

Royal Park Protection Group Inc

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ANNUAL REPORT OF THE ROYAL PARK PROTECTION GROUP given at the Annual General Meeting on 30 October 2000

Introduction

Tonight we are holding our third Annual General Meeting and celebrating the anniversary of the formation of the Royal Park Protection Group. There has been little to celebrate this past year, however, even with the advent of the Bracks Labor Government. Since our last AGM, we have seen the continued and relentless damage done to the Park as construction of international-standard sports stadiums with giant TV broadcast light towers proceeds, right next to the Zoo. The threat is still present of location of the 2006 Commonwealth Games Village on the "Parkville" site (the Royal Park Psychiatric Hospital and adjoining sites) with its inevitable consequence of damage to the Park, as is the ever present threat of the Eastern freeway link through the Park to Tullamarine tollway. The menace looms of a car invasion with the opening of the hockey and netball stadiums and expanded car parking within the Park for sports groups. The planned revegetation and regeneration program undertaken by the City of Melbourne (in what remains of the Park) needed to overcome the years of neglect and mismanagement is slow to proceed yet massive funds are available from the City of Melbourne for "capital works" projects (eg carparking and roads) within the Park

The Royal Park Protection Group has emerged, however, stronger than ever after "the trial by fire" and is ready to fight on. We have now solid alliances with other community groups, environmental organisations, trade unions and good support from some of our Melbourne Councillors and State parliamentarians. We have excellent legal representatives, qualified in planning law and environmental law, willing to help small, indigent, community groups. We are, therefore, increasingly better equipped to resist the forces of environmental destruction in Royal Park and assist compatriots in the protection of other urban parks.

Our Objectives

The Royal Park Protection Group reaffirms its aims as set out in our constitution which are to:

1. Protect, regenerate and conserve the Royal Park as a unique, indigenous inner city park for present and future generations, consistent with the principles of the 1987 Royal Park Master Plan;
2. Oppose alienation of parkland by Government, commercial, sporting and other bodies to ensure public access consistent with the terms of the establishment of the Royal Park.

Key Campaigns

1. Following these objectives a major campaign in the first two years had included the relocation of 2006 Commonwealth Games stadiums facilities (the State Netball and Hockey Centre) from the Park to a more appropriate location. The RPPG legal challenge to the stadiums was aborted by Kennett when the Royal Park Land Bill 1999 was rushed through Parliament in June 1999, thus removing any avenues of legal redress. Construction is now well under way and the colossal superstructure clearly visible from the Zoo and surrounding suburbs. No operating controls as far as hours, use, lights, noise, traffic and parking were

specified when former Minister Maclellan issued the stadium planning permit in December 1998. This year, now that building is proceeding, the campaign has focussed on containing environmental damage to the Park and Zoo, controlling effects of obtrusive lighting of the stadiums and on obtaining proper operational controls. Our calls to the State Government continue for an environmental effects assessment to be undertaken of the stadiums and their operation. (To date the calls have been ignored) See below milestones for the year.

2. Still current is our campaign to have the Games Village relocated from the "Parkville site" on Royal Park to a more appropriate site such as the Docklands and for there to be open public processes for selection of the site. No clear statements has been forthcoming from the Government on the Village location. It is understood that Cabinet is to decide on this project. RPPG reminded the Government of pre-election pledges that projects referred to Cabinet for a decision require an environmental impact assessment.
3. Our third major focus has been on proposals for the freeway-tollway link through Royal Park. Conflicting statements continue to be made by the Minister for Transport on this \$1 billion project.
4. The fourth focus has been on revegetating and restoring Royal Park in keeping with the "bushland vision" for the Park. We are hoping that this can be realised through the implementation of the Royal Park Master Plan by the City of Melbourne (see below).

New Era Expected for Royal Park with Bracks Government

In common with hundreds of parks groups across Victoria, RPPG welcomed the election of the Bracks Government in September 1999 as a win for our parks.

