

EAST WEST LINK (EASTERN SECTION) PROJECT

ASSESSMENT COMMITTEE APPOINTED UNDER SECTIONS 35 AND 235 OF THE MAJOR TRANSPORT PROJECTS FACILITATION ACT 2009

PROTECTORS OF PUBLIC LANDS (VICTORIA) INC (645)
ROYAL PARK PROTECTION GROUP INC (645)
CARDIJN COMMUNITY AUSTRALIA (453)
CARLTON RESIDENTS' ASSOCIATION (173)
FRIENDS OF BANYULE (634)
FRIENDS OF MOONEE PONDS CREEK INC (528)
FRIENDS OF ROYAL PARK PARKVILLE INC (396)
THE FRIENDS OF ROYAL PARK PARKVILLE INC (396)
KENSINGTON ASSOCIATION (297)
KOROROIT INSTITUTE (313)
MERCANTILE CRICKET ASSOCIATION (73)
MOONEE PONDS CREEK CO-ORDINATION COMMITTEE (1092)
MORELAND COMMUNITY AGAINST THE EAST WEST TUNNEL (109)
PARKVILLE GARDENS RESIDENTS' ASSOCIATION (95)
THE 3068 GROUP INC (326)
TRAVANCORE PARK USER GROUP (354)

AND INDIVIDUAL SUBMITTERS MS SUSAN PEPPER (114), MS PETRA STOCK
(2) JANE LEITINGER (698), CATHY DRUMMOND (940), GABRIELLA PRETTO
(213) PAUL PRENTICE (835) AND ANNE PHEFLEY (263)

COMMUNITY GROUP CLOSING SUBMISSIONS

247. The Community Groups and individual submitters set out above and in **Annexure B** to these submissions reiterate their opposition to the East West Link (Eastern Section) Project (**proposal**).

248. As the Groups stated in their opening submissions:¹

*The project is located in a heavily populated inner city
environment with a diverse community and an historical urban*

¹ Opening submissions paras. 2-4.

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and environmental character. This merits and requires a very different approach to the building of a major arterial road such as East Link or Peninsula Link in the outer suburbs of Melbourne. The project site is an incredibly tight urban and park environment where there is no scope to get it wrong.

249. The particular submissions of community groups and individuals are set out under the relevant headings in these submissions.

Royal Park Protection Group and Protectors of Public Lands (645)

250. The Royal Park Protection Group and Protectors of Public Lands Victoria (**Groups**) submit that the proposal will have a major impact, both during construction and when operational, on four inner Melbourne municipalities (Melbourne, Moonee Valley, Yarra and Moreland).

251. The proposal will result in a significant loss to:

- (a) public parks;
- (b) public community gardens; and
- (c) public wetlands and creeks.

with their associated recreational, community and sports facilities.

252. The losses will be manifest in a combination of alienation of these public assets and a substantial lessening of their amenity. The LMA has undertaken little or no assessment in the CIS to determine whether such impacts can be avoided or minimised. There is no certainty or

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assurance provided in the CIS to demonstrate that any such impacts will be appropriately offset.² There is great uncertainty about these impacts given the fact that the reference design is not finalised.

253. The only measure identified by the LMA (outside of the CIS) is the Memorandum of Understanding document (T17). This document merely provides funds to upgrade existing recreational facilities but does not provide any new facilities to offset recreational areas lost to this project.

254. The proposal's other impacts, namely:

- (a) Noise;
- (b) Air pollution;
- (c) construction and vibration issues;
- (d) access restrictions;
- (e) visual and light intrusions; and
- (f) traffic congestion

will have a significant impact upon major State government institutions in Royal Park including:

- (g) the State Netball and Hockey Centre;

² The only offsets proposed are having regard to the Biodiversity Assessment Guidelines in Performance Requirement B2.

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- (h) the Melbourne Zoo;
- (i) Anzac Hall and the Urban Camp for Children; and
- (j) Melbourne's major hospital precinct in Parkville.

255. These impacts have scarcely been mentioned in these hearings.

256. The impacts of stripping Royal Park of over 5,000 trees, and constructing the tunnels using the cut and cover method will be evident in Royal Park for the next 15-20 years.

257. With the huge population boom occurring in Melbourne and the increased residential densification of inner Melbourne, the last thing we as a society should be doing is alienating existing public open spaces. This is especially the case when:

- (a) no attempts are being made by the LMA to avoid impacts on public open space; and
- (b) no new inner city public open space is being provided as a result of this proposal.

