



Community Groups Opening Statement

East West Link Project

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Community Groups

- Royal Park Protection Group Inc (645)
- Protectors of Public Lands Vic Inc (645)
- Parkville Association (317)
- Safety Net for Royal Park (257)
- Friends of Royal Park Parkville (396)
- Carlton Residents Association (173)
- Yarra Climate Action Now (534)
- The Kensington Association (297)
- Residents against the Tunnel (156)

General Concerns

- The Groups strongly oppose the Proposal.
- There are three general concerns that are common to the Groups.
 - The use of a reference design for the CIS.
 - The adequacy of the CIS.
 - The enforceability of the CIS through performance requirements and applicable approvals.

Safety Net for Royal Park (257)

- Safety Net for Royal Park (**SNRP**) will submit alternative options to the present alignment of the reference design.
- The rationale for the SNRP's submissions is to minimise adverse impacts of the proposal on Royal Park and West Parkville residents.

Kensington Association (297)

- Kensington Association (**KA**) concerns relate to the impact of Part B of the proposal in Precinct 5.
- The KA will make submissions about the impacts of the proposal on:
 - Visual amenity;
 - Noise & air pollution;
 - Additional traffic impacts; and
 - Loss of public open space.

Residents Against the Tunnel (156)

- The Residents Against the Tunnel (**RATS**) will make submissions concerning the impact which the proposal will have on their members and the local community who are directly affected by the proposal.
- RATS will submit that the proposal's claim that it is a 'congestion buster' cannot be justified.
- In addition, RATS will submit that the costs of the proposal far outweigh the benefits.

Carlton Residents Association (173)

- The Carlton Residents Association (**CRA**) will submit that the proposal is the result of a highly politicised process rather than one that objectively looks at Melbourne's infrastructure needs for the future.
- Further, that building more roads will not remove traffic congestion.

Yarra Climate Action Now (534)

- Yarra Climate Action Now (**YCAN**) will submit that it is essential to develop a comprehensive public transport/ pedestrian/cycling network while retaining public open space in order to mitigate climate change.
- YCAN will submit that this project will massively increase vehicular traffic while destroying vital open space like Royal Park.
- This project is potentially catastrophic from a climate perspective.

Royal Park

- The Royal Park Protection Group Inc & Protectors of Public Lands Vic Inc (645), the Parkville Association (317) and the Friends of Royal Park Parkville (396) are particularly concerned about the impact which the proposal will have on Royal Park, including the Zoo, the Trim Warren Tam-Boore Wetland (**the wetland**) and Anzac Hall.
- While each Group has a particular focus, the Groups wish to use the example of Royal Park to illustrate all the Groups' general concerns about this proposal.

Significance of Royal Park

Royal Park is historically significant as an outstanding and largely intact example of the public parks set aside by Lieutenant-Governor Charles La Trobe from the mid-1840s as part of his vision for the city of Melbourne. It retains its early use and demonstrates La Trobe's contribution to the provision of public open space in the colony and also the vision of the colonial administration for the future development of Melbourne. Largely as a result of La Trobe's vision Melbourne now has a group of spectacular parks.

Heritage Victoria, Assessment of Cultural Significance of Royal Park, February 2014.

Significance of Royal Park

- Royal Park's significance was further noted by Heritage Victoria to be as follows:
 - *“Royal Park is rare as ...it retains its basic form, its early use, remnant indigenous vegetation and important views to the city.”*
 - Royal Park is “... the most important of Melbourne's early outer ring of parks...” and has “... greater historical significance...” than other parks.
 - Royal Park has “... significant, remnant indigenous vegetation ...” and is testament to the “ongoing dedication to planting native and indigenous plants over a period of 150 years...”

Reference Design

- As the CIS explains, the reference design “... is used to determine the project’s feasibility and ability to achieve acceptable outcomes.” CIS Ch 00 p.6
- It further states that:

The Reference Project may not be the design ultimately adopted for the project. Firms tendering to construct and/or operate the project may offer variations to its design or route alignment that deliver better value for money or that incorporate innovative approaches in design, technology or operations that have not been considered specifically as part of the assessment of the Reference Project. (emphasis added) CIS Ch 00 pp 6-7.

