



Ordinary Meeting of Council Minutes

***Corrected by resolution of Council on Tuesday 6 August 2013**

**held on Tuesday 23 July 2013 at 6.30 pm
Fitzroy Town Hall**

www.yarracity.vic.gov.au

1. Statement of Recognition of Wurundjeri Land

“Welcome to the City of Yarra. Council acknowledges the Wurundjeri community as the first owners of this country. Today, they are still the custodians of the cultural heritage of this land. Further to this, Council acknowledges there are other Aboriginal and Torres Strait Islander people who have lived, worked and contributed to the cultural heritage of Yarra.”

2. Attendance, apologies and requests for leave of absence

Attendance

Councillors

- Cr Jackie Fristacky (Mayor)
- Cr Geoff Barbour
- Cr Roberto Colanzi
- Cr Sam Gaylard
- Cr Simon Huggins
- Cr Stephen Jolly
- Cr Amanda Stone
- Cr Phillip Vlahogiannis (arrived just after consideration of item 8.3)

Council officers

- Vijaya Vaidyanath (Chief Executive Officer)
- Jack Crawford (Director Corporate and Financial Services)
- Joanne Mulcahy (Executive Manager Communications & Customer Service & Governance)
- Craig Kenny (Director Community Programs)
- Bruce Phillips (Director City Development)
- Guy Wilson-Browne (Director Infrastructure Services)
- Erin Marcon (Governance Advisor)

Apologies

- Cr Misha Coleman

3. Declarations of conflict of interest (Councillors and staff)

Nil

4. Confirmation of minutes

COUNCIL RESOLUTION

Moved: Councillor Gaylard

Seconded: Councillor Colanzi

That the minutes of:

- (a) the Special Council Meeting held on Monday 8 July; and
- (b) the Ordinary Council Meeting held on Tuesday 9 July 2013 (with the mover of item 12.3 amended to read “Councillor Gaylard”)

be confirmed.

CARRIED

5. Petitions and joint letters

Nil

6. Public question time

Nil

7. General business

Item	Page	Rec. Page
7.1 Parking and Signage Issues in Yarraford Avenue Alphington	5	5

8. Delegates' reports

Item	Page	Rec. Page
8.1 Councillor Stone: Aboriginal Advisory Committee	5	5
8.2 Councillor Colanzi: Disability Advisory Committee	6	6
8.3 Councillor Gaylard: Bicycle Advisory Committee	7	7
8.4 Councillor Fristacky: Leaps and Bounds Live Music Festival	7	7

9. Questions without notice

Item	Page	Rec. Page
9.1 Question from Councillor Colanzi - Clifton Hill Interchange	8	-
9.2 Question from Councillor Stone - Aerial Bundling of Power Lines	8	-
9.3 Question from Councillor Colanzi - Lighting Issues in Moor Street Fitzroy	8	-
9.4 Question from Councillor Barbour - Lighting Issues in Moor Street Fitzroy	9	-
9.5 Question from Councillor Fristacky - Charitable and Commercial Recyclers	9	-

10. Council business reports

Item		Page	Rec. Page
10.1	River of Life Positive Ageing Strategy - Evaluation and Development of Stage Two Action Plan	10	10
10.2	Amendment C170 - Consideration of Panel Report	11	11
10.3	Amendment C149 (Heritage Gaps Amendment One) - Consideration of Panel Report	12	13
10.4	East West Road - Update	14	24

11. Notices of motion

Nil

12. Urgent business

Nil

13. Confidential business reports

Item

- 13.1 Matters prejudicial to Council and/or any person
- 13.2 Matters relating to legal advice

7. General business

7.1 Parking and Signage Issues in Yarraford Avenue, Alphington

COUNCIL RESOLUTION

Moved: Councillor Stone

Seconded: Councillor Jolly

1. That a report be provided to Council by October 2013 on a policy, process and conditions whereby residents who request it, may apply to have a sign erected in their street indicating specific conditions, features or qualities of that street which they may wish to promote.
2. That this report note that the officer response to a budget submission to the 2013-2014 budget on this matter from residents in Yarraford Street Alphington was that one such sign could be funded from within the existing budget.

CARRIED

8. Delegates' reports

8.1 Councillor Stone: Aboriginal Advisory Committee

As Council's delegate to the Aboriginal Advisory Committee, Councillor Stone tabled her report and highlighted the following:

- (a) the Committee continues to meets bi-monthly;
- (b) a strong focus has been the presence of AFL SportsReady in Yarra and their active promotion of education, training and work opportunities for young Aboriginal people;
- (c) Melbourne Aboriginal Youth, Sport and Recreation (MAYSAR) has a new board and is preparing to reopen with a range of programmes and activities;
- (d) the process of developing a Cultural Heritage Management Plan for Atherton Gardens has highlighted the disputed nature of this land; and
- (e) it was agreed that some strategic advocacy could be helpful, and that the Municipal Association of Victoria could undertake this on behalf of all councils where such unresolved disputes exist.

COUNCIL RESOLUTION

Moved: Councillor Stone

Seconded: Councillor Jolly

1. That the report be accepted.
2. That the Mayor write to the Municipal Association of Victoria requesting they approach the Victorian Aboriginal Heritage Council with a request for prompt resolution of outstanding disputed land in metropolitan Melbourne.

CARRIED

8.2 Councillor Colanzi: Disability Advisory Committee

As Council's delegate to the Disability Advisory Committee, Councillor Colanzi tabled his report and highlighted that the Committee:

- (a) has extended invitations to all Councillors to attend one or more of its monthly meetings;
- (b) was pleased to note that a number of its suggestions had been incorporated into the Council Plan;
- (c) has been addressing a range of access and mobility issues, including those related to the Clifton Hill Interchange;
- (d) spent some time discussing and fine tuning the draft Vision and proposed title of the new Disability Action Plan; and
- (e) noted that 17 businesses had expressed interest in undertaking the Good Access is Good Business access audit.

Councillor Colanzi acknowledged the members of the Disability Advisory Committee for their continuing commitment both at monthly meetings and also in attending special and onsite meetings to provide advice to Council.

COUNCIL RESOLUTION

Moved: Councillor Colanzi

Seconded: Councillor Stone

That the report be noted.

CARRIED

8.3 Councillor Gaylard: Bicycle Advisory Committee

As Council's delegate to the Bicycle Advisory Committee, Councillor Gaylard:

- (a) reported that the Committee has provided background for the Mayor's forthcoming letter to Parks Victoria regarding the closure of the Yarra Bike Trail;
- (b) outlined the Committee's view that the closure was poorly conceived and communicated, suggested that the Mayor seek a meeting with Parks Victoria and invite members of the Committee to attend;
- (c) suggested that, notwithstanding the scheduled reopening of the trail on or around 8 August 2013, the Mayor's letter should go ahead in an attempt to improve the processes surrounding closures;
- (d) reported that members of the Committee are forming a working group aimed at tackling the lack of bicycle infrastructure in the Melba ward; and
- (e) noted that these members have requested that Melba ward be given funding priority in order to address this infrastructure imbalance.

COUNCIL RESOLUTION

Moved: Councillor Gaylard **Seconded:** Councillor Stone

That the report be noted.

CARRIED

Councillor Vlahogiannis arrived at the meeting.

8.4 Councillor Fristacky: Leaps and Bounds Live Music Festival

The Mayor advised that:

- (a) she attended the inaugural Leaps and Bounds Festival, a series of events held in Yarra from 5 - 21 July 2013 under a Council initiative to promote local live music;
- (b) the festival featured performances at over 50 venues across Yarra with an emphasis on existing venues, local performers, and local audiences;
- (c) some highlights included:
 - (i) MUSCycle Festival at the St Ali North Café and Velo Cycle Bike Shop, Linear Park;
 - (ii) Smith Street Dreaming Indigenous Festival on Smith/Stanley Streets;
 - (iii) a Freeza/Push event for young people at the Fitzroy Town Hall;
 - (iv) partnering with PBS-FM for a live studio show at the Labor in Vain Hotel;
 - (v) Paul Kelly and Bob Murphy Q & A;
 - (vi) Festival Bus Tours of Yarra's music scene, led by the Tote's Bruce Milne;
 - (vii) Sally Isaac Benefit Concert at the Empress Hotel; and
 - (viii) Gertrude Street Projection Festival opening Friday 19 July; and
- (d) the festival was an outstanding success.

COUNCIL RESOLUTION

Moved: Councillor Fristacky

Seconded: Councillor Huggins

1. That Council:

- (a) note this report and the outstanding success of the Leaps and Bounds Live Music Festival and associated events;
- (b) through the Mayor's office, write to thank and congratulate key organisers on the success of this inaugural festival, including Council's Co-ordinator of Arts and Cultural Services, Siu Chan and her team, together with dedicated input by Mary Mihelakos, Jon Perring, Jason Moore, Justin Rudge, Bruce Milne, and Music Victoria; and

- (c) consider enhanced funding for continuation of the successful Leaps and Bounds Live Music Festival together for a walking tour guide on the musical history of Yarra based on Bruce Milne's historical notes of the local music scene.

CARRIED

9. Questions without notice

9.1 Question from Councillor Colanzi - Clifton Hill Interchange

Can the Director Infrastructure Services provide an update regarding the Clifton Hill Interchange in terms of timelines, upgrade options and the accessibility issues raised by the Disability Advisory Committee?

Response

The Director Infrastructure Services took the question on notice.

9.2 Question from Councillor Stone - Aerial Bundling of Power Lines

What is the status of the report on the aerial bundling of power lines requested by resolution of Council on 19 February 2013?

Response

The Director City Development undertook to provide Councillors with an update on the progress of the report.

9.3 Question from Councillor Colanzi - Lighting Issues in Moor Street Fitzroy

Can officers provide a report on the lighting issues in Moor Street, Fitzroy, particularly between Brunswick and Nicholson Streets, along with the results of the recent audit?

Response

The Director Infrastructure Services advised that:

- (a) *the audit revealed that the Australian Standards were being met other than in the area between 55 and 59 Moore Street;*
- (b) *officers propose adding a new light at the midpoint of an existing pole in order to prevent nearby trees and structures from blocking the light; and*
- (c) *information regarding the proposal has been sent to nearby residents in order to facilitate feedback.*

9.4 Question from Councillor Barbour - Lighting Issues in Moor Street Fitzroy

Has it been necessary to prune any of the trees said to be blocking the light?

Response

The Director Infrastructure Services advised that selected pruning will be undertaken.

9.5 Question from Councillor Fristacky - Charitable and Commercial Recyclers

Are officers aware of commercial organisations running recycling programs that give the false impression of being charitable in nature within Yarra?

Response

The Director Infrastructure Services took the question on notice.

10.1 River of Life Positive Ageing Strategy - Evaluation and Development of Stage Two Action Plan

Trim Record Number: D13/62429

Responsible Officer: Manager Aged & Disability Services

RECOMMENDATION

1. That Council:
 - (a) note the Strategy and Stage One Action Plan 2007 - 2011 evaluation;
 - (b) note the international, national, local trends and evidence based practice to improving the health and well-being of older residents; and
 - (c) endorse the Consultation Project Plan adopting an 'Age Friendly City' methodology.

COUNCIL RESOLUTION

Moved: Councillor Jolly

Seconded: Councillor Barbour

1. That Council:
 - (a) note the Strategy and Stage One Action Plan 2007 - 2011 evaluation;
 - (b) note the international, national, local trends and evidence based practice to improving the health and well-being of older residents; and
 - (c) endorse the Consultation Project Plan adopting an 'Age Friendly City' methodology.

CARRIED

10.2 Amendment C170 - Consideration of Panel Report

Trim Record Number: D13/48126

Responsible Officer: Coordinator Strategic Planning

RECOMMENDATION

1. That Council:
 - (a) having considered the recommendations of the independent Panel, and in accordance with section 29 of the *Planning and Environment Act 1987*, adopt Amendment C170 to the Yarra Planning Scheme with the changes recommended by the Panel as shown in a revised Schedule 2 to the Incorporated Plan Overlay and a revised Incorporated Plan as shown in Attachment 4; and
 - (a) submits Amendment C170 to the Minister for Planning for approval In accordance with section 35 of the *Planning and Environment Act 1987*.

Public Submissions

Mr Bernard McNamara of BMDA (planning applicants) addressed Council regarding this matter.

COUNCIL RESOLUTION

Moved: Councillor Barbour

Seconded: Councillor Stone

1. That Council:
 - (a) having considered the recommendations of the independent Panel, and in accordance with section 29 of the *Planning and Environment Act 1987*, adopt Amendment C170 to the Yarra Planning Scheme with the changes recommended by the Panel as shown in a revised Schedule 2 to the Incorporated Plan Overlay and a revised Incorporated Plan as shown in Attachment 4; and
 - (b) submits Amendment C170 to the Minister for Planning for approval In accordance with section 35 of the *Planning and Environment Act 1987*.

CARRIED

10.3 Amendment C149 (Heritage Gaps Amendment One) - Consideration of Panel Report

Trim Record Number: D13/57438

Responsible Officer: Coordinator Strategic Planning

RECOMMENDATION

1. That Council, having considered the report of the Planning Panel:
 - (a) adopts Amendment C149 to the Yarra Planning Scheme in accordance with section 29 of the *Planning and Environment Act 1987*, including the changes outlined in the panel report and outlined in Attachment 4, and
 - (b) submits the Amendment to the Minister for Planning for approval, in accordance with section 35 of the *Planning and Environment Act 1987*.

Public Submissions

The following people addressed Council regarding this matter:

Mr Brent Stone; and

Mr Meca Ho.

MOTION

Moved: Councillor Barbour

1. That Council, having considered the report of the Planning Panel:
 - (a) adopts Amendment C149 to the Yarra Planning Scheme, with the additional deletion of 37 Bennet Street and 16 Melrose Street from the relevant maps and report, in accordance with section 29 of the *Planning and Environment Act 1987*, including the changes outlined in the panel report and outlined in Attachment 4, and
 - (b) submits the Amendment to the Minister for Planning for approval, in accordance with section 35 of the *Planning and Environment Act 1987*.