258. Based upon Mr Shear's evidence from the City of Melbourne, the competition for existing open space including sports fields in inner city areas is already intense.

259. The reference design for the proposal is clearly inadequate in terms of its description as:

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- (a) The mapbook merely describes, in the barest of terms, the alignment of the proposal. The mapbook does not include any elevations or sections of the proposal that would assist in the understanding of the visual impact, amongst other impacts, of the proposal;
- (b) The mapbook misdescribes the type and extent of tunnelling proposed for Royal Park (cut and cover). To that extent, the description of the proposal in the mapbook is actively misleading;
- (c) The mapbook does not include any description of matters such as the following:
 - (i) The dimensions and extent of the western and eastern portals of the tunnel;
 - (ii) The heights and widths of elevated roadways and their relationship to other elements adjacent to the proposal;
 - (iii) The dimensions of the Hoddle Street flyover at the eastern portal relative to its environs.
 - (iv) Indicative tunnel sections and depths for bored and cut and cover tunnels (since provided in the section 57(4) material);

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- (v) The location and dimensions of ventilation structures at the eastern and western portals of the tunnel and any ventilation structure at the tunnel's mid point.
 - (vi) Any indicative design or design parameters for the gateway features at each tunnel portal
 - (vii) Details such as the location and design of the control centre for the tunnel and its operations;
 - (viii) Detail matters such as toll gantries, road lighting, security fencing and road signage.
- (d) Much of the evidence relied upon by the LMA to describe the impact of the proposal has come from the Urban Circus computer model of the project.
- (e) No evidence has been given to the Committee to validate the methodology used, instructions provided or assumptions made by Urban Circus to create the 3D visualisations and perspectives of the proposal.
- (f) When asked by the Committee to provide basic information about the height of one part of the elevated roadway in West Parkville, Urban Circus subsequently considered it necessary to provide a detailed clarification to its answers (**T24 p.784**).
- (g) One is left to wonder what else in the 3D model might require similar clarification.

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260. As the Groups stated in their opening submissions:³

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.

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.

261. The Groups reiterate the opening submission that use of a reference design should not be justification for:⁴

- (a) omitting analysis from the CIS of all key issues;
- (b) failing to consider the expected range of possible outcomes; or
- (c) leaving the issue for resolution until after a tenderer is selected.

262. As cost appears to be a major consideration in this proposal, the Groups submit that the proposal will be race to the bottom insofar as compliance with issues like the UDF are concerned.

263. The impacts of the proposal have not been adequately described in the CIS, whether in the document itself or the technical appendices.

³ T1 Paras 33 and 34.

⁴ T1 Para. 54.

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264. The CIS acknowledges that there are a range of potential outcomes or designs that may be available to a tenderer to build the project. It is imperative that this range of outcomes is addressed in the CIS. Instead, as just one of many examples, what is seen throughout the CIS is the following statement (in this case, in relation to the Urban Design Framework):⁵

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)

265. The Groups submit that the reference design is clearly problematic if the LMA admits that it is not a considered response to the UDF.
266. It is further problematic, in the Groups submission, that the DTPLI Briefing note to the Department Secretary dated 11 October 2013 in relation to the approval of the CIS by 15 October 2013 (D480), did not provide a strong endorsement of the UDF or the EMF, and stated, amongst other things, that:

“... the Urban Design Framework (UDF) and the Environment Management Framework (EMF) provided in the CIS may require further attention in the next stages of the assessment process.”⁶

...

⁵ East West Link (Eastern Section) Assessment Committee Request for Information under section 57(4) of the Major Transport Projects Facilitation Act 2009 Response of the Linking Melbourne Authority 11 February 2014 p. 61.

⁶ D480 p. 3 para 6.

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“The EMF provided in the CIS is considered to be substantially in accordance with the Scoping Directions, although it does not comprehensively address all the detail sought by the Scoping Directions. However, if required, the Assessment Committee will be able to provide recommendations regarding amendments to an EMF, compliance with which may form part of an approval decision under the Act.”⁷ (emphasis added)

...

“The UDF provided in the CIS is suitable for public consultation and review by the Assessment Committee. However, it provides a limited analysis and response to the urban design issues presented by the project. If required, the Assessment Committee will be able to provide recommendations regarding the UDF, which could form part of an approval decision under the Act.”⁸ (emphasis added)

...

