

10 September 2014

25 Hepburn Road
NORTH ROCKS NSW 2151

NSW Department of Planning and Environment
GPO Box 39
SYDNEY NSW 2001

Attention: Dominic Crinnion

Dear Mr Crinnion

OBJECTION TO THE NORTHCONNEX PROJECT - SSI 13_6136

In response to the public exhibition of the Environmental Impact Statement (EIS) for this project I wish to record my objection to the proposal. My issues of concern are set out in detail below.

PROCEDURAL MATTERS

1. CONFLICT OF INTEREST

The Director General's Requirements (DGR) for this project were issued to the Chief Executive of the Roads and Maritime Services (RMS). Consequently there is a clear conflict of interest as the state government, in its various forms, therefore holds the roles of:

- Proponent (through the RTA)
- Assessor (through the Department of Planning – but led by the proponent)
- Consent Authority (via the Minister for Planning)

This application must be referred to the Planning Assessment Commission for determination.

2. REQUEST FOR A SITE INSPECTION

I request that you undertake a site inspection of our property as a part of your assessment of this application. It is simply not possible to understand the relationship between our home and the M2 based only upon a desktop assessment. Without appreciating this existing situation you would not be able to properly consider and assess the impacts this project will inflict upon us.

We and the numerous other people along the M2 corridor will have to live with the consequences of your decision. Please take the time to come and see the existing situation first hand.

BACKGROUND TO THIS SUBMISSION

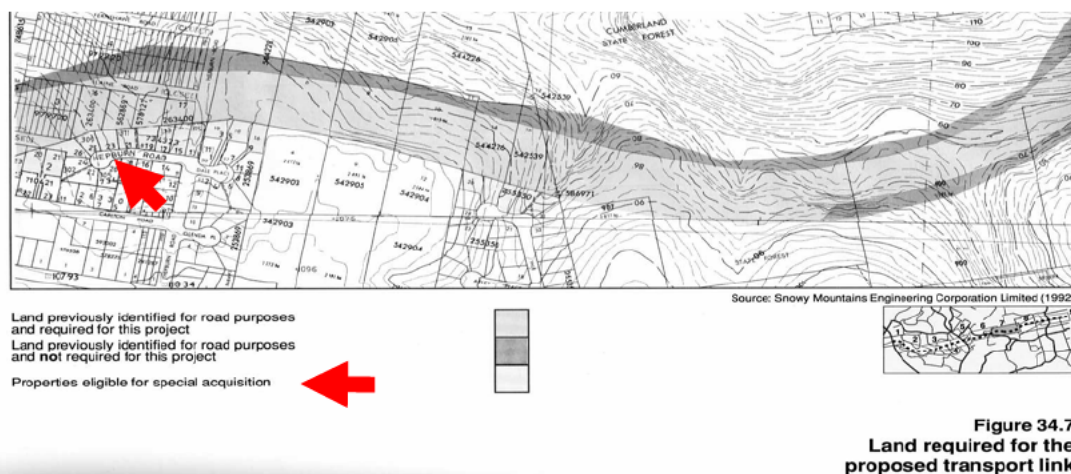
It is worth remembering that our home, like most others, was built before the M2. This road was shoe-horned into, and through, our suburb. This submission must be considered and understood in the context of the following facts:

3. Findings from the noise assessment from the original EIS for the M2 Motorway

The original M2 Motorway project was the subject of an Environmental Impact Statement (EIS) prepared in 1992 by the RTA, Manidis Roberts and the Snowy Mountains Engineering Corporation Limited. The EIS for the western section of that project was titled *North West Transport Link Environmental Impact Statement - Pennant Hills Road to Old Windsor Road*. Chapter 16 of that EIS addresses Land Use and Community Severance Impacts. Section 16.3.2 includes a series of figures which identify properties that would be directly and indirectly affected by the original M2 proposal. Figure 34.7, reproduced below, **identifies all properties along the northern edge of Hepburn Road and Dale Place as being 'eligible for special acquisition'**. The DOPE should hold copies of this document should you wish to check the accuracy of this claim.