RPPG had been very gratified to read the ALP election promises prior to the election regarding the staging of the Commonwealth Games in Melbourne. Prior to the State election last year, a promotional tract appeared entitled "*Victorian State ALP Vision for the 2006 Commonwealth Games*" which included statements by Mr John Pandazopoulos (now Minister for Major Events). It is remarkable for promises made to the electorate about the environment, proper planning and open government.

Sample quotes from this policy document are: "*The Commonwealth Games will be used to: internationally showcase Melbourne's ...building and environmental skills; help meet Victoria's Greenhouse Gas Reduction responsibilities by conserving energy use. Construction, transportation, land use... and parkland management will all be undertaken according to world (sic) best environmental practice; re-establish Victoria's proud reputation as a State with probity and where processes do count*". The section relating to Royal Park included: "*The design, construction and use of any facility in Royal Park should be subject to full and open planning processes. Existing contracts will be scrutinised and opportunities sought, within those contracts, for improved outcomes in sympathy with the natural parkland setting of Royal Park.*"

RPPG hopes that the Bracks Government will revisit its election pledges and renew its commitment to "green" games for 2006.

In addition good news received in the early days of the Bracks Government was the announcement by Transport Minister Bachelor of the scrapping of Jeff's "Cemetery Link" – the proposed underground tollway through Carlton, Parkville and Royal Park linking the Tullamarine Tollway and Eastern Freeways.

Also welcome were early assurances by Major Events Minister Pandazopoulos that a search was proceeding for an alternative location for the 2006 Commonwealth Games Village. The "Docklands option" was to be considered. Thus it seemed that the Royal Park Psychiatric Hospital with its unique, National Trust classified Hospital buildings would be saved, plus the surrounding gardens and parkland. Also Royal Park would be saved from the impact of a huge residential development.

A note of discord sounded when Premier Bracks announced that he would retain Mr Ron Walker as Head of the 2006 Commonwealth Games Board - the very man who oversighted the destruction of Melbourne's inner city parks for stadiums and a racing car circuit. Mr Walker will long be remembered for his false assurances to the community over the Royal Park stadiums: "Not one tree will be removed or one inch of parkland lost."

A blow to the new government's credibility came in early December 1999 when the Melbourne Sports and Aquatic Centre Amendment Act 1999 was rushed through Parliament, with no community or local government consultation. (The Bill had been drafted by the Kennett Government but had not been submitted to Parliament before the election.) The Bill serves to establish a super Trust - a management body for the Albert Park and Royal Park sports stadium complexes plus any other sports or entertainment developments coming on line. It effectively sounds the death knell for urban parks. It creates the "doughnut effect" - excising the heart of the park and removing control by local government. The Minister of Sport appointed an Advisory Committee for the SNHC composed of "stakeholders" - including RPPG - to report to the State Sports Centres Trust. It will be left to the Committee to draw up conditions of operation for the SNHC which is extremely unsatisfactory.

The RPPG has been disappointed that the Bracks Government continued mistakes of the Kennett administration and did not take a fresh look at solving difficult environmental problems presented by the construction of stadiums in parkland. It has largely taken an adversarial approach to community groups such as the Royal Park Protection Group.

Milestones in the Dispute over Outdoor Lighting of Netball and Hockey Stadiums

From February 2000 up to the present date the dispute over the lighting of the stadiums has taken centre stage. The following outlines major developments:

- In early February the Electrical Trades Union (ETU) imposes "green bans" on the construction of 34 metre high light towers on the Royal Park hockey stadium to stay until such time as the Bracks Government sees fit to undertake an independent environmental impact assessment.. Shortly after the Amalgamated Metal Workers' Union (AMWU) joins the ETU in banning work on the hockey stadium light towers. (The green bans are called off in May when Minister Thwaites gives his personal assurances that there would be no more light spill into the Zoo from the new lighting than was the case with the old hockey centre. Dean Mighell later states he had been misled by the Minister).
- In late February RPPG discovers that the hockey light towers have no planning permit. Minister Thwaites arranges a "briefing" for RPPG by lighting engineers on stadium lighting. RPPG provides relevant Ministers with a detailed technical analysis of the proposed SNHC lighting, prepared by Dr Barry Clark, a national expert on light pollution and lighting, establishing that the outdoor stadium lighting apparently breaches Australian standards for obtrusive lighting and predicts environmental damage if lighting proceeds.