“(b) DTPLI officers within the Urban Design Unit have raised some concerns about the quality of the submitted UDF, however, the documentation is substantially in accordance with the Scoping Directions in that it addresses the objective regarding visual amenity. (emphasis added)

⁷ D480 p.3 para 7.

⁸ D480 p. 8 para 8.

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267. It is notable that this significant document only came to light via the persistence of Mr Herrington, as part of his community objection to the project. It is concerning that the LMA who were aware of the content of this document, did not alert the Committee to its existence nor adequately address the concerns raised within it.
268. The Groups submit that the observations in the briefing note made by the Department, further inform and reinforce the LMA's own comments.⁹ There was the opportunity when preparing further evidence for these hearings and during the hearing of the urban design evidence, for the LMA to lead further evidence about the apparent defects in the UDF. The LMA has chosen not to.
269. It is notable when additional evidence was available, the LMA was prepared to and did provide additional documentation. Its failure to address this fundamental issue can only be because it is not in possession of information that would adequately address the issues raised, alternatively that the information that it does possess would not assist its case.
270. The amendments proposed to the UDF by the Cities of Melbourne, Yarra and Moonee Valley and Mr Herrington are significant. If endorsed by the Assessment Committee, they will result in a substantially modified proposal from the reference design. The changes will be material and substantial.

⁹ Referred to at paragraph 264, above.

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271. There has been a significant amount of additional information from the LMA about the project, namely:

- (a) The section 57(4) response (**T9**);
- (b) Submissions about cut and cover techniques in Royal Park and the amount of contaminated spoil (**T22**);
- (c) The confused and confusing clarifications from the LMA concerning the traffic evidence (**T23** and subsequently);
- (d) Various other clarifications to the project (**T24**);
- (e) On the afternoon of Day 28 of the hearing, submissions about proposed alternate alignments (**D473**);
- (f) On Day 29 of the hearing, the following clarifications:
 - (i) Alexandra Parade traffic volumes (**D478**),
 - (ii) Compulsory acquisition of land matters (**D479**),
 - (iii) Debney Park Community Garden aerial photo (**D492**),
 - (iv) The Doncaster Railway alignment (**D493**),
 - (v) SMART criteria for performance requirements (**D494**),
 - (vi) Traffic counts for the Hoddle Street/Eastern Freeway intersection (**D497 & D498**),

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- (vii) Hoddle Street Interchange Ramps daily traffic volumes (D500),
- (viii) Submissions concerning the land requirements for Ross Straw Field (D507).

272. The Groups are concerned at the lack of detail in the CIS concerning the potential impacts of the proposal in particular having regard to:
- (a) the location and dimensions of the ventilation structures at either end of the tunnel (as well as a potential intake structure at the midway point of the tunnels); and
 - (b) the extent of cut and cover construction in Royal Park;
 - (c) the rationale behind the designation of the project area, amongst other things including the extent of the project area designation in Royal Park;
 - (d) the disposal of spoil from Royal Park and elsewhere;
 - (e) the justification for the surface connections to the proposal at Elliott Ave and Hoddle St.
273. The Groups submit that there has been no or no adequate response from the LMA about these issues during these hearings. As the Groups submitted to the Committee previously¹⁰, the only conclusions that can be drawn from this are either:

¹⁰

Para 97.

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- (a) the LMA does not have any further evidence about these issue;
or
- (b) if the LMA does, the evidence does not advance its case.

Land Requirements in Ross Straw Field

- 274. At the conclusion of proceedings, at the very last moment, the LMA tendered a document setting out the land requirements at Ross Straw Field (D507):
- 275. The description of the works in the document is not consistent with the CIS which in part states as follows:¹¹

The following general assumptions apply across the Reference Project:

...

The tunnels are expected to be driven from west to east. Accordingly, the main tunnel work site would be located in Ross Straw Field in Manningham Reserve at the western portal. In the east, tunnelling equipment would be retrieved from an eastern portal work site at Alexandra Parade, east of Smith Street.

Each work site would be expected to cater for a large construction yard, material and equipment storage and staff facilities. A design office would be required to house design staff.

¹¹ CIS Ch 4 p. 20.

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This could be located in the CBD or at a suitable location close to the project alignment.

A large on-site workforce (estimated to be around 3,000 workers each year) would be engaged during the construction period, with tunnelling and other critical work carried out in shifts over 24 hours, seven days a week.