There was no seconder to the motion and it therefore lapsed.

MOTION

Moved: Vlahogiannis

Seconded: Councillor Huggins

1. That the matter be deferred.

The motion was lost.

COUNCIL RESOLUTION

Moved: Councillor Gaylard

Seconded: Councillor Stone

1. That Council, having considered the report of the Planning Panel:
 - (a) adopts Amendment C149 to the Yarra Planning Scheme in accordance with section 29 of the *Planning and Environment Act 1987*, including the changes outlined in the panel report and outlined in Attachment 4, and
 - (b) submits the Amendment to the Minister for Planning for approval, in accordance with section 35 of the *Planning and Environment Act 1987*.

CARRIED

10.4 East West Road - Update

Trim Record Number: D13/69674

Responsible Officer: Director City Development

Purpose

1. To update the Council on the current status of the East West Road Tunnel proposed by the State Government, consider assistance to the local community in the context of recent State Government announcements and to determine further actions Council wishes to undertake.

Background

2. Council considered a confidential item in June 2013 regarding the proposed East West road tunnel and resolved amongst other things to pursue all avenues to support the Council position.
3. This report provides an update since late June and in particular the announcements and actions of the State Government in July and more specifically in the last week and the effect this has had on the local community.
4. Some further background material is provided below to enable some context to this public report.

Context

5. Council has for many years promoted sustainable transport improvements for Melbourne and in particular advocated for rail to Doncaster. Also, earlier in 2013 Council provided public support for the Melbourne Metro Rail proposal and has recently responded to the draft report (No 1) of the study leader into the Doncaster Rail study.
6. Council has continually stated its opposition to any East West Road Tunnel both in its previous positions regarding the East West Link Needs Assessment (known as the Eddington Study) and subsequently.
7. Both these positions have been made very clear in its advocacy campaign of *Trains Not Toll/Roads* which has been active for over 12 months – recently the official public launch was held in June at the Fitzroy Town Hall which attracted over 400 persons.
8. The State Government has announced the East West Toll Road link as a priority project. It has also declared it as a Major Project under the *Major Transport Projects Facilitation Act 2009* and the Linking Melbourne Authority (LMA) as the project proponent.
9. Council has over the past few years expressed ongoing concerns regarding any East West Road Tunnel, principally on the following basis:
 - (a) the absence of any transparent business case / demonstrating of need / value;
 - (b) the absence of a transport plan for the State demonstrating an integrated planning approach to major infrastructure investment;
 - (c) induced increased traffic volumes and resultant further congestion around any entry exit portals (near Hoddle Street);
 - (d) segregation of communities through 'barriers' such as major engineering infrastructure / level changes and the like;
 - (e) further roads would only encourage more car usage rather than commuters using public transport (that is, only compounding the congestion problem);
 - (f) a latent demand exists for more public transport and interconnections amongst modes and routes;
 - (g) any exits to the Central Activities District (director indirect) would only congest these areas further which is counterproductive to liveable city approaches;

- (h) the cost of the project would ‘*crowd out*’ funding opportunities across the metropolis for many significant improvements to public transport, road safety and sustainable transport for many years;
 - (i) more roads creating more propensity for more car usage / reliance;
 - (j) environmental issues including looming peak oil issues and the need for more sustainable futures; and
 - (k) health and wellbeing issues associated with air quality and noise pollution among other things.
10. It is noted that in the announcement by the State Government last week it has now been revealed that the proposal would impact on some 370 properties, many in the City of Yarra (that is, 118 directly impacted and some 258 other properties with a tunnel beneath the property).
 11. Council understands LMA wrote to a number of property owners across the Cities of Yarra and Melbourne on 8 July advising them that “*work was now underway on a formal planning study to help develop the East West Road Project and achieve the statutory approvals required before construction can commence. This would then prepare for the next stage of the project, joining on to the Western Ring Road and completing the 18 kilometre East West Link in the future.*”
 12. Specifically the LMA letter said it had written to these properties because they were “close to where the East West Link is likely to be constructed. *A map that shows the East West Link corridor was enclosed. The letters were not personally addressed but instead were addressed to “the owner / occupier”.*”
 13. It is understood that some residents may have received another letter from LMA some days later.
 14. Approximately on 17 July 22 Linking Melbourne Authority released for community feedback a detailed project design for East West Link Stage One on its website – this included videos and maps showing an indicative route for the East West tunnel and impact zone.
 15. Understandably many Yarra residents, particularly those whose properties would be directly or indirectly impacted by the project if it goes ahead, are anxious, concerned, confused and feeling disempowered by the lack of genuine community consultation and information available to them.
 16. As a result, Council is receiving a significant number of residents telephoning the Council Call Centre seeking information, clarification, assurances and “someone to talk to” about the project. There has been overwhelming support from these callers for Council’s *Trains Not Toll Roads* campaign. Officers have implemented a communications and customer service plan to answer calls.
 17. It is noted that there has also been an escalation in the last month of community engagement on the Council campaign including:
 - (a) 4400+ people are actively following the *Trains Not Toll Roads* Facebook page (and growing every day). This equates to a total weekly reach of 48,000 people who are seeing content from the site. The site contains hundreds of posts and links to media articles and blogs;
 - (b) Council's online petition has 4900+ signatures which is in addition to the 2200+ signatures currently collected via hard copy petitions circulating at Yarra Council Customer Service Centres and libraries;
 - (c) two major community protests were held on the weekend at sites in Collingwood and Parkville where residents from across Melbourne. More than 600 people combined attended these two meetings;
 - (d) community groups are fully supportive of a *Trains Not Toll Roads* “August People Power” protest which will involve weekly Friday protests throughout August at the

Hoddle Street/Alexandra Parade freeway exit ramp as well as campaign stands on weekends; and

- (e) Council has received many calls from community groups, organisations and individuals offering to run events and participate in the campaign.
18. It is important to note that Council has not received any direct information from either the State Government or Linking Melbourne Authority notwithstanding direct requests including letters to the Premier and the Minister for Roads from the Mayor.
19. Council is continuing to pursue avenues to obtain information so it can analyse that information and seek peer reviews on key aspects so that it may inform itself of the proposal and the issues arising.

Other Authorities

20. A growing number of Council and other organisations are supporting the broad Yarra position. These include:
- (a) Darebin and Moonee Valley Councils have resolved to support the *Trains Not Toll Roads* campaign;
 - (b) the Metropolitan Transport Forum (which comprises 23 Local Governments and 25 Associates) is supporting the “Wrong Way Go Back” campaign which argues that by favouring the East section of the East West road tunnel ahead of other major transport projects, the State Government has setback crucial improvements to public transport and left the rapidly growing Port of Melbourne without a sustainable road freight link. In this regard the MTF website states: “*Local government across Melbourne believes that the Melbourne Metro and the Western section of the East West link should be the first projects to get the government green light*”;
 - (c) Manningham Council’s Public Transport Action Group have been actively collecting signatures for the *Trains Not Toll Roads* petition;
 - (d) Geelong Regional Alliance of Councils (G 21) is arguing the number one priority should be securing funding for the western route of Melbourne’s east-west tollway link;
 - (e) the Public Transport Users Association is actively supporting *Trains Not Toll Roads*; and
 - (f) community groups such as Yarra Campaign for Action on Transport (YCAT), Yarra Climate Action Now (YCAN), Collingwood and Abbotsford Residents Association, Fitzroy Residents Association, Carlton Residents Association, Protectors of Public Lands Victoria and more are all actively supporting the *Trains Not Toll Roads* campaign.
21. Further, Yarra has heard from academics, artists, musicians, school communities and others all wanting to support the campaign.
22. A number of councils in the eastern area of Melbourne also support Yarra Council in advocating for a Train to Doncaster which would remove some 800 cars on the road by each train in peak hour. These include Manningham, Boroondara, Whitehorse, Maroondah and Banyule councils.

Legislative requirements

23. A proposal such as the east west road link requires the following legislative clearance:
- (a) it requires Federal clearance under the Environment Protection and Biodiversity Conservation Act 1999; and
 - (b) State approval under the *Major Transport Projects Facilitation Act 2009*.
24. It is noted that a Bill is currently with the State Parliament to amend the *Major Transport Projects Facilitation Act 2009* – officers are currently analysing this to determine the impact of those proposed changes.
25. Linking Melbourne Authority lodged a submission with the Federal Department under the Environment Protection and Biodiversity Conservation Act 1999 in March 2013. This Act is administered by the Federal Department of Sustainability, Environment, Water, Population

and Communities. This was lodged without any reference, contact or notification to the local Councils. Yarra City Council officers learnt of this lodgement via the Linking Melbourne Authority website and lodged a submission.

26. Council was not informed of the decision by the Federal Department of Sustainability, Environment, Water, Population and Communities but learnt of the judgement again via the Linking Melbourne Authority website. Officers have written to that Department seeking a formal response and requesting reasons on that judgement. As no response has been received further letters have been forwarded again seeking that response.
27. The State Minister for Planning has determined that a Comprehensive Impact Statement (CIS) is required under the *Major Transport Projects Facilitation Act 2009*. The Minister for Planning has approved the scope of this document. This process will enable local government and community to comment but the time is very limited (20 days) and may be even further curtailed by the Bill being considered in State Parliament.
28. The CIS will include a range of technical studies in areas such as social, heritage and environmental impacts for the proposed project. The final CIS documentation is expected to be available for public comment later this year. It is understood that consultants for LMA are currently working on that impact statement.

The basis of the proposal

29. It has proven very difficult to obtain any current information from any sources which purports to justify any benefits of the proposal other than simply for broad access and movement of vehicles.
30. It is noted that the former Eddington report (2008) recommended a by-pass route with no access points to the city – however, that also suggested a cost / benefit ratio of 0.5 (meaning for every dollar spent 50 cent of return benefit would apply – that is, an unfavourable cost benefit ratio). It is noted, however, that the current proposal has exit / entrance portals to the tunnel west of Hoddle Street and in Royal Park at Elliott Avenue near the zoo (these could be said to be indirect access points to the city via alternate routes e.g. Flemington Road and also some of the north south roads in Yarra municipality).
31. The State Government argues that the current business case has a cost benefit ratio of 1.4 (meaning for every dollar spent \$1.40 of return benefit would apply). No public documents are being provided to illustrate that claim. Formal requests have been made for copies of the business plan and traffic modelling (amongst other matters) by the Mayor direct to the Premier and the Minister for Roads. FoI requests have also been lodged. No information has been provided via these means at the time of writing.
32. It would appear that the Government may be using what is referred to as a '*wider economic benefit*' model which may result in purportedly higher returns. It is understood, however, that Infrastructure Australia (a body to provide advice to the Federal Government regarding infrastructure priorities) requires a normal cost benefit ratio approach on all projects so that they are comparable.
33. It is also reported in the media that Infrastructure Australia has requested more information from the State Government before it can properly consider the proposal for assessment.
34. The State Government states that a business case has been lodged with Infrastructure Australia. Only a very short overview is available publically and the full document is not available to the public.
35. On 17 July the proposed alignment of the proposed tunnel and above ground works was released via the LMA website and media releases. This has been well covered in the media (with diagrams) and is shown in the attachments. Broadly, there is:
 - (a) an entrance and exit to the proposed tunnel at both Alexandra Parade near the Shot Tower in Alexandra Parade (approximately near Coppin Lane / Gold Street,

Collingwood) and also at Elliott Avenue in Royal Park (just south of the Melbourne Zoo near where the tram crosses Elliott Avenue);

- (b) a flyover at the Hoddle Street / Eastern Freeway interchange to enable vehicles heading north along Hoddle Street to access the Eastern Freeway heading east;
 - (c) an overhead freeway in Royal Park (due to the land sloping towards the west from Elliott Avenue) from approximately Elliott Avenue to CityLink comprising:
 - (i) an elevated road and then a flyover heading over the Moonee Ponds creek to enable traffic to merge onto the Tullamarine Freeway to head north towards the airport; and
 - (ii) an elevated road and another flyover heading towards the intersection of Racecourse Road and Flemington Road to duplicate a future road expansion mirroring CityLink heading south but then heading into the port facilities;
 - (d) an exit and entrance to the tunnel at Elliott Avenue (note: the LMA website visuals also suggest that Elliott Avenue would be converted to a major road to service the additional traffic); and
 - (e) further works are shown along Alexandra Parade between Hoddle Street and what would appear to be approximately Wellington Street on the north side.
36. It is also useful to note the following as a matter of caution, and also for a better understanding of the likely process going forward:
- (a) it is important to recognise that the visuals on the LMA website are summary scenarios and may not be 'real' or reflect the true situation – they are what is called a *'reference case (or base case)'*;
 - (b) this *'reference case'* is an 'outline of the proposal' by the State Government which will act as a benchmark to allow comparison of tenders once submitted;
 - (c) in the tender process, the private sector will be asked to tender on an outcome *like* the 'reference case' but also specifically seeking the sector to use creativity and innovation in their tender proposals;
 - (d) this means that the tenders may well (and most probably) will be somewhat different to the 'reference case' – e.g. possibly a slightly different alignment in parts or different treatments etc but falling within the ambit of the scoping document of what the tender seeks as an outcome; and
 - (e) what this means is that:
 - (i) the tender will not necessarily be specific in design but *performance based* and seeking outcomes that achieve objectives – that is, it will not be prescriptive;
 - (ii) this also means that there could be some form of cross subsidisation in the proposal – that is, the consortia can do X but in return the consortia seeks Y;
 - (iii) an important point (as a consequence) is that the tender, under probity arrangements etc, most probably cannot be 'cherry picked' – it is effectively (by and large) purchase the whole package or don't purchase (buy or it leave it); and
 - (iv) this means that in a 'Private Public Partnership' arrangement the 'client' (in this instance, LMA on behalf of the State Government) does not have the final details of the 'scheme' until the tender is closed and evaluation processes occur.