- In March RPPG again calls on Minister Thwaites to invoke the Environment Effects Act 1978 and require an environmental effects statement to be prepared. The Minister refuses the plus requests by the Melbourne City Council, the Astronomical Society of Victoria, the ETU, the AMWU and animal welfare groups. RPPG deplores the failure of the Melbourne Zoo to oppose the stadium construction and condemn the threat of the lights. Zoo management remains silent in the face of this extraordinary threat to the captive animals in their care, apparently accepting guarantees given by Zoo Minister - Sherryl Garbutt - that there will be actually *less* light spill from the new SNHC than from the old hockey centre.
- On 29 March Dr Clark provides advice on the impact of the lighting on the Zoo as follows: *"The new hockey stadium light towers will subject the Zoo to intolerably great levels of illumination and have an undesirable effect on the animals."*
- In late March, after refusing to initiate an environmental effects process, Minister Thwaites commissions a commercial lighting company to review the lighting design, thus by-passing genuine and serious environmental objections. The "review", which is not put to tender and is to be completed in 6 working days, does not consider Dr Clark calculations and does not provide any of its own, thus relying on unsubstantiated assurances that the impact of the lighting on the environment will be no greater than the impact of the former hockey centre lighting. Dr Clark concludes, however, that *there will be now more light spill into the Zoo from the SNHC covering a much greater area for a much longer time than from the old hockey centre.*
- In late April that a set of six light "masts" (towers) had been erected on the open netball courts without planning permits. It is considered that they will produce sources of light pollution and light trespass compounding the adverse effects of the proposed hockey centre light towers.
- On 5 May Planning Minister Thwaites, relying on the commercial lighting company's review, puts through Planning Amendment C 26 to the Melbourne Planning Scheme with amended endorsed plans to expedite the construction of the light towers..
- In June RPPG obtains copies of the endorsed plans and confirms previous conclusions that some of the lighting structures and construction works do not appear on the plans and are, therefore, apparently illegal. RPPG obtains legal advice confirming it views and conveys it to the relevant Ministers.
- On 26 July RPPG and the ETU meet Minister Pandazopoulos and call for a halt to construction of the light towers until the lights can be properly shielded and an environmental impact assessment be undertaken. (It was subsequently discovered that contracts require the lights to be shielded but this had not been done). The Minister refuses the request and states that the construction of the light towers will proceed. Over the following week-end of 22-23 July construction of the light towers is fast-tracked thus removing the RPPG's option of taking out an enforcement order.
- On 31 July Dr Clark produces a definitive, updated analysis on *"Outdoor Lighting at the State Netball and Hockey Centre, Royal Park: Possible Breaches of Laws, Regulations, Specifications, Australian Standards, Policies and International Commitments"*. In summary Dr Clark comments: *"On the basis of information to hand, it appears that the sports lighting of the State Netball and Hockey Centre fails to comply with certain requirements of the Australian Standards on obtrusive lighting and lighting of roads. It may be illegal as excessive glare appears likely to cause traffic hazards. Legal opinion is that some of the sports lighting fails to comply with planning laws and is therefore illegal. The sports lighting poles are much higher than those used previously at Royal Park for netball*

and hockey, and consequently increase environmental ill effects. The outdoor lighting of the SNHC in general fails to comply with international requirements for greenhouse gas reduction and skyglow minimisation. It may involve subtle cruelty to captive and wild animals. Birds will be subject to collision and disorientation hazards. The outdoor lighting of the whole Centre will be inimical to the amenity of Royal Park and may adversely affect the well-being of nearby residents. There may be a case for having the spill light declared a public nuisance." This is conveyed to all relevant Ministers and distributed widely.