Provisions for workforce car parking and access to and from the major work sites would be the responsibility of the appointed contractor. Workforce car parking options include areas within Royal Park and other areas in close vicinity to the project site. Arrangements to transport the workforce to and from parking centres off-site would be considered.

It is expected that a project-specific facility would be established off-site to manufacture the precast primary tunnel lining segments (approximately 40,000 segments would be required). Precast segments would be delivered to site by truck (approximately 2,250 loads).

The former Fitzroy Gasworks site at the corner of Alexandra Parade and Smith Street, and the Melbourne Wholesale Fruit and Vegetable Market site on Footscray Road would be made available for project-related purposes.

Tunnelling would be carried out as a continuous operation. Working hours for other surface construction activities would be

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determined giving consideration to minimising disruption to residents, businesses and the travelling public. Noise mitigation sheds may be constructed around both tunnel portal sites to meet noise standards and minimise visual intrusion for local communities, and to provide flexibility for extended working hours.

276. Despite the above, the LMA now states in **D507** that various functions that were identified in the CIS to be located at off site locations, will now be located in Ross Straw field, namely:
- (a) An office complex;
 - (b) Parking for 1,000 cars;
 - (c) Training and meeting rooms
277. Further, **D507** does not explain how the former Fitzroy Gasworks site or the Melbourne Wholesale Fruit and Vegetable Market site will be used.¹²

¹²

CIS Ch 4 p. 20.

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278. In the absence of any further evidence, the Groups submit that the response should be given no weight and that:
- (a) No justification is given in **D507** for the occupation of all of the escarpment and the wetlands.
 - (b) The references in **D507** to other rail projects are irrelevant in the absence of any evidence from the LMA about the similarity of those projects to this project.
279. The Groups submit that **D507** is further evidence of a proposal that:
- (a) has been rushed through the approval process without proper consideration of impacts and benefits;
 - (b) does not appropriately or at all consider the inner city context in which the proposal is located; and
 - (c) has broadly stated and unenforceable performance requirements and applicable approvals which if approved will create a high likelihood for unintended and adverse amenity impacts.
280. The Groups submit that the alternative proposed by the Cities of Melbourne, Yarra, Moonee Valley and others such as the Safety Net for Royal Park warrant further consideration. The Groups submit that consistently with section 69 of the Act:

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- (a) The options provide a prudent and feasible alternative to the reference design;¹³ and
- (b) The options have not been given sufficient consideration in the CIS (see options set out in **T19 pp 691-5 to 691-8**).¹⁴

281. The Groups submit that in this case there are exceptional circumstances in this case¹⁵, as a result of the following:

- (a) The nature of the reference design is unclear and the Groups repeat their prior submissions made in that regard.¹⁶
- (b) The contents of the CIS are wholly deficient and the Groups repeat their prior submissions made in that regard.¹⁷
- (c) The alternative options put forward during this hearing are prudent and feasible alternatives to the reference design as disclosed in the CIS.¹⁸

282. The Groups submit that the recommendation for a supplementary CIS is not contingent upon submissions by the LMA that any alternate alignment provides a prudent and feasible alternative¹⁹

¹³ MPTF Act s. 69(1)(a)(i).

¹⁴ MPTF Act s. 69(1)(a)(ii).

¹⁵ MPTF Act s. 69(2).

¹⁶ MPTF Act s. 69(3)(a). See Opening Submissions T1 pp. 12-15 paras. 23-34; Submissions pp. 27-29 paras 160-166.

¹⁷ MPTF Act s. 69(3)(a). See Opening Submissions T1 pp. 15-20 paras. 35-56.

¹⁸ MPTF Act s. 69(3)(b).

¹⁹ MPTF Act s. 70(1) provides that the Committee may request the LMA for further information about the alternative. It is not obliged to do so. To that extent, the Groups submit that s. 69(3)(d) of the Act is not a required consideration for forming the view about whether an alternative option provides a prudent and feasible alternative.