37. Further, it is also noted that the visual model by LMA shows traffic lights at the exit of the tunnel at Elliott Avenue. However, from the Minister for Roads comment in the media on 17 July it was said by the Minister that an interchange most probably would be required in this location. In this regard it is noted that this would consume significantly more parkland as a consequence due to the required radii of an interchange (consider the circular ramp from the M1 freeway leading to the Bolte Bridge as an illustrative example).

Notifications

38. Council had received no substantive formal communication from the State Government or LMA regarding the proposal.
39. There has been some limited material on the LMA website and a LMA newsletter was circulated to residents with general statements about the proposal.
40. Media had speculated on certain aspects and LMA held four meetings some four weeks ago for the community to seek further information but only indicative alignments were available.
41. LMA had requested the Council to assist in providing the names and addresses of certain properties. Due to the *Privacy Act* 1988 an indemnity was required by Council before that could be released as determined by the Council at its meeting on 9 July. Legal firms for Council and LMA were arranging a suitable indemnity but LMA has now advised it does not wish to pursue that approach and, it would seem has hand delivered certain letters to owners and residents but not to Council.
42. Letters from LMA have alerted a number of residents of the likely impact on their property at either:
 - (a) surface level works (some of which would mean compulsory acquisition); or
 - (b) due to an underground tunnelling exercise.
43. Little information is forthcoming from LMA - this understandably has made a number of residents and property owners very anxious about the whole matter. Further, with little information Council officers are not able to inform interested persons about the proposal or the implications.
44. Council will now arrange for letters to be sent to owners and residents within the vicinity of the proposal in the next week to inform them of what Council knows, the *Trains Not Toll/Roads* campaign including the Council opposition to the East West road proposal, opportunities for Council assistance to the community and other relevant information.

Timing

45. The following is now anticipated regarding process and broad timings:
 - (a) Expressions of Interest are now being sought by the State Government with a return date of 29 August, 2013. This is to enable consortia to form and lodge an interest to LMA in competing for the project via a tender process;
 - (b) the LMA website states that the Request for Proposal (RFP) will then be commenced – it is anticipated that only 2 or 3 consortia who express an interest at the EoI stage will invited to tender (that is, a selective tender process) – this may occur some weeks after the end of August (after evaluation of the EoIs) – say October 2013;
 - (c) the Comprehensive Impact Statement (CIS) is underway and it is likely that a draft CIS will be placed on exhibition for a short period before the end of this year – this is likely to have very limited notice and an extremely short and time in which to prepare, consider and lodge comments;

- (d) it is anticipated that tenderers may be given say 3 - 4 months in which to lodge tenders which may be in say approximately February / March 2014;
 - (e) evaluation of tenders and then significant contract negotiations is then likely to see the State Government seeking to sign contractual arrangements with a successful tenderer by say Winter 2014 at the earliest, and possible Spring time just before the State election.
46. In summary, there seems little formal opportunity for the Council or the community to directly be involved in this process. It would appear that the CIS process only will provide an opportunity for Council to comment as the *Major Transport Project Facilitation Act 2009* would, it is understood, effectively removes the need for planning permissions.

Consultation

- 47. Council has an active campaign referred to as *Trains Not Toll Roads* and has an active Public Transport Advocacy Campaign Committee which has been meeting regularly since mid-2012. This follows an adopted action plan in Spring of 2012.
- 48. Council determined to pursue all avenues against the east west road proposal at its meeting on 25 June. That is being implemented and actions are underway.
- 49. Senior officers will be writing to local residents in the broad vicinity of the proposed alignment this week to advise of Council assistance and processes.

Financial Implications

- 50. Technical expertise, governance advice and legal assistance will be very important to progress the Council analysis in a timely manner. It is not yet clear to what extent this will be required or the cost of that assistance.
- 51. An allocation of \$100 K is contained with the adopted 2013/14 Council budget for the campaign against the East West road tunnel – other monies (\$100 K) are contained in the Public Transport Advocacy Campaign fund.
- 52. Assistance to the local community will also involve some expenditure. Officers will implement the Council directions in this regard.
- 53. Senior officers will carefully monitor the expenditure and periodically advise the Council.

Economic Implications

- 54. There are no economic impacts in relation to advising the community or pursuing avenues that may be open to the Council (only financial for the Council).
- 55. The economic impacts of any proposed road on the community and property owners are not yet clear – it is, however, noted that compensation rights would normally exist for properties physically impacted should the proposal go ahead.
- 56. In the *broad community economic impact* sense the cost benefit ratio of the proposed tunnel is also not clear – in the Council's opinion is debatable at present but no information is forthcoming from the State Government or LMA to enable an informed judgement. Council has expressed that substantial investment in public transport would be a much greater benefit to Melbourne into the future.
- 57. It would seem that the Government has now decided to use a '*wider economic benefit*' approach rather than the normal cost benefit ratio methodology that Infrastructure Australia uses to assess projects. This needs to be better understood but Council has no information to critique.

Sustainability Implications

- 58. The project announced by the State Government raises a number of sustainability issues – these have been stated in Council submissions generally and will need to be further explored.

Social Implications

59. A number of major social implications are raised by the mooted road project – these are also outlined in the Council submissions, including various impacts on local communities, including such as: compulsory acquisition of some properties, construction activity, induced traffic to projected access and exit portals to the west of Hoddle Street and major infrastructure in that location potentially creating barriers to the local communities.
60. Impacts on Royal Park (south west of the Zoo) are also major impacts that local communities and local government are likely to be very concerned about. Certainly a number of community and environmental groups have already expressed major concern and have joined with the Council campaign of *Trains Not TollRoads*.
61. Acquisition and compulsory acquisition of properties is a very significant issue and many people would be impacted directly.
62. Other owners / occupiers would have tunnelling beneath their properties and may well be concerned.
63. Other persons whose properties are not physically effected or impacted, but abutting or in close proximity, are likely to also be very anxious about the proposal, the processes and the way forward. It is also likely that uncertainty will exist for some 12- 18 months due to tender processes and any finalisation of such a proposal including more definitive aspects.
64. Council can provide certain assistance to these persons – however, the State has a major obligation to provide assistance (many forms) to these persons. It is not clear at this stage what commitment the State has in this regard. It is noted that the Mayor's letters to the Premier and the Minister request this assistance due to current announcements and having regard to any future decisions the Government may make (see attached).

Human Rights Implications

65. Provision and clarity of information to the community is a very important matter to avoid confusion. In the Council's opinion the information flow to the Council and the community has been lacking from the State Government and LMA.
66. The uncertainty of the current proposal is as a result creating a great deal of anxiety with property owners and occupiers.
67. Any compulsory acquisition of properties is a very matter sensitive and difficult matter for impacted persons.

Council Plan, Strategy and Policy Implications

68. Various Council policy documents and strategies promote public transport and sustainable transport solutions.
69. Council is formally opposed to the East West road tunnel – this is expressed in its submissions to the Eddington report (2008) and also in its resolutions in 2012 and 2013.

Legal Implications

70. There are no legal implications in respect of advocating the Council's position or seeking assistance in the analysis of options available to the Council.
71. Some avenues to actively position the Council consistent with its express opinion on the East West proposal may involve legal aspects.

Assistance to the community

72. Council is a local authority as well as a roads authority and a planning authority. In this context the Council is able to consider what other assistance it can provide local residents and property owners.
73. In addition to continuing its broader *Trains Not Toll Roads* advocacy campaign, Council could consider a range of actions as part of a Social Engagement Strategy to specifically provide support and assistance to local communities directly impacted by the proposed East West Road Link. A draft Social Engagement Strategy is attached – the actions could include:

- (a) continue to advocate to Linking Melbourne Authority and the State Government for more detailed information to better inform and assist residents and property owners;
 - (b) make available to the public, information that Council receives via direct requests, Freedom of Information and other sources and which we believe will assist in better informing and supporting residents and property owners;
 - (c) seek immediate advice from LMA and the State Government about the provision, timing and key State department contacts for community support and counselling services across areas of family services, youth services, aged services, housing services, health services, financial counselling and advisory services and other relevant community services to contribute to supporting and stabilising the social infrastructure of community members affected by the proposals;
 - (d) clarify with LMA and the State Government what funding is available to Council to provide additional support and counselling for affected communities across these important service areas to ensure timely and locally based responses;
 - (e) make contact with known vulnerable groups and people to offer assistance (e.g. elderly residents, people with health conditions, people with a disability, CALD communities etc);
 - (f) make available a meeting space or spaces on a regular basis for affected residents should they need a place to meet with lawyers, support services, counselling etc;
 - (g) provide, if required, a child care / playgroup service for affected residents on a regular basis to coincide with the use of the above meeting space;
 - (h) provide interpreters when required to assist people to understand the information available;
 - (i) hold Information Sessions as required;
 - (j) develop a register of interested people who want to be kept informed specifically in relation to affected communities;
 - (k) ensure affected residents have continuity when calling Council about support services, in particular providing a primary point of contact for Council's HACCC services and Family Youth and Children's Services to liaise and make contact with existing clients and new contacts;
 - (l) maintain information of the Council advocacy of *Trains Not TollRoads*;
 - (m) provide campaign marketing material to the community on request; and
 - (n) participate in community meetings and provide advocacy training.
74. The draft Social Engagement strategy suggests three phases of assistance to the community (see attachment).

Conclusion

- 75. The State Government is continuing to pursue its desire to implement the Eastern part of the mooted East West road proposal.
- 76. Very little information is provided by the State Government or its agency, Linking Melbourne Authority. This has clearly hampered the ability of both local government and communities to understand what is proposed, why, what justification, where and in what form. This has been most unfortunate. Notwithstanding, information has been formally requested and will continue to be requested in order for some analysis to be undertaken and informed judgements able to be made.
- 77. This report provides an update to the June 2013 report and also provides an outline of anticipated timings and also addresses what assistance Council could provide the local community.
- 78. Council is requested to determine what assistance it wishes to provide to the local community and in particular persons whose properties are impacted or very close to the alignment of the mooted proposal. In this regard, a draft *Social Engagement* strategy is attached for Council consideration.

79. Senior officers now seek the direction of the Council – once identified and authorised, senior officers will set processes in place to pursue those actions and keep the Council informed of progress.
80. It is also recommended that an Advisory Group is formed, being the Councillors on the Public Transport Advocacy Campaign Committee, to enable any urgent action between the Ordinary sittings of the Council to be considered in conjunction with the Chief Executive Officer.

RECOMMENDATION

1. That Council:
 - (a) note the report of the Director, City Development regarding an update on the mooted East West Road Tunnel by the State Government;
 - (b) note that Council has requested information from both the Premier and the Minister for Roads and also lodged Freedom of Information requests for certain information to enable Council to properly assess and analyse the proposal to make an informed judgement;
 - (c) note the anticipated process and timelines being pursued by the State Government via the proponent Linking Melbourne Authority;
 - (d) note the Mayor has formally requested advice from the Premier and the Minister for Roads on what assistance the State Government and its various departments will provide to assist the local community;
 - (e) note the draft Social Engagement Strategy with services that Council could provide to the local community;
 - (f) adopt the Social Impact Strategy with or without modifications;
 - (g) authorise the Chief Executive Officer to commence actions as approved;
 - (h) receive regular update reports from the Chief Executive Officer regarding progress of the actions that Council has authorised; and
 - (i) authorise the Public Transport Advocacy Campaign Committee Councillors, being Councillors Fristacky, Gaylard, Jolly and Stone, to guide the Chief Executive Officer to determine any urgent actions required in between the Ordinary meetings of Council.

Councillor Jolly departed the chamber at 8.58 pm.

Councillor Jolly returned to the chamber at 9.02 pm.

Public Submissions

Ms Carole Wilkinson of Yarra Climate Action Now addressed Council regarding this matter.

COUNCIL RESOLUTION

Moved: Councillor Stone

Seconded: Councillor Jolly

1. That Council:
 - (a) note the report of the Director, City Development regarding an update on the proposed East West Road Link by the State Government;
 - (b) note that Council has requested information from both the Premier and the Minister for Roads and also lodged Freedom of Information requests for certain information to enable Council to properly assess and analyse the proposal to make an informed judgement;
 - (c) note the anticipated process and timelines being pursued by the State Government via the proponent Linking Melbourne Authority;
 - (d) note the Mayor has formally requested advice from the Premier and the Minister for Public Transport and Roads on a range of matters including what assistance the State Government and its various departments will provide to the local community;
 - (e) note the draft Social Engagement Strategy with services that Council could provide to the local community;
 - (f) adopt the Social Engagement Strategy;
 - (g) authorise the Chief Executive Officer to commence actions as approved;
 - (h) receive regular update reports from the Chief Executive Officer regarding progress of the actions that Council has authorised; and
 - (i) authorise the Public Transport Advocacy Campaign Committee Councillors, being Councillors Fristacky, Gaylard, Jolly and Stone, to guide the Chief Executive Officer to determine any urgent actions required in between the Ordinary meetings of Council.