The government of the day commenced to implement the acquisition of affected homes along the M2 corridor, and also agreed to allow owners to take up the offer of acquisition after the M2 had opened, to allow them the opportunity to see just how bad the noise would be. However a consequence of an intervening State election resulted in the new (Labor) government rescinding that agreement without consultation.

It simply does not make sense that in 1992 the Government could agree that the noise impacts from the M2 would be so significant that our home and many others were identified as being for 'special acquisition'. Yet, since then we have had the M7, followed by the M2 upgrade project and now Northconnex, which will bring the M2 even closer to our homes, and increase the quantity of traffic, pollution and noise.



4. Speed limits

The original M2 Motorway Environmental Impact Statement (EIS) prepared in 1992 by the RTA, Manidis Roberts and the Snowy Mountains Engineering Corporation Limited, based its noise impact assessments on the M3 having a **speed limit of 80km/hr**.

Yet now the speed limit on the M2 is 100 km/hr.

Any approval granted to this application must require the speed limit to be reduced to 80k/hr – the same speed as proposed for the Northconnex Tunnel, and already in place for the M1 at Wahroonga.

5. Truck noise

The single biggest noise source for us relates to heavy vehicles. The trucks themselves are loud, and just as intrusive is the compression braking the drivers feel compelled to use any time night or day. **The only reason trucks rely upon compression brakes is because they are speeding. The simple solution to this problem is to reduce, and then enforce, the speed limit.**

Condition 2.28 of Project Approval 09_0049 for the M2 Upgrade, dated 21 October 2010, requires the (now) Roads and Maritime Services (RMS) to develop a Heavy Vehicle Compression Braking Strategy.

The condition required that Strategy to be submitted within 12 months of the commencement of construction. Advice received by the Minister for Roads and Ports, dated 27.11.12, subsequently advised that the timeframe for compliance with that condition had been extended until 4 January, 2013.

Will the Department please advise:

1. Was the Strategy completed and submitted for approval by the Minister as required by the condition – and if not, why not? ;
2. If the Strategy has been approved by the Minister, please advise of the measures that have been implemented to address the acoustic impacts of heavy vehicles; and
3. If such measures have been approved, but not implemented will the Department please advise what action it is taking to compel the RMS to meet its obligations ?

Until TransUrban has satisfied all conditions associated with M2 Upgrade no further approvals should be granted.

OBJECTIONS TO THE NORTHCONNEX PROJECT

6. NO FURTHER ROAD WIDENING ADJACENT TO HEPBURN ROAD NORTH ROCKS

I object to the M2 being widened along its southern edge, adjacent to homes in Hepburn Road

and Dale Place. Any widening of the carriage way for the extra lane should be taken from land adjacent to the northern edge of the current carriageway for the following reasons:

- (a) Figure 34.7 from the original 1992 EIS, identifies various circumstances associated with the original M2 proposal. The area shaded dark grey is land noted as being '*previously identified for road purposes and **NOT** required for this project.*'