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283. As part of a supplementary CIS process, the Groups reiterate the recommendations they have made to the Committee as part of their submissions.²⁰

Cardijn Community Australia No 453

284. The group maintains that, at \$15 billion, the project is not comparable with any other road project or infrastructure project of any type in Victoria. Based on the document 'Costs of Major Infrastructure Projects Victoria', it is evident that just a few years ago some big projects were being criticised for excessive cost e.g. Federation Square (2002, \$467 million), and Southern Cross Station (2006, \$309 million).
285. VicRoads upgraded the Monash-CityLink-Westgate freeway at what was then regarded as a staggering cost of \$1.4 billion. This was completed in 2012. But a little over one year later, the EWL CIS statement says that this M1 upgrade 'is expected to provide only short term relief' (Chapter 7, pp.5,9).
286. These examples of what appears to the group to be grossly deficient road planning seem to have emboldened the builders of freeways to now propose a project of \$15 billion. As a coup de grace, the LMA notes that after this project has been completed, further 'enabling projects', such as widening the Eastern Freeway beyond the eastern boundary of the Reference Project, will be undertaken.

Carlton Residents' Association (173)

²⁰ Paras 231-240.

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287. The Association has long opposed new inner-urban mega-roads and supported sustainable public transport, cycling and walking travel modes. The long sought after rail line to Doncaster has been a goal for decades.
288. Parkland is sacrosanct in our view and should not be desecrated for the EW Link.
289. Impacts on housing in Collingwood, Parkville West, Flemington and Kensington are horrendous and unacceptable.

Friends of Banyule (S634)

290. Friends of Banyule is strongly opposed to the construction of the proposed East West Link project as this appropriation of a significant section of Royal Park represents a serious mis-allocation of public parkland for a toll road which, would benefit the private operators of the proposed road to the detriment of the wider public whom it was meant to benefit in perpetuity.
291. Royal Park was set aside in the 19th Century for the benefit of the public. It has served this purpose for over a century until the current proposal was made to drive a road through the Park. This will severely reduce its amenity and detrimentally impact its peaceful enjoyment by the public for continued recreational purposes.
292. The proximity of the project to a major hospital precinct including the Royal Children's Hospital, with the potential for the negative impact on

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patient and staff health of pollution, including carcinogenic particulates being released into the atmosphere from exhaust vent stacks, runs counter to considerations of public health and effects on the environment.

293. Further proposed projects such as North East Link through public parkland in Banyule as comprehended in Plan Melbourne and the government's Freight Strategy, will be more likely to proceed, if the proposed project goes ahead.

The Friends of Moonee Ponds Creek Inc (528)

294. The Friends of Moonee Ponds Creek opposes the East West Link, both Part A and Part B, as it is a major infrastructure project that is being rushed through in political haste. Justification has not been demonstrated by a transparent, publicly available detailed cost benefit analysis nor by the traffic modelling and specifically, in regard to the Moonee Ponds Creek, the Part B/Port connection has not been and cannot be justified.
295. The EWL goes against every strategy for responsible land use and environmental planning for the Moonee Ponds Creek, as set out in planning schemes, strategies and policies of the Cities of Melbourne, Moonee Valley and Moreland. These strategies and policies call for the protection and enhancement of the open space, biodiversity, habitat and waterways values along the Creek and linkages in a linear 'park along the Creek corridor.

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296. The proposed route of Part B/Port connection along the western banks of the Moonee Ponds Creek would be the worst possible route for its negative impacts on the above parameters. Alternatives have not been considered or assessed (e.g. building the viaducts on the eastern side of CityLink, using VicTrack easements and vacant industrial zoned land).
297. The CIS has failed to properly consider and assess the visual impacts, noise/air/light pollution, destruction of vegetation, loss of flora/fauna/aquatic ecosystems and other impacts of the EWL on the Moonee Ponds Creek corridor and to properly assess and consider the significant social and amenity impacts of the EWL on the residential and mixed use areas along the Creek corridor.

Friends of Royal Park Parkville Inc (396)

298. The East West Link proposal would be disastrous for Royal Park through:
- (a) loss of parkland;
 - (b) loss of its intactness as a major park in the City;
 - (c) loss of significant areas of flora and fauna;
 - (d) setting back by 30 years the revegetation clock to recreate the landscape character as envisaged in the Royal Park Master Plan;

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- (e) loss of passive and active recreational areas;
 - (f) significant visual intrusion of freeway structures, light, noise and air pollution; and
 - (g) loss of amenity and alienation of parkland for construction/spoil/lay down purposes.
299. The CIS has failed to recognize or consider the following elements in Royal Park:
- (a) the important social values of the park as a local and regional park for Melbourne;
 - (b) the open space needs for the forecast increased population of Melbourne;
 - (c) the significance of the remnant native vegetation on the railway escarpment in Royal Park;
 - (d) the White's Skink habitat site in Royal Park; and
 - (e) the Trin Warren Tam-boore wetlands.
300. The CIS failed to properly consider all applicable strategies and policies in assessing the impacts of the proposal in Royal Park, for example,:
- (a) Provisions in the Melbourne Planning Scheme;
 - (b) The Royal Park Master Plan; and
 - (c) Victoria: State of the Environment Report October 2013.