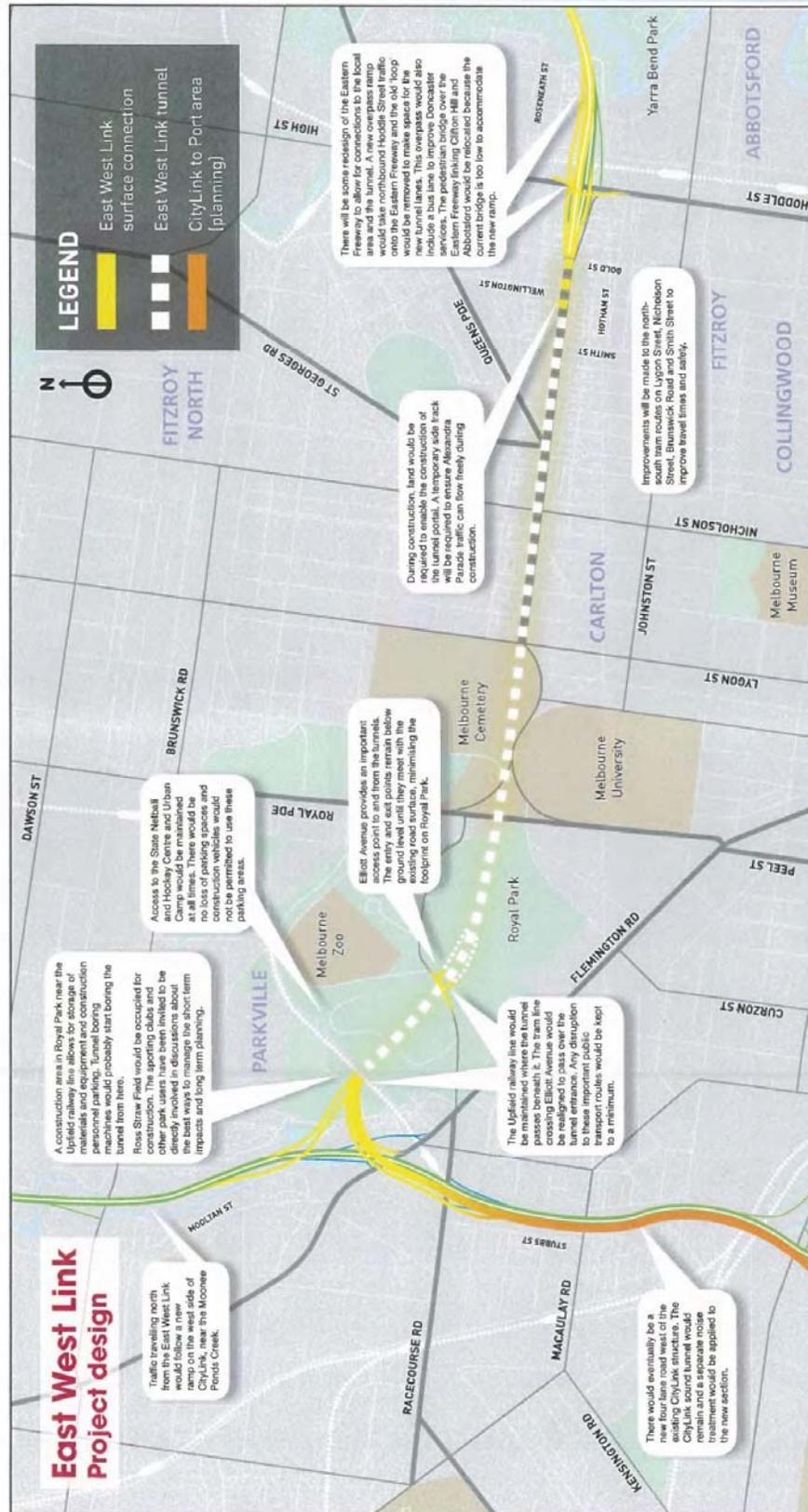
CARRIED

CONTACT OFFICER: Bruce Phillips
TITLE: Director City Development
TEL: 9205 5300

Attachments

- 1 Various pages from Linking Melbourne Authority website
- 2 Letters from Mayor to Premier and Minister for Public Transport
- 3 Letter from Mayor to Victorian Ombudsman
- 4 Draft Social Engagement Strategy

Attachment 1 - Various pages from Linking Melbourne Authority website





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[East West Link >](#)

Project

overview

The East West Link would be one of the largest infrastructure projects ever constructed in Melbourne. A lot of work has been completed as part of previous studies, early planning investigations and business case development to understand the project's benefits and needs.

The Victorian Government has developed a business case following a study by Rod Eddington in 2008 into Melbourne's east-west travel needs. This confirmed the prevailing view that as Melbourne grows and changes, and demand for travel increases, being able to make relatively fast and reliable connections around the city is becoming more and more important for businesses and the future prosperity of our city.

Why the East West Link?

- Existing cross city connections across the north of Melbourne are under pressure and face significant growth over the next 25 years.
- Melbourne has no alternative, direct, cross city connection to the M1 - the Monash, CityLink and West Gate Freeways.
- Liveability in Melbourne's inner north and west is affected by through-traffic.
- The Eastern Freeway is the last of the major freeways that ends abruptly on the edge of the city, creating a major congestion bottleneck and affecting productivity.
- Tram and bus services crossing Alexandra Parade are severely limited in frequency and reliability because of the time given to east-west traffic flows.
- Having no link between CityLink, the Tullamarine Freeway and the Eastern Freeway means people living in the north and west of Melbourne have challenges accessing jobs, education, shopping, friends and entertainment in the east, and vice versa.

More information

- [See the potential benefits of the project](#)
- [View the East West Link project map](#)
- [Learn about tunnels](#)

More information:

(03) 8562 6800 or contact@lma.vic.gov.au

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[East West Link](#) > [Project overview](#) >

Project

benefits

The East West Link has the potential to provide significant travel, economic, business, employment and community benefits for Melbourne and Victoria. It would close the gaps between the major metropolitan freeways to the east, west and north and provide a much needed alternative to the Monash-West Gate freeways, including the West Gate Bridge.

Improve our cross city connections

The project would cater for strong demand for travel across the city. Currently, around 200,000 vehicles traverse the north of the central city each day to make significant cross-city journeys.

By 2031, there will be 440,000 people travelling east-west across the Maribyrnong River by road (a 38 per cent increase) and 165,000 by rail (almost 100 per cent increase).

Reduce over reliance on the M1

The East West Link would provide a much needed alternative to the M1. Melbourne currently relies heavily on the M1 as the only high-capacity, east-west road connection providing access to the Port of Melbourne, industrial areas and interstate highways. The city's transport network and economy is highly vulnerable to congestion and disruptions on the M1.

Reduce congestion

Very few cross city roads in Melbourne have available capacity during peak periods, with most connections under increasing pressure in non-peak periods. The East West Link would help to meet the demand for cross city travel and accommodate trips without an increase in congestion. In particular, it would help to alleviate congestion at the end of the Eastern Freeway by removing through traffic that is not destined for the CBD.

In the next 20 years, Melburnians will make nearly 19 million person-trips around the city every day, an increase of 34 per cent on 2006 levels. Nearly 14 million of these trips will be made by car (74 per cent of all trips).

Improve connectivity

The East West Link would enhance connectivity to critical destinations, including the Port of Melbourne and Melbourne International Airport. Improving travel choice for businesses and individuals accessing goods, services, education and employment would maximise Victoria's competitive advantage.

Recent studies have updated previous data and dispel the misconception about the destination of traffic travelling west along the Eastern Freeway. Our recent traffic modelling shows that most of the traffic is trying to get across town, not into the CBD. Approximately 12 per cent of traffic from the Eastern Freeway ends up in the CBD on average throughout the day.

Improve freight efficiency

The East West Link would encourage more trucks onto appropriate roads and away from local streets. This would in turn help to improve the flow of freight across the city, and reduce the cost of doing business. The project would improve connections between industry in Melbourne's north, east and west with national and international markets via the Port and airports.

Freight is likely to be increasingly moved on rail over the next 20 years. But road will remain the key way to move goods as rail does not have the flexibility for deliveries to the supermarkets, shops, businesses and industries across Melbourne.

Enhance liveability

The project has the potential to remove tens of thousands of vehicles from local roads in the inner north and west, making it easier for people to move around their area and reducing the intrusion of traffic congestion on communities. The project would achieve reduced traffic on roads like Alexandra Parade and provide the opportunity to improve connectivity and cohesiveness within local communities

Contribute to urban and economic development

In combination with other transport network initiatives, the East West Link would support the long term growth and development of Melbourne by enhancing urban renewal, supporting new commercial development opportunities, contributing to increased productivity of local businesses, improving travel times and lowering travel costs, as well as maintaining growth in the services sector.

Enhance public transport

Reducing the volume of east-west traffic running through local streets would provide an opportunity for greater priority to be given to north-south tram and bus services, cycling routes and pedestrian crossings.

We are working with other government agencies, councils, transport providers and related businesses so that East West Link integrates with the overall strategy for the transport network.

According to VicRoads, over 85 per cent of public transport services are on the road, so improving our road network is vital to many Melburnians who catch the bus or tram every day.

Tunnel construction

The East West Link is likely to include large sections of tunnel to reduce impacts on communities. Road tunnels are being used more and more around the world to provide much needed infrastructure while protecting the land above. Tunnels help to improve local amenity by moving through traffic underground, allowing surface areas to be enhanced for community use.

More information:

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[East West Link](#) > [Project overview](#) >

Timelines

The Victorian Government is proceeding with plans to develop the first stage of the East West Link from the Eastern Freeway to CityLink. Consideration is also being given to a further stage alongside CityLink to the Port of Melbourne area.

One of our priorities is making sure that landowners in the project area are aware of the planning and consultation process underway as well as the potential for impacts. We encourage landowners to get in touch with us directly to discuss their views and concerns about the project.

We are commonly asked about timeframes for the project and it's important to note that there are a number of steps before construction can start. The table below outlines these steps as well as some indicative timeframes.

July 2013	Release of a project design which identifies properties likely to be impacted by the road. This provides an indication to people, however it is not set in stone as engineering and planning work is continuing. It is also possible that the construction company engaged to build the project comes up with other ideas to minimise impacts.
July 2013	The construction and financing companies are invited to express interest in building the project. This is the very first step in the tendering process.
Late-2013	The Comprehensive Impact Statement (or planning documentation) will be on display for public feedback, including details on the final recommended project design, benefits and potential impacts. Public submissions are invited and encouraged.
Early-2014	An Assessment Committee will consider community and other submissions as well as the planning documentation before making recommendations on the final project.
Early to mid 2014	Subject to planning approvals, we would formally commence acquisition by serving a Notice of mid 2014 Intention to Acquire to owners and occupiers. After this point, Linking Melbourne Authority would pay for all reasonable expenses directly arising from the acquisition including legal and valuation fees. Residents would be given as much notice as possible to vacate their properties once this acquisition process commences. Compensation negotiations will take into account the unaffected market value of the property (assuming the project did not exist) as well as reasonable additional allowances such as all moving costs and replacement property expenses including stamp duty for a new property. For businesses, the compensation would also consider relocation costs and business losses directly arising from the acquisition. We would negotiate possession timeframes for businesses based on the circumstances of each business and project requirements.
Late 2014	Construction would commence.
2019	Expected completion of the East West Link Stage One.

More information

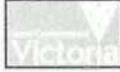
[Download this information in a factsheet \(PDF 162KB\)](#)

Attachment 1 - Various pages from Linking Melbourne Authority website

More information:

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Planning

process

The early planning and business case work has provided valuable background information on the East West Link, enabling us to develop a project corridor. Going forward, planning and engagement will be conducted in three phases.

Planning and engagement phases

Phase 1 – Issues identification	
Planning tasks	Engagement goals
<ul style="list-style-type: none"> • Providing the community with a project corridor • Undertaking extensive investigations into areas such as social impacts, land use, geotechnical, flora and fauna, economic, cultural heritage, hydrology, landscape and visual, noise and air quality. • Obtaining input on the project corridor and potential issues • Assessing the project against environmental, economic and social objectives 	<ul style="list-style-type: none"> • Seeking community input on the project. • Explaining the planning process • Understanding community and stakeholder expectations and concerns • Obtaining input on project issues and impacts along the corridor
Phase 2 – Project refinement	
Planning tasks	Engagement goals
<ul style="list-style-type: none"> • Considering community input to refine the project within technical and financial constraints • Investigating the project in more detail to confirm the main aspects of the project design • Recommending actions to manage the environmental, social and economic impacts of the project. 	<ul style="list-style-type: none"> • Presenting and explaining the project route • Obtaining input on the project route to understand any issues • Responding to issues raised during the first phase of engagement.
Phase 3 – Statutory approvals and assessment	
Planning tasks	Engagement goals
<ul style="list-style-type: none"> • Releasing the final planning study for feedback • Holding the public exhibition of the planning study • Obtaining the necessary approvals, including establishing an independent planning panel to consider the study and submissions. 	<ul style="list-style-type: none"> • Presenting and explaining the planning study findings and final recommended project • Explaining the next steps in the planning process • Encouraging community involvement and feedback, including submissions to the planning panel.

Attachment 1 - Various pages from Linking Melbourne Authority website

More information

- [Download the planning and consultation factsheet \(PDF 207KB\)](#)
- [Read more about the formal planning process under the Major Transport Project Facilitation Act 2009.](#)
- [Find out about opportunities for community involvement](#)

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[East West Link](#) > [Project overview](#) >

Comprehensive

Impact

Statement

Planning and engagement is now underway for the first stage of the East West Link under the *Major Transport Projects Facilitation Act 2009*. The Act aims to create a 'one stop shop' for assessment, approvals and delivery of major transport projects in Victoria.

Planning involves a detailed investigation of the project, including physical, heritage, cultural, environmental, social and economic issues.

The process also involves a comprehensive consultation process with stakeholders and the community, to ensure the project considers the needs and concerns of the community.

Planning process

Assessment

The East West Link project was assessed for its economic, social and environmental significance. It was declared under the *Major Transport Projects Facilitation Act 2009* on 21 December 2012 for the purpose of applying the assessment, approvals and delivery powers under the Act.

Project proposal

The Minister for Roads appointed Linking Melbourne Authority as the project proponent on 22 March 2013. The proponent is required to prepare and submit a project proposal to the Minister for Planning. This document is available on the [Department of Planning and Community Development website](#).

Planning process

The Minister considers the proposal and requirements for a Comprehensive Impact Statement (CIS).

Scoping

Scoping for the studies and report set by the Minister. The matters to be investigated and documented in the CIS are set out in the ['scoping directions'](#).

Preparing the CIS

Proponent prepares a CIS and consults with stakeholders and community. An Agency Liaison Group with representation from government agencies will provide technical advice on the preparation of a CIS.

Approval

When the CIS is complete the Minister will release it for public comment and appoint an Assessment Committee to assess the effects of the project. Members of the public can make written submissions to the Assessment Committee.

- A public hearing will be held where LMA and the community can make presentations
- The Minister considers all relevant information and makes a decision

The Minister considers relevant information, including the CIS, public submissions and any Assessment Committee reports and makes a decision about the project.