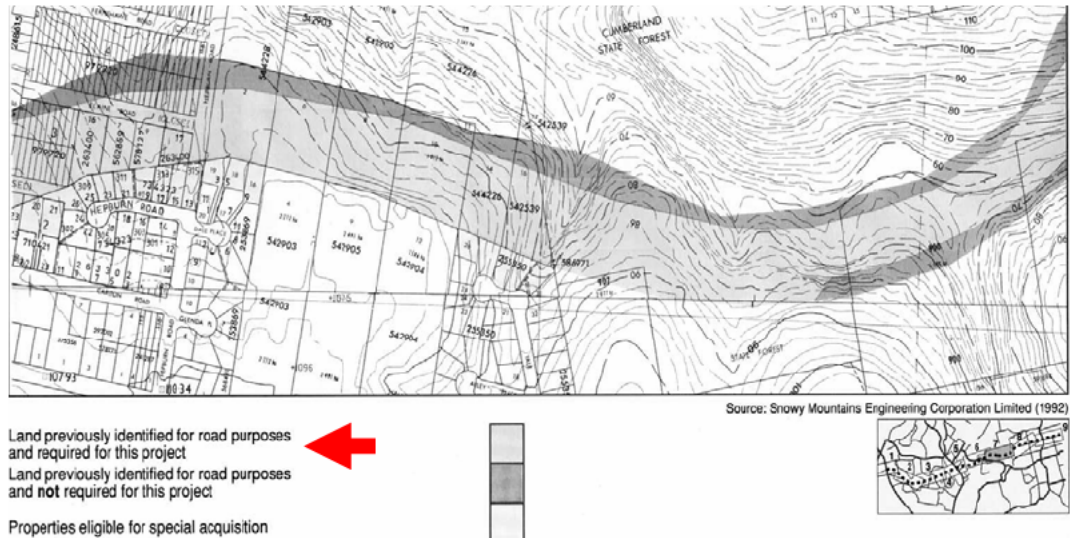


Figure 34.7
Land required for the
proposed transport link

Therefore land previously considered adequate for the purposes of this road exists adjacent to the northern edge of the current carriageway.

- (b) There are hardly any homes along the northern side of the M2 though Northmead, North Rocks, and Carlingford, as compared to its southern side. This can be confirmed by reference to aerial photos.
- (c) An RTA representative who attended our home on 5 June 2010 (in relation to the M2 Upgrade project) confirmed that there was no constraint to prevent the additional space required for the additional lane being acquired from land along the northern edge of the current M2 carriageway. There were 6 other people present who can confirm this claim.
- (d) At that same meeting the only reason given by the RTA representative for the additional space being created along the southern edge of the carriageway was that it was usual, but not essential, for any road widening to be done on the 'inside' of a curve or bend in the alignment of the road. However, during that same discussion the RTA representative confirmed that as part of this M2 Upgrade, widening adjacent to Cheltenham Oval, in Epping, would be undertaken on the 'outside' of the curve.

If it can be done on the outside of a curve next to Cheltenham Oval, and it could be done on the outside of curve adjacent to Hepburn Road, then it should be done on the outside of the alignment of the road next to Hepburn Road.

7. SPEED LIMITS

I object to the M2 having a 100km/hr speed limit. The speed limit should be reduced to 80 km/hr.

The F3 Freeway through Wahroonga, the Gore Hill Freeway through Artarmon, and the M4 Motorway between Silverwater Road and Strathfield are all limited to either 80 km/hr or 90km/hr.

North Rocks is a built-up residential area – why can't we have the same speed limit ? If the trucks travel more slowly, they will make less noise, and they will be less likely to need their compression brakes, particularly between 10pm and 7am when there is little or no other traffic on that road.

REQUIREMENTS IF APPROVAL IS GRANTED

That “community consultation” for major infrastructure projects is nothing short of a sham is no more evident than the recently completed M2upgrade project. For that proposal TransUrban’s consultants prepared a massive 271 page document titled “M2 UPGRADE SUBMISSIONS AND PREFERRED PROJECT REPORT” to address the community consultation process. Page 7 of that report notes 910 submissions comprised:

- 3 from government agencies,
- 6 from local councils and
- 901 from the community.

They claim, also at page 7, that “*Each submission has been examined individually to understand the issues being raised.*” Yet despite such massive community interest, and supposedly such particular evaluation, TransUrban could only see its way clear to make the following changes to its project:

- The design of the Kirkham Street/Murray Farm Road overbridge was altered, by shifting the carriageway widening works from the south to the north of the M2 Motorway to protect a small stand of bushland. (It’s interesting that the same courtesy was not extended to the residents at Hepburn Road who wanted the same design change. Trees have more legislative protection than people!!)
- Clarification of details of the proposed site compound at Terrys Creek and Somerset Street, Epping
- Correction of table headings in the environmental assessment
- Increase in height of noise wall NW-W-3001