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301. The singular application of the generic, 'State-wide' guidelines - Biodiversity Assessment Guidelines - is an inappropriate measure for assessing Royal Park.

Kensington Association Submission (297)

302. The Kensington Association does not believe that there has been a sufficient business case made for the East West Link and that the price on affected communities and Melbourne's public open spaces, not to mention the State's taxpayers, is too high without adequate or appropriate returns.
303. If this retrograde project must go ahead the group considers that if the Eastern part of EWL needs to link to the Port, then this can be done with on-ramps onto CityLink. The Eastern link does not need the elevated roadway (Part B) for it to function.
304. It is not part of the Panel's responsibility to work out how to connect the eastern link to the (yet to be planned) western link. That task has not been put before the Panel and should not distract from the right decision in regard to Part B.
305. Part B in the reference design makes too much of an impost on an existing community, in terms of noise, pollution (light and air), and loss of amenity. It also denies the new planned community of Arden Macaulay a vital resource for wellbeing: public open space along the Moonee Ponds Creek, which is already an important resource for our community. Part B should be abandoned. It could be reconsidered as

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part of future planning for a western link but should be removed from this current project.

Kororoit Institute (313)

306. The group claims that it is widely recognised that the project defies the Transport Integration Act and that no aggregate benefit has been demonstrated even before getting to costs. A 20 minute average saving on 25,000 trips per day is easily cancelled by 5 minute average losses on 100,000 trips per day.
307. The second concern is the undervaluing of community assets. If the proposal was to proceed, compensation for assets must be obligatory.

Mercantile Cricket Association Submission (73)

308. The group submits that the loss of space for 5 sporting fields on the Ross Straw Field and the Old Grass Hockey Field in West Royal Park for the next 5-7 years due to the construction phase, and possibly 2-3 permanently, is unacceptable in a period of major population growth in Inner Melbourne when existing sporting fields are already being used to capacity.
309. The \$15 million sports ground upgrade agreed between LMA and City of Melbourne only resolves this problem for one year.

Moonee Ponds Creek Co-ordination Committee (1092)

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310. The group is concerned that if the project goes ahead, the opportunity for low marginal cost enhancement of the amenity of the Moonee Ponds Creek corridor would again be lost unless it is specified unreservedly in the contract.
311. It should be recognised that the community of interest has an ongoing role in detailed specification and monitoring of the Creek.

Moreland Community Against the East West Tunnel (109)

312. East West Link will create a noise funnel threatening animals at the Melbourne Zoo. International studies have determined that the forecast sustained noise levels outside the Melbourne Zoo will, not might, cause unacceptable human health risks. We conclude that this also applies to zoo animals, many of which are much more sensitive to external noises beyond human detection.
313. The 2009 World Health Organization Night Noise guidelines for Europe set threshold noise values that, if breached at night, cause increased risk of cardiovascular disease, sleep disturbance and productivity loss. The average night-time exposure should not exceed a reading of 40 decibels outdoors, a standard accepted in Europe and many other countries. These are crucial hours for zoo animals whether asleep or nocturnal.
314. VicRoads, however, doesn't take any measurements from midnight to 6am and their *most stringent* noise limit is 63 decibels. This is crucial information missing from the CIS. Certainly night-time noise levels

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assessments should be required before signing a contract to build a major toll road and tunnel adjacent to a major Melbourne tourist icon that educates and entertains more than 1.2 million visitors a year. It is essential that the LMA commission an acoustical impact study for noise, vibration, light glare and demolition prior to recommending that the State Government sign a contract to build the East West Link.