More information

- Visit the [Department of Planning and Community Development website](#) for more information about the assessment process, including the supporting documents
- [Download the planning process flowchart \(PDF 180KB\)](#)

More information:

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[East West Link](#) > [Project overview](#) >

Previous

studies

The East West Link project was first identified in Sir Rod Eddington's [East West Link Needs Assessment \(EWLNA\) report \(2008\)](#) as critical infrastructure for Victoria. The report confirmed the prevailing view that Melbourne's cross city connections don't have enough capacity to serve the growing demand for east west travel, and recommended an east west road link across Melbourne.

Port area to Western Ring Road

The planning and consultation study for the section between the Port area and the Western Ring Road commenced in 2009 and involved detailed investigations into the impacts of the project. This included assessments of the physical, biological, heritage, cultural, environmental, social and economic impacts on the community. The community also had an opportunity to provide input into the development of the project.

The 10 kilometre proposed route includes:

- a tunnel connecting Dynon Road and Footscray Road in the Port of Melbourne precinct with Paramount Road in West Footscray
- a further surface road connection between Paramount Road and the Western Ring Road
- upgrades to Paramount Road and Dempster Street to complement the road tunnel.

View the proposed route on the [interactive map](#).

Current status

The business case determined that the full 18 kilometre East West Link is a vital project for addressing current congestion issues and to cater for future growth in Melbourne.

While this section has a number of benefits, the current focus is on completing the planning and delivering the first stage of the East West Link, given the benefits it would provide as a standalone project.

More information

A range of publications are available outlining the activities and investigations undertaken to develop this section:

- [WestLink Phase 2 consultation report \[PDF 971KB\]](#)
- [WestLink Phase 2 summary report \[PDF 732KB\]](#)
- [WestLink News - Community Update October 2010 \[PDF 1.20MB\]](#)

More information:

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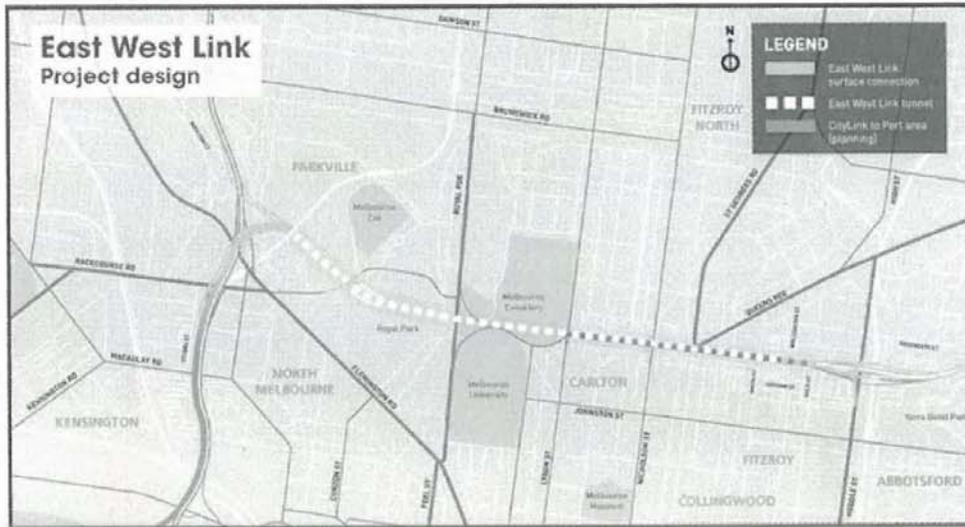
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[East West Link >](#)

Detailed

project
design

The East West Link Stage One spans around six kilometres from the Eastern Freeway at Hoddle Street to CityLink. As part of the planning process of this section, a further route connecting CityLink to the Port area is also being considered.



Current status

A detailed project design for East West Link Stage One has been released for community feedback.

The design includes:

- A new bridge to take northbound Hoddle Street traffic onto the Eastern Freeway, allowing the removal of the existing loop
- An entrance into the tunnel just past the Eastern Freeway
- An interchange at Elliott Avenue providing access into and out of the tunnel towards the east
- A tunnel portal just past the Upfield rail line with ramps allowing both northbound and southbound access on CityLink
- A further stage of the East West Link to take traffic to the Port area and beyond via a new roadway adjacent to CityLink.

More information:

<http://www.linkingmelbourne.vic.gov.au/pages/detailed-project-design.asp>

22/07/2013

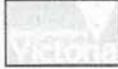
Attachment 1 - Various pages from Linking Melbourne Authority website

- [Design details](#)
- [Stage One Benefits](#)
- [Project corridor](#)
- [Key downloads](#)

More information:

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[East West Link](#) > [Detailed project design](#) >

Design details

Background work, which includes geotechnical drilling, flora and fauna studies, and community consultation have been taken place to help determine the route for the project.

The East West Link design includes around 4.4 kilometres of tunnels to protect communities and parkland. However there are surface connections at either end so that the project can link in with the existing freeway network. The design also includes a further stage (shown in orange below) that would take motorists using the tunnel down to the Port area and eventually out to the Western Ring Road as part of the full 18 kilometre link.

Locations

Eastern Freeway and Hoddle Street

There will be some redesign of the Eastern Freeway to allow for connections to the local area and the tunnel. A new overpass ramp would take northbound Hoddle Street traffic onto the Eastern Freeway and the old 'loop' would be removed to make space for the new tunnel lanes. This overpass would also include a bus lane to improve Doncaster services.

The pedestrian bridge over the Eastern Freeway linking Clifton Hill and Abbotsford would be relocated because the current bridge is too low to accommodate the new ramp.

Alexandra Parade

During construction, land would be required to enable the construction of the tunnel portal. A temporary side track will be required to ensure Alexandra Parade traffic can flow freely during construction.

Improvements will be made to the north-south tram routes on Lygon Street, Nicholson Street, Brunswick Road and Smith Street to improve travel times and safety.

Elliott Avenue

Elliott Avenue provides an important access point to and from the tunnels. The entry and exit points remain below ground level until they meet with the existing road surface, minimising the footprint on Royal Park.

The Upfield railway line would be maintained where the tunnel passes beneath it. The tram line crossing Elliott Avenue would be realigned to pass over the tunnel entrance. Any disruption to these important public transport routes would be kept to a minimum.

Royal Park

A construction area in Royal Park near the Upfield railway line allows for storage of materials and equipment and construction personnel parking. Tunnel boring machines would probably start boring the tunnel from here.

Ross Straw Field would be occupied for construction. The sporting clubs and other park users have been invited to be directly involved in discussions about the best ways to manage the short term impacts and long term planning.

Traffic travelling north from the East West Link would follow a new ramp on the west side of CityLink, near the Moonee Ponds Creek.

Access to the State Netball and Hockey Centre and Urban Camp would be maintained at all times. There would be no loss of parking spaces and construction vehicles would not be permitted to use these parking areas.

CityLink to Port area

There would eventually be a new four lane road west of the existing CityLink structure. The CityLink sound tunnel would remain and a separate noise treatment would be applied to the new section.

How might the design change in the future?

The design contains the essential elements of the East West Link and provides certainty that the project could be built. It provides a practical design that can be assessed by regulatory authorities Melbourne Water, Heritage Victoria, EPA, VicRoads and Aboriginal Affairs Victoria. It also provides certainty that construction is feasible when the project goes through a competitive tender process for construction.

The East West Link will be constructed using a Public Private Partnership model, so we will be seeking innovation from the private sector using the reference design as a base. For example, there may be construction techniques or design solutions that we haven't considered, or a better way to achieve the same outcomes. Any changes would be considered in the light of the approvals we are seeking or have received.

More information

- [Information for landowners](#)
- [View the interactive map](#)
- [Watch the detailed project design animation](#)

More information:

(03) 8562 6800 or contact@lma.vic.gov.au

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Stage

One

Benefits

Delivering the first stage of the East West Link would:

- complete the missing link between the Eastern and Tullamarine Freeways to relieve pressure on the Monash-West Gate corridor and transform travel around Melbourne
- improve freight efficiency and connections for major industries in Melbourne's north, east and south east to the Port of Melbourne and international airports
- cater for the large volume of traffic already using disconnected roads along the east west corridor north of the CBD between the Eastern and Tullamarine Freeways
- alleviate the major congestion bottlenecks on the Eastern Freeway at Hoddle Street
- help to improve community amenity and on-road public transport (buses and trams) by taking cars and trucks off congested inner-city surface roads. North south tram and bus services currently compete for road space with east west traffic on Alexandra Parade. This severely limits the frequency and reliability of tram and bus services and on-road cycling due to the time given to east west traffic flows.

More information:

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Project corridor

The East West Link would pass through parts of the inner city that have quite distinct communities and land uses. In our early planning we recognised there would likely be differences in the way the road might be constructed to minimise any impacts. The first stage of the East West Link involves a tunnel just past the Eastern Freeway, roughly running underneath Alexandra Parade, the cemetery and Royal Park before surfacing to connect with CityLink. Our planning work is also considering a further road connection to the Port of Melbourne area.



Above: First stage of the East West Link - indicative corridor

We understand the uncertainty of having no confirmed route can be concerning for landowners. We are working as quickly as possible complete investigations that will allow us to confirm a recommended route for East West Link.

If you are concerned about your property, please [contact us](#).

More information:

(03) 8562 6800 or contact@lma.vic.gov.au

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Key

downloads

View and download the latest maps, videos and publications for the East West Link. Other materials for the East West Link are also available in the following sections:

- [Publications](#)
- [Video library](#)

Maps

- [View Interactive Melway map](#)
- [Download Stage One detailed project design map \(PDF 1.7MB\)](#)

Videos

- [Detailed project design flythrough](#)
- [Eastern Freeway connection](#)
- [Hoddle Street overpass](#)
- [Elliott Avenue interchange](#)

Factsheets

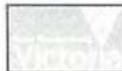
- [Project timelines \(PDF 162KB\)](#)

If you require access to an alternative format of this information, please [contact us](#).

More information:

(03) 8562 6800 or contact@lma.vic.gov.au

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Community

involvement

The East West Link has the potential to deliver enormous community benefits, but we know that projects of this scale represent a major change and there would be impacts during construction and operation that need to be thoroughly understood and considered.

We will work closely with the community and stakeholders as planning progresses to develop a project which responds to local concerns, and supports the need for people and goods to move efficiently and safely around Melbourne.

We encourage you to [contact us](#) with your feedback on the project so we can create the best possible East West Link for the community.

More details will be provided as planning and development progresses. In the meantime, you can [sign up for email updates](#) to stay fully informed on the latest progress and future opportunities to get involved.

Opportunities to be involved

There are lots of ways that people can get involved in the East West Link project:

- [discussion forums on our online hub](#)
- [public information sessions](#) and formal feedback periods
- a Community Reference Group with community members representing your area
- Surveys and research to help us better understand community travel patterns and concerns.

More information

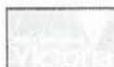
The progress of the project will be regularly updated through:

- [project newsletters](#) in each planning phase
- keeping our website up to date with all the latest project information and findings
- providing updates via our [social media channels](#)
- consultation reports summarising how community feedback is being considered
- regular [email updates](#). Sign up to stay fully informed on the latest progress.

More information:

(03) 8562 6800 or contact@lma.vic.gov.au

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[East West Link](#) > [Community involvement](#) >

Social

Impact

Assessment

The potential social impacts of the East West link are being assessed as part of the planning process. This includes a variety of activities including social research, stakeholder and householder interviews, focus groups and community surveys.

These assessments will provide information and understanding about:

- demographics and planning policy and legislation
- how and where people move about local and wide metropolitan areas
- effects on local communities and businesses during construction and when the road is open
- ways any negative impacts could be reduced and benefits increased, such as improvements to the area through innovative design, landscaping and renewal projects.

Independent specialists have started social research activities and will look at issues as diverse as noise impacts, visual effects, how the project might change local movement patterns and access to valued places and spaces.

Opportunities for involvement

The Social Impact Assessment team attended the public displays in June and are interviewing local groups and individuals.

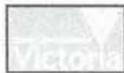
A community survey is also open until mid August as part of this study. [Complete the community survey online](#), or [contact us](#) if you would like the survey in an alternative format.

You can express interest in being part of the social research by [contacting us](#).

More information:

(03) 8562 6800 or contact@lma.vic.gov.au

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Landowner

information

When planning for major projects, every attempt is made to minimise impacts on private and commercial properties. The East West Link will include tunnel sections to help reduce community impacts, including those on properties.

Where properties are impacted, anyone directly affected would be notified before the land is reserved so they can have the chance to provide input and express their views. Where land is needed for the project, Linking Melbourne Authority officers would contact affected property owners personally to discuss the proposals and provide support and information on compensation procedures and potential timeframes.

We encourage anyone concerned about land impacts, to [contact us](#) to speak with a member of our Property Team.

To learn more about the land acquisition and compensation, see the [Land acquisition and compensation brochure \(PDF 347KB\)](#).

Stage One and connection to the Port area

There are a number of properties affected by the project design. Our team is making direct contact with all property owners and tenants that are potentially affected by the project.

Other properties located close to the East West Link may have impacts during the construction or operation of the road and we encourage anyone with concerns to get in touch with us so we can discuss your individual circumstances and get your feedback on how we can minimise impacts.

If you are concerned about your property but have not heard from us, please [contact us](#).

Port area to Western Ring Road

A [potential route](#) has been released for this section and Linking Melbourne Authority is maintaining contact with impacted property owners.

More information

- Learn about the [project timelines for East West Link Stage One](#)
- Download the [Land acquisition and compensation brochure \(PDF 347KB\)](#)

More information:

(03) 8562 6800 or contact@lma.vic.gov.au

Attachment 1 - Various pages from Linking Melbourne Authority website

Page 1 of 2

Twitter / Vic_Premier: Premier launches reference ...