Reference Design

- The Groups submit that this is an extraordinary situation to be faced with.
- An appropriate CIS ought to be based on a finalised proposal and have specifically considered the full range of negative impacts resulting from the proposal as well as its benefits.
- It is no answer to say that the LMA cannot analyse all the negative impacts of the project because the design is not finalised.
- Therein lies the vice of the approach adopted in this case.
- In the absence of the LMA volunteering further information on a range of important issues, the Committee should require that it be provided prior to making their decision.

Reference Design

- A further issue with the reference design is that the visual images and 3d renderings should be assessed carefully given that the proposal may change substantially from what is depicted.
- The renderings are representations of the reference design, which it is acknowledged by LMA do not represent the final proposal.

Reference design

- The Committee cannot be satisfied that the renderings represent the most likely design.
- They represent no more than one possible outcome.
- The renderings as they stand give an approximate indication of the location and scale of the most basic project elements but are not sketch designs.
- The addition to the images of aesthetic features such as grass and trees, when major structures are still missing (tolling, lighting and signage gantries, security fencing etc.), is patently an attempt at dis-information and spin.

Artists impression of western portal looking west



Artists impression of Elliott Avenue



Reference Design: Conclusions

- Some would say that what has been a carefully orchestrated approach by the LMA to highlight the best aspects of this proposal will have succeeded if the Committee is denied the opportunity to consider its worst aspects.
- Certainly, if cost becomes the overriding factor in consideration of tenders, as is inevitable, the Groups submit that this project will become a race to the bottom.
- The Groups submit that it is incumbent upon the Committee to exercise a great degree of caution when forming a view about the proposal's adequacy or appropriateness, given the uncertainty of its status.

Adequacy of CIS

- As the reference design may lead to a range of potential outcomes, it is imperative that the CIS assesses these outcomes objectively.
- Instead, what is seen throughout the CIS is the following statement, in this case, in relation to the Urban Design Framework:

It is important to recognise that the Reference Project is a concept design and that it does not constitute a considered response to the Urban Design Framework. (emphasis added)

EWL Response of LMA 11.2.14 p.61.

- The Groups question is, why not?

Adequacy of CIS: Ventilation Structures

- Another example of this problem with the CIS is in relation to the way the CIS addresses the need for a ventilation structure in Royal Park.
- The structure is modeled at the western portal to the tunnel and shown as being about 20 metres high. The CIS notes that:

The exact location of the structures would be determined by the contractor and an additional air quality assessment would be required to prove that the performance requirements to policy levels would be met. CIS Ch 11 p.10.

Artists impression of the western ventilation portal



Adequacy of CIS: Ventilation Structures

- The Air Quality report, annexed to the CIS as Appendix I p.57, states that:
The modelling locations of the ventilation structures are representative of one possible location, close to the respective tunnel exit portals, that could be used in a final tunnel design. The ventilation structures have not been placed in an optimised location but have been selected at one possible configuration in which emissions from the tunnel can comply with Victorian environmental regulations. (emphasis added).
- Placing the ventilation structure (and associated air handling equipment) in the optimal position in Royal Park may locate the structure much closer to the State Netball and Hockey Centre, Melbourne Zoo and the Children's Hospital.
- The visual impact of a 20 metre high structure in the park would also be significantly different from that shown in the promotional videos and renderings by LMA.
- The Groups submit that this is an example of an issue, the detail of which is likely already known to the LMA, but in relation to which proper consideration of any alternative is not evident from the CIS.

Adequacy of CIS: Cut & Cover

- The CIS notes that cut and cover is an option for the construction of all of the tunnel in Royal Park.
- There is only limited direct assessment of this option in the CIS.
- In many cases, it is noted as an option, but consideration is focused on the impacts of the majority of the tunnel being constructed by underground tunneling.

Adequacy of CIS: Cut and Cover

- The Groups cannot conceive of a more destructive activity in Royal Park that the construction of a trench up to 120 metres wide and 30 metres deep for 1.4 km through the park.
- And yet, the Groups note and the Committee should observe that the potential impacts of this activity are given scant attention in the CIS.



Spoil mountain created by excavation of underground car parks at RCH site in Royal Park

Adequacy of CIS: Project Area

- There is extensive land reserved for the project over the entirety of the Ross Straw fields and the wetlands.
- Unusually for the CIS, the land within the project area is stated to be:

“... a ‘worst case’ scenario – not all of this area may be needed by the contractor who would be required to use as small an area as possible and to minimise temporary and permanent construction footprints in the park.” CIS Chapter 00 p.24.