Parkville Gardens Residents Association (95)

315. The Parkville Gardens residential complex (on the former Royal Park Psychiatric Hospital site) is located in West Parkville which the group maintains will be destroyed by the EW Link. They point out that Melbournians will be deprived of recreation, walking, sports grounds/facilities, wildlife habitat and the wetlands. The devastation is the price for the project but the group says they should not pay the price and that it is of dubious benefit to Melbourne.
316. Some residents live within 50 metres of the proposed flyovers across the Ross Straw Field and Wetlands and so will be impacted by noise, fumes, vibration and lights plus increased traffic. The physical environment will be totally transformed into a massive vista of flyovers and cement. There is no debate, not even from the project proponent, about the fact that this area will be destroyed.
317. The group wants to point out the enormous impact of the works on the local area which apparently will go on for anywhere up to five years before the project is completed. These are five years where areas that

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are now used by families and others will be out of bounds; where people grow from children to teenagers without access to their local environment; where the sounds of trucks and construction will dominate the airwaves; and where the roads to the city and the bike path access will be totally cut off.

The 3068 Group Inc (326)

318. The Group submits that the project is fundamentally flawed as the potential benefits fail to outweigh the very real costs. Clifton Hill residents are fearful of the impacts. The process has been disorderly and far too hasty, the impacts are not identified or addressed. The reference project is not even what the panel and community should be assessing. For these reasons the panel can have no confidence in the proposal and should reject it completely.

319. If a permit is issued, conditions should include removal of the Hoddle Street overpass; extension of the bored tunnel to portals at Hoddle Street to reduce cut-and-cover impacts; moving the vent stack to the east away from sensitive populations; and retention of the Eastern Railway alignment to Victoria Park.

Travancore Park User Group (354)

320. This organisation is opposed to the EW Toll Road, flyovers above the Moonee Ponds Creek and CityLink and the recent Ormond Rd turn off. As pointed out in the Eddington Report of 2008, 60% of traffic off the Eastern Freeway is headed for the CBD and only 40% west or north.

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This conflicts with the LMA analysis. The traffic problem associated with Hoddle Street will transfer to Flemington Rd and the Hospital Precinct/Parkville.

321. There is concern about increased traffic along backstreets if the tollway and off-ramp are built, as people will use Myrnong Crescent as a rat run to avoid increased traffic (estimated at another 6,000 per day) along Maribyrnong Rd and Mt Alexander Rd. These flyovers will be an eye sore and noisy.
322. During the construction phase residents will have restricted access to these roads as the heavy vehicle access through the park will disrupt parking, children walking to school and people enjoying the neighbourhood. LMA has not specified any limits to construction, which is likely to exist for a 5 year stretch. Many residents are also members of the Essendon community garden centre and the hockey club. Access to these amenities will be restricted and the gardens polluted.

Ms Petra Stock (2)

323. Ms Stock is an individual submitter but is a member of Moreland Community Action Against the Tunnel. Ms Stock said that the Zoo is a community facility. It is a significant institution as:

- (a) last year it celebrated its 150th birthday;

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- (b) according to the Zoos Victoria Strategic Plan it is one of the oldest zoos in the world;
- (c) 1.29 million people visited in 2012 - each spending an average 3-4 hours and around 18% of these visitors were from interstate or overseas;
- (d) the Zoo was awarded Victoria's top major tourist attraction (RACV awards) and Australia's second best major tourism attraction (Qantas awards);
- (e) the Zoo is home to over 300 species (305) and more than 2,000 individual animals (2,197) and boasts hundreds of staff, hundreds of regular volunteers contributing time on a regular basis and financial contributors; and
- (f) it is also listed on the Victorian Heritage Register, recognizing its state heritage significance.

324. Ms Stock maintains that impacts on the Melbourne Zoo have not been addressed by the LMA either in the CIS or in responding to the Assessment Committee's request for information.

325. She highlights that the elements of the proposed East West Link on the Melbourne Zoo, including off ramps within 40 metres from the Zoo wall; a construction worksite within 20 metres; and a 20 metres high, 8 metre diameter emissions stack likely to be visible within the Zoo.

Ms Susan Pepper (114)

Community Groups Closing Submissions

- 326. This is an individual submission but the submitter is a member of Friends of Royal Park.
- 327. The assessment of the impact on the Royal Park birdlife and fauna generally was inadequate. The CIS does not adequately address the strengths of the existing habitat which should not be destroyed
- 328. Open space should not be alienated for private commercial gain, as in the case of Royal Park. Once built this project will reduce the park use to one purpose and the whole area will be degraded. Note that the value of a large tract of open space is hard to quantify, removal of bits and offsetting them elsewhere diminishes the potential implicit in the large open area.
- 329. The social determinants of health - another way of saying this "health starts where you live, learn, work and play" - have not been considered. There is nothing in the proposal that contributes at any level from the individual to the community that promotes the well being of people.