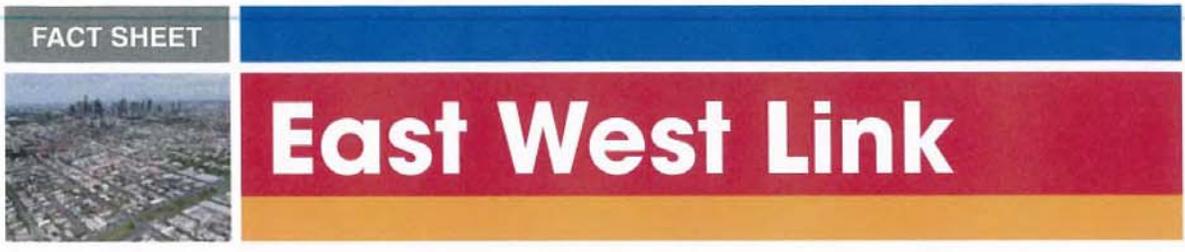
Vic_PremierDenis Naphine
Premier launches reference design of stage 1 of #EWLink. Here is design of the Hoddle St. overpass #SpringSt pic.twitter.com/opWclVSnPX
Details

1h

https://twitter.com/Vic_Premier/status/356937874890964993/photo/1

16/07/2013

Attachment 1 - Various pages from Linking Melbourne Authority website



The Victorian Government is proceeding with plans to develop the first stage of the East West Link from the Eastern Freeway to CityLink, with consideration also being given to a further stage alongside CityLink to the Port of Melbourne area. Linking Melbourne Authority is the government agency planning and delivering the project on behalf of the Victorian Government.

One of our priorities is making sure that landowners in the project area are aware of the planning and consultation process underway as well as the potential for impacts. We encourage landowners to get in touch with us directly to discuss their views and concerns about the project. We are commonly asked about timeframes for the project and it's important to note that there are a number of steps before construction can start. The table below outlines these steps as well as some indicative timeframes:

July 2013	Release of a project design which identifies properties likely to be impacted by the road. This provides an indication to people, however it is not set in stone as engineering and planning work is continuing. It is also possible that the construction company engaged to build the project comes up with other ideas to minimise impacts.
July 2013	The construction and financing companies are invited to express interest in building the project. This is the very first step in the tendering process.
November 2013	The Comprehensive Impact Statement (or planning documentation) will be on display for public feedback, including details on the final recommended project design, benefits and potential impacts. Public submissions are invited and encouraged.
Early 2014	An Assessment Committee will consider community and other submissions as well as the planning documentation before making recommendations on the final project.
Early to mid 2014	Subject to planning approvals, we would formally commence acquisition by serving a Notice of Intention to Acquire to owners and occupiers. After this point, Linking Melbourne Authority would pay for all reasonable expenses directly arising from the acquisition including legal and valuation fees. Residents would be given as much notice as possible to vacate their properties once this acquisition process commences. Compensation negotiations will take into account the unaffected market value of the property (assuming the project did not exist) as well as reasonable additional allowances such as all moving costs and replacement property expenses including stamp duty for a new property. For businesses, the compensation would also consider relocation costs and business losses directly arising from the acquisition. We would negotiate possession timeframes for businesses based on the circumstances of each business and project requirements.
Late 2014	Construction would commence.
2019	Anticipated project completion.

More information

For more information about the East West Link:
 Visit: www.linkingmelbourne.vic.gov.au
 Phone: (03) 8562 6800
 Email: contact@lma.vic.gov.au

 **If you require the assistance of an interpreter please phone (03) 9280 0753**

Connect with us

You can connect with LMA via our social media channels:

 @LinkingMelb
  LinkingMelbourne
  /LinkingMelb
  Join the online conversation
www.linkingmelbourne.vic.gov.au

www.linkingmelbourne.vic.gov.au



Authorised by Linking Melbourne Authority, 540 Springvale Road, Glen Waverley 3150

Attachment 1 - Various pages from Linking Melbourne Authority website

FACT SHEET

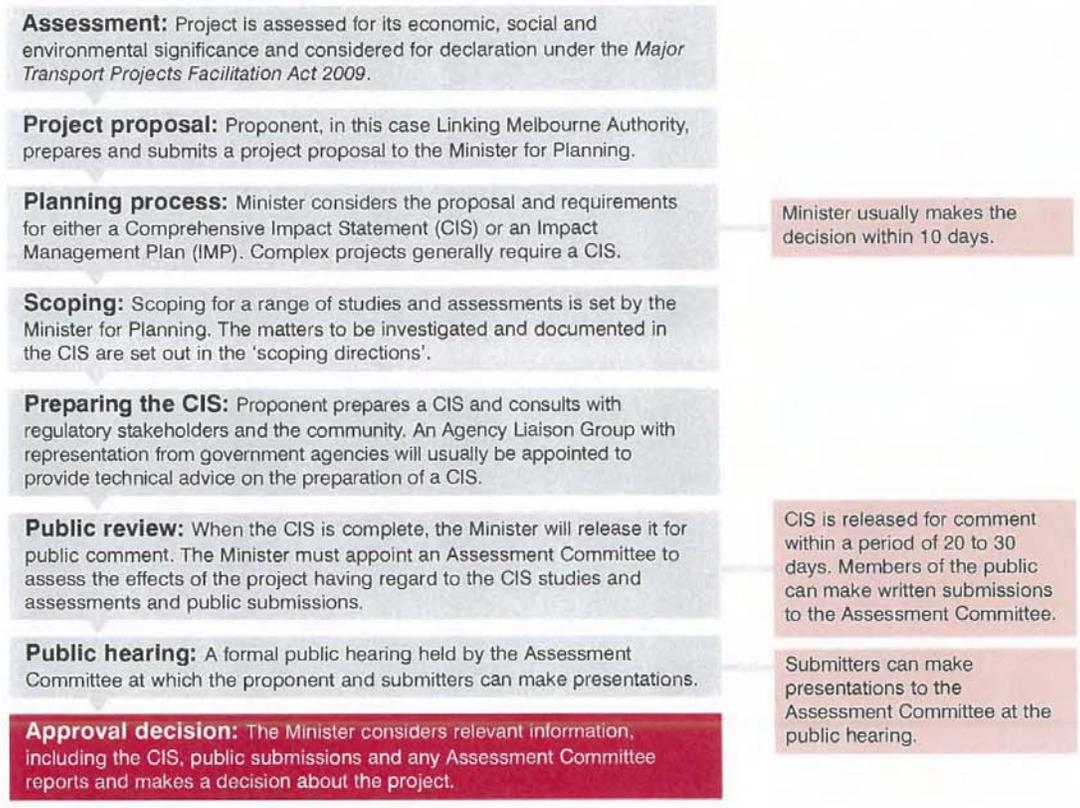


East West Link

PLANNING PROCESS

How does the planning process work?

The East West Link planning is being conducted and approved under the *Major Transport Projects Facilitation Act 2009*. An overview of the steps we need to take and the opportunities for community involvement are outlined below.



More information

For more information about the East West Link:
Visit: www.linkingmelbourne.vic.gov.au
Phone: (03) 8562 6800
Email: contact@lma.vic.gov.au



If you require the assistance of an interpreter please phone (03) 9280 0753

Connect with us

You can connect with LMA via our social media channels:



@LinkingMelb



LinkingMelbourne



/LinkingMelb



Join the online conversation
www.linkingmelbourne.vic.gov.au

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Attachment 1 - Various pages from Linking Melbourne Authority website



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East
West
Link
videos

- [Eastern West Link detailed project design](#)
- [Hoddle Street overpass](#)
- [Elliot Avenue interchange](#)
- [Eastern Freeway connection](#)
- [Preliminary geotechnical investigation results](#)

To view more East West Link videos, visit the [Linking Melbourne Authority YouTube channel](#).

East West Link detailed project design



Hoddle Street overpass

Attachment 1 - Various pages from Linking Melbourne Authority website

Hoddle Street overpass



Elliott Avenue Interchange



Eastern Freeway connection



Preliminary geotechnical investigation results

Preliminary geotechnical investigations have included drilling and testing at nearly 50 sites along Alexandra Parade as well as within Royal Park and the suburbs of Carlton and Parkville.

The results of the drilling are being shared with the engineering and construction industry. The geotechnical investigations will help identify challenges associated with the design and construction of the project.



More information:

(03) 8562 6800 or contact@lma.vic.gov.au

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Attachment 2 - Letters from Mayor to Premier and Minister for Public Transport

File Ref: D13/61041
Contact: Barbara Higgins 9205 5055



The Hon Denis Napthine
Premier of Victoria
Minister for Regional Cities and
Minister for Racing
Level 1, 1 Treasury Place
Melbourne VIC 3002

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AND COUNCILLORS
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E mayor@yarracity.vic.gov.au
crs@yarracity.vic.gov.au
W www.yarracity.vic.gov.au
TTY (03) 9421 4192
ABN 98 394 086 520

25 June 2013

Dear Premier,

Council on East West Road Link- Request for Urgent Meeting

Given its major impact on our municipality, as Mayor of the City of Yarra, I have throughout 2013, sought meetings with the Premier and relevant State Ministers on the East West Link. Refer to the letter to the former Premier dated 15 February 2013, Minister Mulder dated 6 December 2012, and numerous follow up emails and phone calls.

You have also spoken publicly alleging 'misinformation' from Yarra Council. However, as no information has been provided to Yarra Council by the State, we are left with media reports and more recently, technical information on the Linking Melbourne Authority (LMA) website. Yarra Council had also scheduled briefings with the LMA, but these have been cancelled by the Authority.

On Thursday 13 June 2013, over 400 concerned citizens from across metropolitan Melbourne attended a public meeting to support public transport and voted a resounding "No" to the proposed East West Road Link (EWRL) through inner Melbourne. Around 50% attending were from areas beyond Yarra.

The meeting resolved unanimously to send the following resolution to you as Premier, all Victorian Members of Parliament, and all Melbourne Councils:

"This meeting of concerned citizens of Victoria endorses the Trains not Toll Roads campaign and Petition to the Premier seeking priority for public transport. We demand the Victorian Government abandon its plans for the costly and destructive East West Road Link project through inner Melbourne in favour of viable, sustainable public transport projects, and progressing the commitment to build Doncaster Rail."

Yarralink Interpreter Service 9280 1940 | Để được trợ giúp bằng Tiếng Việt, hãy gọi số 9280 1939 | Per assistenza in italiano chiamare 9280 1931 | 用廣東話獲得協助，請電9280 1932 | Για βοήθεια στα Ελληνικά καλέστε 9280 1934 | Para ayuda en castellano llame al 9280 1935 | За помош на македонски јавете се на 9280 1936 | 用廣東話獲得協助，請電9280 1937 | Türkçe yardım almak için 9280 1938 numaralı telefonu arayın | 9280 1930 للمساعدة باللغة العربية يرجى الاتصال على الرقم | 9280 1930

Attachment 2 - Letters from Mayor to Premier and Minister for Public Transport

Concern with the lack of rigour behind the decision on the EWRL is growing across Melbourne. This is because:

1. It is acknowledged in the transport industry that adding road capacity through the EWRL will bring more vehicles more quickly to worsen congestion on Hoddle Street, Flemington Road, the Tullamarine Freeway and other roads that are at capacity (see attached). Industry assessments are that the EWRL will not fix congestion because, as the 2008 Eddington Report identified, less than 20% of all vehicles travel through from the east to the west, while 80% of all vehicles exit to inner Melbourne areas to access jobs and services. They will continue to do so despite the EWRL, and, with more vehicles reaching exits more quickly, congestion would be worse.
2. No strategic justification for the project has been advised to allay concerns relating to the 2008 Eddington Report identification of a negative cost benefit ratio (CBR) for the project with 50 cents lost on every dollar spent. The EWRL on this basis, would fail the critical productivity test, and be negative to State Product and GDP.
3. Concern over non-compliance with Australian Transport Council Guidelines for Transport System Management, and Victorian equivalents, including application of the statutory requirements of the Transport Integration Act, and Infrastructure Australia assessment.

Eminent specialist in regulatory economics, Henry Ergas, cautions that, when a poor public project is selected, the community loses twice, first because scarce capital is misapplied, and second, because taxes/funds raised to finance that project distort behaviour in ways which have a significant cost. Further, use of scarce capital for EWRL will crowd out other worthwhile projects.

Such projects include Doncaster Rail - estimated to carry 100,000 passengers per day and take 800 cars per train off congested roads. This equates to each train removing a 3.7 km lane of traffic. Doncaster Rail could be built at a fraction of the cost of the EWRL. This estimation of 100,000 passengers per day would not only enable a 20 minute journey to the CBD, but substantially ease vehicle congestion on the Eastern Freeway, Hoddle Street and other arterials north and east of the CBD.

This is contrasted with the estimated 20% of Eastern Freeway traffic travelling through to Tullamarine, only some 35,000 vehicles per day. However, as stated earlier, bringing more vehicles more quickly to Eastern Freeway exits would serve to worsen congestion on Hoddle Street, Flemington Road, Tullamarine Freeway and other roads that are at capacity. The June 2011 Auditor General Report on the *Management of Major Road Projects* identified, that the LMA and VicRoads had not adequately assessed traffic induced by such projects. This assessment is essential for their proper analysis of value for money for the people of Victoria.

Although your Government claims it can build the EWRL (Stage 1) for \$6-8 billion, the Eddington Study in 2008, estimated the cost at \$9-10 billion. If so then, the cost today would be \$12-15 billion.