- On 8 August Dr Clark presents his analysis to the Environment committee of the City of Melbourne and also speaks on the new City Lighting Strategy. Royal Park is declared "a dark space" by the City of Melbourne.
- On 16 September RPPG requests Minister Pandazopoulos that we wish to be present at the trial of the stadium lights. Similar requests are made by the ETU, the Zoo, the Tram Union and Swanston Trams. Today Minister Pandazopoulos advised that we would be invited to a "display" of the lighting in November and that no shielding of the lights was thought necessary by the contractor. Dr Clark proposes to measure the light spill and make the results public.
- On 25 September the RPPG lawyer writes to the Premier, all relevant Ministers and all affected parties that the glare from the stadium lighting appears to represent a safety hazard and so breaches the Occupational Health and Safety Act 1985. Apart from the construction company no answers have yet been received. (The safety hazards are exacerbated by the permanent fence constructed around the stadiums blocking pedestrian access from public transport.)

Conclusion: The RPPG awaits the trial of the stadium lights and proposes to call on members and supporters to a gathering to bear witness that the lighting is obtrusive and may constitute a "public nuisance." RPPG awaits responses relating to the possible breaches of the Health and Safety Act 1985 of the lighting.

Other RPPG Campaigns

Implementation of the 1987 Royal Park Master Plan

RPPG was alarmed at the prospect of piecemeal implementation of the 1997 Master Plan which started with construction of a bike path along Macarthur Road without reference to the network of bike tracks. Also proposals for carparking and an access road to Brens Sports Pavilion. Action by councillors and lobbying by an alliance of community groups resulted in the establishment of an implementation committee on which the RPPG is represented. This first met on 20 March. Community groups are pushing to have the much needed revegetation programs made a priority and are encouraged by cooperation with Parks and Recreation staff

Hot Air Balloon Invasion

In August 1999 the City of Melbourne proposed to allow the tethering of 30 metre hot air balloons for advertising during events Melbourne's Parks. RPPG was successful in having this proposal to blatantly commercialise parkland defeated with regard to Royal Park but not for the rest of the parks.

Park Heritage

- The Walmsley House - one of the early prefabricated iron buildings in Victoria and the first Park rangers home - was classified by the the National Trust as of local significance. The

golden elm which stands next to the House about to be classified by the Trust as of Regional significance. Heritage Victoria has yet to make a decision.

- RPPG is working on ensuring the City of Melbourne undertake a complete tree register of Park trees and noting significant trees and historic avenues.
- City of Melbourne had commissioned a “Heritage Study of Royal Park” and produced the report as an official document. This was patently an unsatisfactory (eg it recommended that the Walsmesley House be demolished or removed) so it has been agreed that that the document be stamped “Consultant’s Report Only”. Unfortunately the study of Aboriginal sites of significance has never been undertaken
- In May RPPG nominated the historic Hospital buildings on the Royal Park Psychiatric Hospital site to the National heritage Register to try to afford greater protection to the buildings.

Outcomes of RPPG Campaigns

Legal:

The ongoing legal challenges to the light towers on the SNHC has shown RPPG’s capacity to employ legal means to expose the breaches of planning and environmental laws and the mismanagement by the State Government. It has also revealed the increasing level of sophistication in our defence of parkland. As referred to above a tribute should be paid to our chief lawyer Campbell Duncan who is frequently called on to provide advice at various stages of our campaigns. It has moreover revealed a disappointing aspect of the Bracks government- it has exposed the Bracks Government continuing the tactics of the Kennett Government. The attention drawn by the RPPG to the bungling of the stadium light permits has forced Minister Thwaites to intervene to amend the Planning Scheme. This fast track the light towers in a manner not dissimilar to his predecessor Maclellan.

Research

The RPPG continues to expand contacts and alliances giving us to greater information sources.. The fact that most of the Committee are now on email and on have access to the internet allows greater access to information for instance on the Sydney Green Games. The number of FOI requests made by RPPG have risen significantly in particular over the information on the stadium lights. The web site provides a valuable resource for secondary and tertiary students and reduces the burden on RPPG committee members who used to provide material to enquirers. The RPPG is now seeking Office accommodation to store the significant volume of records accumulated in four years.