Concluding submissions

- 330. The Groups submit that the Committee should recommend delaying any decision until after the Heritage Council has made a decision concerning inclusion or otherwise of Royal Park on the State Heritage Register.

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331. The Royal Park is a microcosm of Melbourne's history which stands to be wiped out if the proposal is routed through the Park. As the Heritage Council statement of significance notes (T25 p.797):

- (a) The grasslands were a corroboree site for the Wurundjeri;²¹
- (b) The Walmsley House, a pre fabricated 1851 iron cottage in the Australian Native Garden is one of Victoria's earliest buildings (included on the State Heritage Register)²²
- (c) Royal Park was the departure point in 1860 for Burke and Wills on their ill - fated trip to the inland (Access to the Burke and Will Memorial on Macarthur Road will likely be affected by the proposal)²³
- (d) The Royal Melbourne Zoological Gardens, commonly known as the Melbourne Zoo Australia's oldest Zoo, was established in Royal Park in October 1862.
- (e) Baron Von Mueller, botanist extraordinaire and advisor the first Governor La Trobe, planted the wonderful line of Moreton Bay figs on Macarthur Road which are under threat. Also 56 mature elms - now rare trees - on the west side of Royal Park in Flemington Road which form part of a magnificent boulevard are to be axed for the proposal.²⁴

²¹ T25 p. 808 para 1.
²² T25 pp. 808 & 810.
²³ T25 p. 811.
²⁴ T25 p.810.

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- (f) The Park was the training ground for World War I trench warfare and in World War II the American encampment was on the east and Australians to the west. Anzac Hall the Army Hall and sentry boxes (included on the State Heritage Register) was the recreational hall for the armed forces.²⁵
 - (g) Camp Pell (Camp Hell) migrant camp was a legacy of war time demountable huts and not removed from the Park until the 1956 Olympics.²⁶
 - (h) It is miraculous that the remnant pre-white settlement vegetation has survived in West Royal Park with its native bird and animal habitat.
332. The restoration of Royal Park started with the Royal Park Master Plan in 1987. The cooperative work by the community groups and the City of Melbourne has seen the revegetation of grassland, open woodland plus wetlands and the return of wildlife to the Park.
333. Community planting sessions organised by the City of Melbourne over the past 20 years have been instrumental in revegetating the Park and have been a great community bonding experience for groups and a hands-on educational experience for children.
334. Royal Park is now truly bushland in the city. Recent rain over the past few years has seen wonderful growth through the Park. The question

²⁵ T25 p. 813.

²⁶ T25 p. 814.

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is often asked would the citizens of New York countenance a freeway through Central Park or London through Hyde Park?

335. This is a testing time for the Committee which carries a heavy responsibility to do the right thing for the people of Melbourne in protecting and conserving our most significant and historic Park.

15 April 2014

T S PIKUSA

Counsel for Royal Park Protection Group Inc (645)
And Protectors of Public Lands Victoria Inc (645)
Coordinating Counsel for the Community Groups (**Annexure B**)
Coordinating Counsel for the Individuals (**Annexure B**)

*Community Groups Closing Submissions***Appendix B – Community Groups & Individuals**

These submissions are made on behalf of the following Community Groups:

- Cardijn Community Australia (453)
- Carlton Residents' Association (173)
- Friends of Banyule (634)
- Friends of Moonee Ponds Creek Inc (528)
- Friends of Royal Park Parkville Inc (396)
- Kensington Association (297)
- Kororoit Institute (313)
- Mercantile Cricket Association (73)
- Moonee Ponds Creek Coordination Committee (1092)
- Moreland Community Against the East West Tunnel (109)
- Protectors of Public Lands Vic Inc (645)
- Parkville Gardens Residents' Association (95)
- Royal Park Protection Group Inc (645)
- The 3068 Group Inc (326)
- Travancore Park Users Group (354)

These submissions are made on behalf of the following individuals:

- Ms Cathy Drummond (940)
- Ms Jane Leitinger (698)
- Ms Susan Pepper (114)
- Ms Anne Phefley (263)
- Mr Paul Prentice (835)
- Ms Gabriella Pretto (213)
- Ms Petra Stock (2)