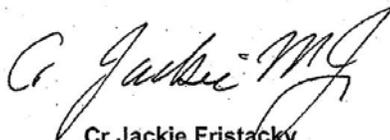
Attachment 2 - Letters from Mayor to Premier and Minister for Public Transport

Given the major consequences for Yarra City, an urgent meeting is sought with you to discuss these matters on behalf of our community. Specifically on behalf of our community, Council seeks advice on:

- The business case and traffic modelling for the EWRL demonstrating this as 'value for money' and the timeframe of its availability to major stakeholders and the public in accordance with requirements of the Transport Integration Act 2010, including the statutory principles of triple bottom line assessment, stakeholder engagement and transparency;
- Reasons as to why the announcement to build the EWRL preceded the business case assessment, traffic modelling, transport logistic analysis, and environmental and social impact statements;
- Benchmarking the EWRL costs and benefits against the congestion effects of critical public transport projects across Victoria. Highest priority has been accorded to the Melbourne Metro and fully endorsed by Infrastructure Australia. This project has been assessed as being able to add travel capacity equivalent to 100 lanes of freeway, with \$3B of Federal funding available for this project. Apart from Doncaster and the Metro rail, other needed projects which could be funded in lieu are Rowville, Mernda and Airport Rail, the Dandenong rail corridor upgrade, removal of at least 20 key level crossings, and system wide signalling upgrades to increase capacity on all rail lines. The decision to proceed with the EWRL instead of vital public transport investment is a critical issue not just for Yarra, but for all Melbourne where rail services effectively reach only 30% of Melbourne's population;
- Application of the *State Local Government Agreement* with its commitment by the Premier of the State on proper communication with local government;
- Locations planned for EWRL works, off-ramps, exhaust vents and other matters impacting on our community, heritage protections and environment.

I have asked my office to further pursue with your office scheduling a meeting with you and look forward to advice on the above.

Yours sincerely,



Cr Jackie Fristacky
Mayor, City of Yarra

Copies:
Minister Terry Mulder, Minister for Transport
All Victorian MPs
Secretary Dean Yates

Why tunnel vision will cost all Victorians, big time

Age 24/12/13 P.12



KENNETH DAVIDSON

No amount of fancy figures can justify this project's price.

The heaviest of the east-west road tunnels is huge, greater than any previous Victorian project by far and even many national projects. It will cripple the state's fiscal position for many years through massive payments to the public-private partnership consortium that will finance it.

The financial burden on the Victorian taxpayer will be so big that it will "crowd out" the state's core responsibilities for funding schools, hospitals, rail transport and even other roads for at least a generation.

And yet the Coalition state

government has never completed a business case that would justify the project. It inherited a negative cost/benefit study from the Eddington committee of inquiry established by the previous Labor government. Eddington showed that for every dollar invested in the project, Victoria would be lucky to get a return of 50%.

Officials working on the business case have tried and failed to fudge the figures to get a ratio closer to one-for-one. They have also failed to come up with an answer that might look halfway credible after superficial examination by the federal government's Infrastructure Australia Authority. However, this hasn't stopped Tony Abbott promising \$1.5 billion for the project if he wins the September federal election.

A back-of-the-envelope calculation shows why. City Link cost \$1.8 billion to construct. The end-to-end toll on City Link costs \$765. To get a similar return for private investors on the \$8 billion first stage of the east-west tunnel (from Hoddle Street to City Link) would require a \$80 toll.

Even if it was financed by government debt paying 4.5 per cent interest, the toll would have to be more than \$20 to cover interest and capital repayments - and that

is after allowing for Abbott's \$1.5 billion gift.

Worse, both these estimates only add up if it is assumed that traffic volumes are as high as 80,000 vehicles a day - that is, maximum capacity for 10 hours a day. This is unlikely even if the toll was \$3, given that the time saving from using the tunnel would only be 10 minutes, most of which would be lost at the Royal Park spaghetti junction as traffic backed up and faced additional congestion moving south into the CBD or north going to the airport.

No wonder the owners of the airport are now keen for a railway link even though they make a fortune out of airport parking.

It is no surprise that the full cost of the east-west project (\$15 billion to \$17 billion), involving the planned connection to the Western Ring Road, is hardly mentioned. Nor is the cost of rail alternatives.

The state government pretends that the federal government or the private sector will pay for this road. In fact, Victorians will pay big time.

A toll sufficient to cover the return required by private investors, or even the cost of cheaper public debt, is pure fantasy and would be electoral suicide. The government's favoured solu-

tion is shadow tolls, which are paid out of tax revenue. The principle has been established with the Wonthaggi desalination plant (\$650 million a year for 28 years, irrespective of whether water is delivered or not) and the Peninsula Link road (\$180 million a year for 25 years independent of the number of cars that use the bypass).

Effectively, this is a return of about 11.5 per cent on investment, which sure beats 4.5 per cent or less on government bonds.

Based on the same return to private investors from the \$17 billion cost of the east-west tunnel, an "availability" charge, which shifts all the risks of the project from the private investors back to the government, will cost in the vicinity of \$2 billion.

That makes a total of \$2.8 billion a year for the three projects. This shows no respect for Melbourne's liveability or the taxpayers' dollars.

If the state government goes ahead with the east-west tunnel, the state will lose more than its triple-A credit status. The financial burden will be the excuse for more savage cuts to public spending on health and education, and to postpone sensible infrastructure investment in public transport for at least a generation.

The contempt shown at every step of the way for due process suggests that the financial establishment which benefits from the projects - and the politicians who serve those interests - are well aware that these are breaking examples of sophisticated financial engineering can't stand the light of day.

The final abandonment of due process was the decision to avoid preparing a business case - which could have exposed to state cabinet (and Infrastructure Australia) the recklessness of the tunnel decision.

One of Melbourne's most respected public intellectuals, transport planner Paul Mees described the Victorian government process of prioritising freeways at the expense of public transport as "corrupt" at an urban transport conference in 2008. He was forced to resign as a result from his academic post at Melbourne University. Mees died at the age of 52 last week, due to cancer. Poor

The only defence against bad government now is outraged public opinion.

Kenneth Davidson is a senior columnist for The Age. Email: kdavidson@dissect.com.au

PHOTOGRAPHY

Attachment 2 - Letters from Mayor to Premier and Minister for Public Transport

East West Link Needs Assessment Study by Sir Rod Eddington (March 2008)
Traffic modelling, pages 130-131

Figure 70 - EWLNA modelling of NCCC traffic distribution

Source: EWLNA (Vetch Lister)

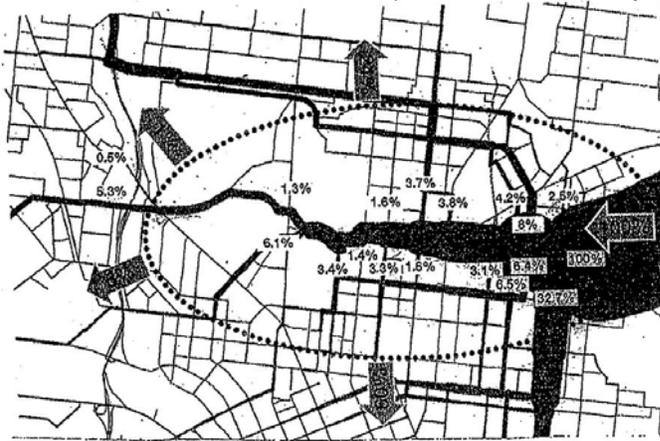


Figure 71 - EWLNA modelling showing traffic distribution across a broader area

Source: EWLNA (Vetch Lister)

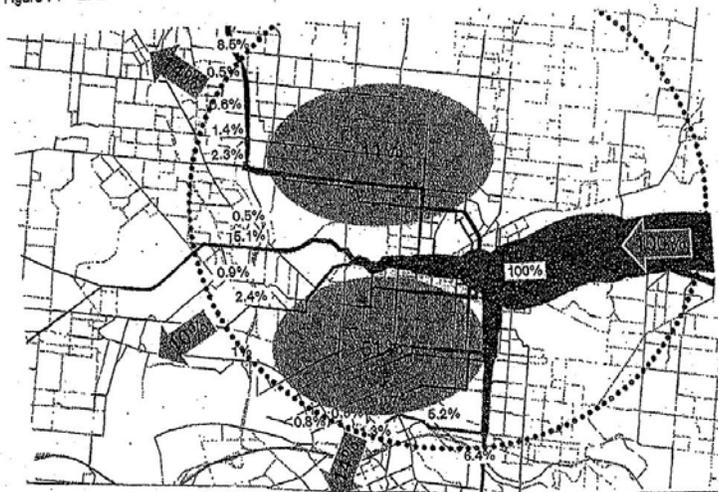
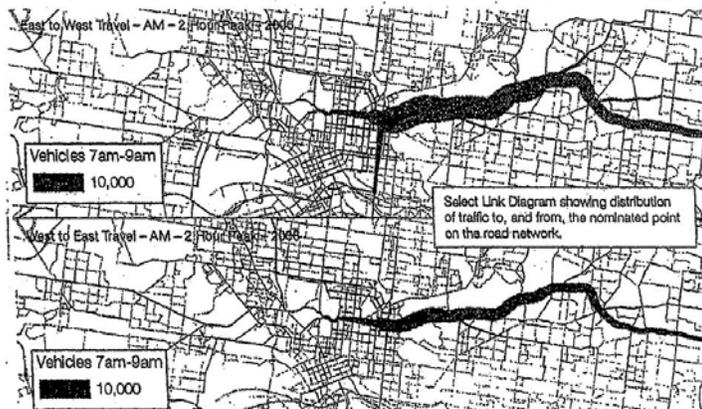


Figure 72 - Comparison of AM peak eastbound and westbound traffic

Source: EWLNA (Vetch Lister)



Tunnel won't fix traffic woes

MAY 26 2013 THE AGE

EXCLUSIVE

JOSH GORDON

Hoddle Street will remain a traffic nightmare even after the Napthine government's east-west toll road is completed, according to the Department of Transport.

A department briefing prepared for Roads Minister Terry Mulder says only a small proportion of the cars, trucks and buses clogging Hoddle Street are likely to use the tunnel as an alternative if there are no off-ramps to the city.

The finding was mirrored in a November 2011 "Hoddle Street Study", released under freedom of information laws. It reveals the department's own

traffic modelling found "no expected change to the traffic operation of Hoddle Street as a result of the new link".

Rather, it suggested the situation on Hoddle Street, already one of Melbourne's most congested roads, would worsen. With the road already carrying more than 90,000 vehicles a day, it warned worsening congestion triggered by population growth would increasingly force vehicles onto surrounding roads as motorists searched for alternative routes, further clogging the inner north.

As congestion increases, motorists will also choose alternative north-south routes that are not desirable from a community perspective, including routes such as Brunswick Street, Smith

Street or Princess/Denmark Street where traffic will compete with pedestrians in shopping precincts or public transport along tram and bus routes or at rail crossings," the report warns.

"If we do nothing, people will spend more time travelling on all forms of road-based transport, eroding quality of life and impacting the liveability of Melbourne."

The report, provided to Mr Mulder in November 2011, appears to contradict claims made by the Victorian government about the impact of the \$6 billion to \$8 billion road project.

Coalition overruled advice on road links

Jason Dowling
City Editor

JUNE 6 2013 THE AGE

Victoria's top road planning authority urged the Coalition government just four months after it took office to give priority to a new freeway link from West Footscray to the Port of Melbourne ahead of a freeway linking the Eastern and Tullamarine freeways.

But the government rejected the high-level advice, choosing instead to prioritise the eastern section of the east-west link.

The Linking Melbourne Authority told the government in March, 2011: "As WestLink Stage 1 [West Footscray-Port of Melbourne] is able to be procured and constructed some 24 months ahead of the alternative and also provides the crucial alternative Maribyrnong River crossing, the LMA considers this section should be prioritised for delivery."

Poll shows public prefers rail tunnel ahead of road link

Adam Carey
Josh Gordon

MAY 27 2013 THE AGE

Victorians have narrowly backed a new rail tunnel under the city over the Napthine government's proposed east-west road connection.

An Age/Nielsen poll found 47 per cent of voters backed the metro rail tunnel from South Kensington to South Yarra over the \$6 billion to \$8 billion road project connecting the Eastern and the Tullamarine freeways.

East-west link could delay airport traffic

ADAM CAREY

JUNE 4 2013 THE AGE

Traffic congestion between the city and Melbourne Airport is likely to worsen once the east-west link is built unless the Tullamarine Freeway is widened, the airport's chief warns ...

Melbourne Airport chief executive Chris Woodruff said a railway line to the airport would take millions of cars off the road every year The airport's latest five year draft master plan, released last month, includes a new above-ground corridor for the proposed rail link, unlike the 2008 plan, where the railway entered the airport through a tunnel.

Mr Woodruff said the airport was proposing the new above-ground route because it would be cheaper to build than a tunnel, in the hope that this would encourage the state government to fast-track its plans for airport rail.



Average travel times, airport to city, AM peak
2011 34 minutes 2021 49 minutes

Average travel times, city to airport, PM peak
2011 27 minutes 2021 32 minutes

Source: Department of Transport, 2011

Existing stations Potential station
1 Sunshine 2 Tottenham 3 W Footscray
4 Middle Footscray 4 South Yarra
Existing railway line

Attachment 2 - Letters from Mayor to Premier and Minister for Public Transport

Our Ref: D13/69004
Contact: Barbara Higgins 9205 5055



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AND COUNCILLORS
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The Hon Denis Napthine
Premier of Victoria
Level 1, 1 Treasury Place
Melbourne Vic 3002

17 July 2013

Dear Premier,

EAST WEST LINK

On 25 June 2013, I wrote to you seeking an urgent meeting with my Council on the proposed East West Road Link (copy attached) given the major consequences for the City of Yarra and its community.

The letter referred to prior representations to you, your predecessor and the Minister for Public Transport and Minister for Roads and seeking information on this project, rather than being left to rely on media reports and information on the Linking Melbourne Authority (LMA) website.

In particular, the letter sought details on the business case and on traffic modelling, locations for planned works, off ramps, exhaust vents and other matters impacting on our community, heritage protections and environment.

My office has since further pursued with your office scheduling a meeting with you and with Minister Mulder, but without response.

Given the announcements yesterday and information on the LMA setting out the potential substantial impacts on our municipality regarding these and other matters, it is untenable that the only information available to my Council as regards these impacts, is the LMA website. Reference is made again to the State Local Government Agreement with its commitment by the Premier of the State on proper communications with local government.