Publicity

RPPG continues to receive media coverage on all campaigns particularly in local papers. It is apparent now that the public awareness of Royal Park has greatly increased since the establishment of the Group. Now the response is usually not “where’s Royal Park” but what’s happening now in the Park about the light towers and the Zoo?

While the Age has published two major stories this year in May and September on the stadiums and the Village the unwillingness of print and electronic media to undertake in-depth reporting of the issues relating to the 2006 Commonwealth Games and also the achievements of the green Sydney Olympics is disappointing.

Alliances

RPPG alliances have been strengthened with environmental groups such as Friends of the Earth and Environment Victoria plus parklands groups such as Save Albert Park. (Reference messages of support sent to the meeting). Membership of the green trade union coalition "Earthworker" has maintained our contact with trade unions. RPPG thanks Dean Mighell ETU Secretary and ETU officers for their help and cooperation over the light towers campaign. A new alliance has been forged with the Astronomical Society of Victoria. RPPG Committee can not speak highly enough of the extraordinary contribution made by Dr Barry Clark on behalf of RPPG to exposing the breaches of the stadium lights, the failure of due process by both Kennett and Bracks in proceeding with the lights and the failure to account for the increase in green house gas emissions. The Government is to be condemned for its failure to accept or at least his professional advice on the SNHC (The City of Melbourne has however sought his advice for the City Lighting Strategy).

Political Lobby

The RPPG has acquired a degree of acceptance with the City of Melbourne as an advocate of Royal Park. The Group's frequent submissions to the Planning and Environment Committee over the past year has given us a continued high profile. The acceptance by the City of Melbourne of community groups place on the standing committee for implementation of the Royal Park master Plan is possibly a result of extensive lobbying by RPPG. The good working relationship with Councillors is we hope a reflection of the regard held for RPPG. RPPG is prominent in support for the Planting Days in Royal Park, for example the recent Spring Planting Day in West Royal Park and for community activities in Royal Park.

RPPG members are pleased with the consultations held with members of parliament representing Melbourne - both in the Upper House and Lower Houses. Bronwyn Pike and Glenyys Romanes have taken a positive role in seeking solutions over Commonwealth Games 2006 venues and village.

Care for the Park

RPPG is an organisation which is committed promoted appreciation of the "bushland in the City". We consider that we have an important role in informing and "promoting" the Park to Melburnians. As participants over the last three years in the North Melbourne Spring Fling - a community festival - we have noticed the growing public recognition of the RPPG role and knowledge about the Park. We support the City of Melbourne's promotion of "passive" recreation activities such as kite flying and the star viewing nights throughout the summer.

Continuing Action

- The stadiums must be subject to strict operational controls. Even though RPPG is on the SNHC advisory committee without proper sanctions and regulations the environmental impact from noise lights traffic carparking operation will occur. An environmental impact assessment is necessary although dismissed by the Government.
- Of particular importance is the control of the stadium lighting. These must be properly shielded and strict operational controls applied otherwise they must not be used. RPPG expects to attend the testing of the lights and is waiting replies about the safety threats posed by the lights

- Another site must be selected for the 2006 Commonwealth Games Village. The Royal Park Psychiatric Hospital site and adjoining sites is no place for a Village.
- The ongoing threat of the freeway link through the Park must be carefully monitored and our contacts maintained with outer Eastern groups. Also with those inner city groups which oppose the freeway.
- The focus of RPPG must continue to be on the restitution and revegetation of Royal Park - for so long neglected. RPPG will continue to attend the Master Plan Implementation committee.
- Finally the RPPG has proposed to promote the establishment of a network of environmental, trade union and local government groups to form a Green Games Watch 2006 to act as an environmental watchdog for the 2006 Games in Melbourne.



Julianne Bell
Secretary
Royal Park Protection Group

30 October 2000