Adequacy of CIS: Project Area

- There is inadequate justification for the extent of land in Royal Park designated for the project area.
- The Groups say that this is an example of where the Committee should exercise greater scrutiny of the CIS and particularly its strategic justification.

Adequacy of CIS: Conclusions

- The Groups submit that the use of a reference design in the CIS should not be justification for:
 - omitting analysis from the CIS of the key issues;
 - failing to consider the expected range of possible outcomes; or
 - leaving the issue for resolution until after a tenderer is selected.
- The Groups submit that the Committee should carefully scrutinise the CIS where any of the above circumstances arise.

Enforceability: Spoil Disposal

- The Groups submit that the question of disposal of spoil is a very good example of the third concern expressed by the Groups.
- The CIS notes that the proposal will create somewhere between 2.5 and 3 million cubic metres of spoil which will need to be disposed of.
CIS Ch. 4 p.21-22
- The CIS further notes that this spoil will be disposed off-site.
- The amount of spoil to be removed is huge.

Enforceability: Spoil Disposal

- As far as problems posed by enforcement of the CIS in its present form, the Groups submit that:
 - As it stands, the performance requirements in the CIS do not mandate removal of spoil from the project area. CIS Ch 17 p.25
 - There is ample scope to dump the spoil on Ross Straw fields. The tenderer may advise the LMA that there are cost benefits in not removing spoil off site.
 - The planning permit allows earthworks to be conducted and fill to be disposed of, 'as of right' within the project area. CIS App A Incorporated Document to planning scheme amendment cl 4.0
- One could not be criticised for concluding that the only reason for setting aside such a large project area is to allow for dumping of spoil and avoiding the cost of its removal from Royal Park.

Elliott Avenue

- The key justification for the project in the CIS is that:

The Eastern Freeway should be a vital link in Melbourne's and Victoria's economic infrastructure – instead, it is a 'stranded asset', cut off from the rest of the freeway network and giving vehicles no direct access to the Port of Melbourne and Melbourne Airport or to major routes out of the city to the north and west. CIS Ch 00 p.2.

- The Elliott Ave interchange is justified at a broad level in the CIS as being needed "... to better distribute traffic travelling to the north western suburbs". CIS Ch 00 p.13.

Elliott Avenue

- The Groups submit that there are numerous entry and exit points to the proposal nearby on CityLink and on Park B of the project that provide far superior linkages to:
 - “... the Port of Melbourne and Melbourne Airport and to major routes out of the city to the north and west.”
- Ultimately it is the Groups position that the Committee should recommend that the Elliott Avenue interchange be removed from the proposal.

Publicly owned/privately possessed

- The Groups submit that this project will alienate a swathe of inner city public open spaces in the municipalities of Melbourne, Yarra, Moonee Valley and Moreland for the benefit of a private toll road operator.
- These spaces include:
 - parks,
 - reserves,
 - creeks,
 - waterways
 - wetlands,
 - sporting grounds and
 - playgrounds.

Terra nullius

- The Groups submit that the LMA sees Royal Park and any public open space as “terra nullius” – vacant land there for the taking.
- By contrast the Groups submit that such open spaces are part of our heritage and, particularly in the case of Royal Park, an important legacy to be passed on to the next generation undamaged and preferably improved.



The Australian Native Garden in Royal Park



Ross Straw Fields



Trin Warren Tam-boore wetland



Conclusions

- Royal Park is a significant and rare recreational and community asset owned by the people of Victoria. The Groups submit that the impact of this proposal on Royal Park will be substantial and permanent. It will dramatically change the quality of Royal Park for the worse. This would be a tragic outcome for such an important and rare public asset.
- Our forebears, with vision, insight and intellect created Royal Park for the benefit of all Victorians. It has been handed down to us through the generations and remains a place reserved as a park for the benefit of all.
- The Groups submit that it is incumbent on the Committee to apply a similar vision, insight and intellect to that of Lieutenant-Governor La Trobe when assessing this proposal.

Conclusions

- The Committee's decision will greatly impact upon how Royal Park will be used into the future. What should be paramount in the Committee's deliberations is the fact that destruction of significant aspects of the park will reap permanent damage upon it.
- The Groups submit that the Committee should consider what the legacy of their decision will be. Royal Park is too important and valuable for the Committee's decision to be made lightly.
- While Royal Park is of particular concern, the wide variety of specific local concerns raised by the other Community Groups referred to, merit full and careful consideration.