All other community concerns were dismissed – completely. [REDACTED]

[REDACTED]

Given that, and noting the conflicts set out at section 2 above, there is no doubt this project will be “rubber stamped’. In that case, we seek the following outcomes as conditions of consent:

8. CONSTRUCTION OF NEW NOISE BARRIER TO BE COMEPLTED BEFORE ROAD WORKS

The new noise barrier next to Hepburn Road North Rocks must be constructed before the actual works to the road. We know that this is possible, as we promised this would happen for the M2 Upgrade. What we got instead was 9 months without a noise barrier – sure they put up some plywood, but honestly – who were they kidding.

9. DECENT LANDSCAPING

This is multimillion dollar project. We would therefore appreciate if you could find it within yourselves to make sure that we get some **decent landscaping to replace the bushland that was destroyed for the M2 upgrade, and the rest of the bushland that will be lost with this round of widening.** The vegetation is essential to our wellbeing and amenity. What we go last time was a weed infested embankment – just another example of TranUrban’s complete contempt for residents.

10. SPEED LIMITS

I object to the M2 having a 100km/hr speed limit. **The speed limit should be reduced to 80 km/hr.** The speed limit must be enforced as per the approval already granted to the M2 Upgrade, and which has been by entirely ignored by the DOPE.

11. ARCHITECTURAL GLAZING TREATMENT FOR 25 HEPBURN ROAD NORTH ROCKS

It is simply absurd for TransUrban to contend that this project not increase noise levels at our home. That simply cannot be the case. First we have a new lane with the M2 Upgrade, and now this. We will end up with an 8 lane road behind our house.

We demand that our home be provided with architectural glazing treatments to ensure that internal noise levels comply with the criteria set out in clause 102 of State Environmental Planning Policy (Infrastructure) 2007 being:

that the following LAeq levels are not exceeded:

- (a) *in any bedroom in the building—35 dB(A) at any time between 10 pm and 7 am,*
- (b) *anywhere else in the building (other than a garage, kitchen, bathroom or hallway)—40 dB(A) at any time.*

CONCLUSION

In summing up, and please stick with me here, I think the whole matter is best captured by Dennis Denuto, the solicitor who so ably represented Darryl Kerrigan in 'The Castle'. To quote Mr Denuto...*'it's the Constitution, its law, its Mabo, its justice, it's the vibe, ...no that's it really..., it's the vibe.'*

When you boil it all down, the 'vibe' of this project stinks.

TransUrban are willing to spend gazillions to provide, what they present, as a terrific piece of public infrastructure. The public benefits may well be worthwhile – time will tell. In reality though, all TransUrban is interested in is turning a profit – and I guess that's fair enough in our free market economy.

What's not fair and reasonable is that the residents who live adjacent to the M2 have to bear the consequences of this project – again, after already suffering through the M2, M7 and the M2 upgrade. The road moving closer to their homes, no increase in noise barrier heights, no reduction in speed limits, no measures to enforce speed limits. Extra traffic, extra noise, extra pollution– 24 hours a day, 7 days a week. (unlike those whinging toffs in Wahroonga who can't bear the thought of 2 ventilation shafts – oh, the imposition !!)

The 'vibe' about this whole project is – stuff the residents. No doubt TransUrban will respond to public objections like mine with their expensive reports and experts to say that everything will be fine. But they don't live here. They don't have to close their doors and windows just so they can have a conversation on the phone. Their windows don't rattle as each truck passes by at 3am. They aren't woken up at 4am as the convoy of trucks stampedes past. Remember that this road was shoe-horned into our suburb – our houses were here first.

I don't really care how many lanes TransUrban need to make more money – please just make sure that residents are given the best possible protection from noise, visual impacts and pollution - so we can enjoy our homes with a fair and reasonable degree of amenity. You know it makes sense.

Yours faithfully
Jake Roeleven