeding with the Project, without undertaking a Gateway Review and without observing due process, it is evident the NSW Government has considered political interests and the interests of major corporations and other vested interests, to the severe detriment of one very large section of the public –the inner west of Sydney- and I am appalled that elected representatives should act in this way.

I recognise there is pressure on several NSW Departments, including Planning and the Environment, to approve this Project. I remind public servants, including the Minister, of their obligation to the public and to the potential social, health and economic costs of spending \$15.4 billion on WestConnex when it provides no solution to Sydney's transport needs.

I therefore call on the Minister for Planning to reject the proposal for the Project.