Accordingly, our request for an urgent meeting with you on this project is reiterated. Specifically, information on the following is sought by my Council:

- Copies of the business case for the project, beyond the short summary on the LMA website, including impacts on local business viability during and post construction;
- Copies of the traffic modelling impacts on Hoddle Street, Alexandra Parade and other inner streets;
- Transport Logistics analysis with basis of estimated 80,000 to 100,000 vehicles per day using the East West Road Tunnel and assessment of impacts of these on inner streets;

Yarralink Interpreter Service 9280 1940 | Để được trợ giúp bằng Tiếng Việt, hãy gọi số 9280 1939 | Per assistenza in Italiano chiamare 9280 1931 | 用廣東話獲得協助，請電9280 1932 | Για βοήθεια στα Ελληνικά καλέστε 9280 1934 | Para ayuda en castellano llame al 9280 1935 | За помош на македонски јавете се на 9280 1936 | 用廣東話獲得協助，請電9280 1937 | Türkçe yardım almak için 9280 1938 numaralı telefonu arayın | 9280 1930 للمساعدة باللغة العربية يرجى الاتصال على الرقم 9280 1930

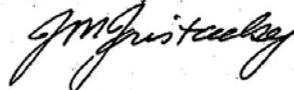
Attachment 2 - Letters from Mayor to Premier and Minister for Public Transport

- Location of on and off ramps, exhaust vents and protections from noise, fumes and other amenity impacts, with implications for statutory requirements on Council planning for Municipal Health and Well Being;
- All streets and numbers of properties sought to be acquired, together with impacts on the rating of these properties in the future for the purpose of municipal rates, noting the LMA video information indicates demolition of virtually all properties the full length of Alexandra Parade from Hoddle Street to Smith Street, apart from the heritage Shot Tower;
- How properties classified as of heritage significance, including the prized Clifton Hill Shot Tower are to be protected;
- Protection of trees on Alexandra Parade, Princes Streets and other streets;
- Funding of counselling services for residents and ratepayers emotionally affected by the proposals, as well as independent valuation and other support services for those directly affected;
- Plans to return footpaths to meet footpath width standards on Princes Street and to provide for bicycle lanes on Alexandra Parade and Princes Street; and
- How tram and other mobility services are to be maintained and protected to enable continued access to jobs and services in Yarra which contribute \$3 Billion per annum to the State economy;
- Provision, timing and key State department contacts for community support and counselling services across areas of family services, youth services, aged services, housing services, health services, financial counselling and advisory services and other relevant community services to contribute to supporting and stabilising the social infrastructure of community members affected by the proposals;
- What funding is available to Council to provide additional support and counselling for our affected communities across these important service areas to ensure timely and locally based responses;
- Continuation of access across Alexander Parade, to and from Gold Street Primary School, Clifton Hill.

Your assurances are sought that Council and the community will be provided the information sought and that you, together with Minister Mulder as the responsible Minister, will meet with myself and our Chief Executive Officer, Vijaya Vaidyanath, on the above matters. Although our CEO met last week with the LMA CEO, no information on the above critical matters was provided.

It is requested that your office contact my Executive Assistant, Barbara Higgins on 9205 5055 barbara.higgins@yarracity.vic.gov.au to make the arrangements for meeting and being informed on these matters.

Yours sincerely



Cr Jackie Fristack
Mayor, City of Yarra
Phone 0412 597 794

cc Minister for Public Transport and Minister for Roads

Attachment 2 - Letters from Mayor to Premier and Minister for Public Transport

Our Ref: D13/69166
Contact: Barbara Higgins 9205 5055



The Hon Terry Mulder
Minister for Public Transport
Minister for Roads
Level 16 121 Exhibition St
Melbourne Vic 3000

17 July 2013

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Dear Minister

EAST WEST LINK

On 25 June 2013 I wrote to the Premier seeking an urgent meeting with Council on the proposed East West Road Link (copy attached). This has major consequences for the City of Yarra and its community.

The letter referred to prior representations to the Premier, his predecessor and you seeking information on this project, rather than being left to rely on media reports and information on the Linking Melbourne Authority (LMA) website.

In particular, the letter sought details on the business case and on traffic modelling, locations for planned works, off ramps, exhaust vents and other matters impacting on our community, heritage protections and environment.

My office has since further pursued the Premier's office to schedule a meeting with yourself and with the Premier, but without response.

Given the announcements yesterday and information on the LMA website setting out the potential substantial impacts on our municipality regarding these and other matters, it is untenable that the only information available to Council as regards these impacts is the LMA website. Reference is made again to the State Local Government Agreement with its commitment by the Premier of the State on proper communications with local government.

Accordingly, our request for an urgent meeting with you on this project is reiterated. Further, specific documentation and information on the following is urgently sought by Council to better understand the proposal and the basis for it:

- Copies of the business case for the project, beyond the short summary on the LMA website, including impacts on local business viability during and post construction;
- Copies of the traffic modelling, assumptions and the impacts on Hoddle Street, Alexandra Parade and other inner streets;
- Transport Logistics analysis including the basis of the estimated 80,000 to 100,000 vehicles per day using the East West Road Tunnel (understood to be 2 way traffic) and assessment of impacts of these on inner streets;

Yarralink Interpreter Service 9280 1940 | Để được trợ giúp bằng Tiếng Việt, hãy gọi số 9280 1939 | Per assistenza in Italiano chiamare 9280 1931 | 用廣東話獲得協助，請電9280 1932 | Για βοήθεια στα Ελληνικά καλέστε 9280 1934 | Para ayuda en castellano llame al 9280 1935 | За помош на македонски јавете се на 9280 1936 | 用廣東話獲得協助，請電9280 1937 | Türkçe yardım almak için 9280 1938 numaralı telefonu arayın | 9280 1930 للمساعدة باللغة العربية يرجى الاتصال على الرقم | 9280 1930

Attachment 2 - Letters from Mayor to Premier and Minister for Public Transport

- Location of on and off ramps, exhaust vents and protections from noise, fumes and other amenity impacts, with implications for statutory requirements on Council planning for Municipal Health and Well Being;
- All streets and numbers of properties sought to be acquired, noting the LMA video information indicates demolition of virtually all properties the full length of Alexandra Parade from Hoddle Street to Smith Street, apart from the heritage Shot Tower;
- How properties classified as of heritage significance, including the prized Clifton Hill Shot Tower are to be protected;

Your written assurances are sought that Council and the community will be provided the information listed above and that sought in the attached letters to the Premier, and, that you, together with the Premier, will meet with myself and our Chief Executive Officer, Vijaya Vaidyanath, on the above matters.

The information is sought by the end of July 2013 to enable Council and its officers to absorb the information and be able to advise the Council in its August meeting.

It is noted that although our CEO met last week with the LMA CEO, no information on the above critical matters was provided.

It is requested that your office contact my Executive Assistant, Barbara Higgins on 9205 5055 barbara.higgins@yarracity.vic.gov.au to make the arrangements for meeting to be informed on these matters.

Yours sincerely



Cr Jackie Fristacky
Mayor, City of Yarra
Phone 0412 597 794

Attach: Letter to Premier 25 June 2013
Letter to Premier 17 July 2013

Attachment 3 - Letter from Mayor to Victorian Ombudsman

Our Ref: D13/ 6888

Contact: Barbara Higgins 9205 5055

16 July 2013

Victorian Ombudsman
Level 9, North Tower
459 Collins Street
Melbourne Vic 3000

Dear Ombudsman,

Request for Investigation – East West Road Link

We request your investigation of the Department of Transport (DOT) and Linking Melbourne Authority (LMA) for failure to comply with the Transport Integration Act 2010 (the Act) resulting in inadequate and incomplete advice to the Minister.

Transport Integration Act-Objective and Principles

The Act is the principal transport statute. Section 24 of the Act states “A transport body must have regard to the transport system objectives in exercising its powers and performing its functions under any transport legislation.” It requires all decisions affecting transport systems to be made within the same integrated decision making framework and transport objectives, and provides a framework for considering which projects are priorities.

The DOT provides guidelines for assisting management and staff in the Department and other agencies to document their compliance with the obligations under the Act.

Objectives of the Act include: consideration of social and economic inclusion; environmental sustainability; integration of transport and land use including reducing need for private motor vehicles; and improving the amenity of the community (s. 8-13).

Principles include the need for triple bottom line assessment; intergenerational equity; stakeholder engagement and the adoption of appropriate processes for this (s.20) and transparency (s.21).

The Project

On 17 November 2011, the former Premier announced an East West road link (EWL) connecting the Eastern Freeway to the West. In November 2011, a submission was made to Infrastructure Australia seeking support in recommending the EWL project to the Commonwealth for planning and development funding.

(<http://www.premier.vic.gov.au/media-centre/media-releases/2502-coalition-government-announces-priority-infrastructure-projects-for-victoria.html>). We question the basis of the advice provided to the government at this stage and whether it complied with the provisions of the Act.

Attachment 3 - Letter from Mayor to Victorian Ombudsman

On 17 May 2012, the intention to deliver the first stage of the EWL between the Eastern Freeway and City Link was announced and \$15m allocated from the 2012/13 Budget to develop the business case and undertake preliminary planning for the EWL with further funding to be allocated in 2013/14 Budget. The LMA is working to complete detailed planning, commence procurement and early works construction for the EWL.

(<http://www.linkingmelbourne.vic.gov.au/pages/home.asp>)

Administrative Actions to be investigated

1 Failure by the LMA to conduct a thorough and competent economic evaluation. In particular, we query the basis for the conclusion of a benefit cost ratio of 1.4 for the project which has been announced to the public and whether that ratio has been benchmarked against the ratio commonly used for approval of public infrastructure projects. We understand that the minimum ratio applied for VicRoads projects is 2.4.

2 Failure to have regard to the objectives of the Act. We ask the Ombudsman to investigate the process undertaken by the DOT and LMA to document consideration of the objectives and principles of the Act and to ensure that the objectives and principles are reflected in advice to the Minister.

3 Lack of transparency as required by the Act. The principle of transparency is defined by the Act - "members of the public should have access to reliable and relevant information in appropriate forms to facilitate a good understanding of the transport issues and the process by which decisions in relation to the transport system are made." Information sessions held on the EWL by the LMA did not provide information of that kind. Stakeholders have not been able to gain responses to relevant questions about the project.

4 Lack of stakeholder engagement leading to failure to consider issues of social and economic inclusion and the amenity of the community. We note there was no stakeholder engagement prior to announcement of the project or commencement of the first stage of the project. A media statement, May 2012, states the Coalition Government "will start talking with the community about the preferred corridor with a view to finalising a design which considers the needs and concerns of local communities." The principle of stakeholder engagement as provided by the Act did not inform the LMA's process for developing advice and recommendations to the Minister.

5 Failure to comply with Section 63 of the Act. Section 63 states that a Victorian Transport Plan must be prepared for the Minister and that the Transport Plan must inter alia set the planning framework under which transport bodies are to operate.

The planning and recommendations for the EWL have been made without any reference to a Victorian Transport Plan. This affects the ability to have a coordinated response to the objectives of the Act.

Supporting Information

Victorian Auditor-General Office reports relevant to our concerns—Report on Management of Major Roads Projects 2011; Report on Public Transport February 2012 and Report on Managing Traffic Congestion April 2013.

Attachment 3 - Letter from Mayor to Victorian Ombudsman

The 2011 Report measured how effectively Vic Roads and the LMA managed a sample of 6 major road projects. Findings: *The two major weaknesses were in the way Vic Roads and LMA forecast traffic and estimated benefits for projects affecting congested parts of the road network. They did not adequately assess the traffic induced by these improvements, communicate the risks or estimate the impact on the economic benefits.*

These shortcomings create a risk of overestimating the benefits and giving decision-makers false confidence about the capacity of the project and the surrounding road network to cope with future traffic. If these risks materialise then additional investment will be required to realise the benefits promised when justifying a project.

These weaknesses need to be addressed so that decision-makers can make a fully informed decision about whether to proceed with a project. (p v111 Report)

The 2012 Report on Public Transport assessed the Department of Transport (DOT) delivery of services against the objectives of the Act.

The 2013 Report confirms the need for compliance with section 63 of the Act

The Act requires DOT to develop a transport plan that establishes the overarching planning framework within which other transport bodies are to operate. However, there is currently no such plan that clarifies the objectives, priorities, performance measure and roles of all transport agencies in managing traffic congestion. The situation is impeding effective congestion management and coordination of related initiatives.” (p. 4 Report)

Conclusion

We would be pleased to provide further detail to address our concerns and support an investigation and would be pleased to meet with you or your representative.

Yours sincerely,

Cr Jackie M Fristacky
Mayor, City of Yarra
16 July 2013

Attachment 4 - Draft Social Engagement Strategy

East West Link – Draft Social Engagement Strategy

18 July 2013

Background

The State Government and Linking Melbourne Authority have released indicative plans for the route of the proposed East West Road Link.

The draft project design shows a potential 'impact zone' in and around the intersection of the Eastern Freeway and Hoddle Street which extends west along Alexandra Parade and east along the freeway alignment.

Residents and businesses in the vicinity of the 'impact zone' are likely to be significantly affected however it will be 6 to 12 months before the exact alignment is understood for the proposed works and therefore exactly which properties and which individuals will be affected.

Principles

There are a range of principles that should inform Council's position at this time:

- 1) the majority of residents within the potential 'impact zone' are resilient, capable and able to make independent and informed decisions regarding the impact on their property and families;
- 2) while many residents and businesses are anxious and confused about the East West project, Council's immediate priority will be to ensure clarity around the provision of information, or where information is not known, timelines associated with when information will likely become available;
- 3) there will be vulnerable people within the 'impact zone' and only some of these will be known to Council through existing service provision. Effort should therefore be focussed on engaging with people with vulnerabilities at this time to ensure that appropriate information is provided (vulnerability could be characterised by age, mental health, disability, CALD or other);
- 4) Council should communicate directly to residents and households in the 'impact zone' to do three things:
 - i) empathise with the residents regarding their situation and advise that Council will provide support, when and if required;
 - ii) communicate clearly Council's position on the project;
 - iii) advise residents that they can register to:
 - (a) receive immediate program support and / or assistance;
 - (b) be kept up to date about the Trains not Toll Roads campaign;

Attachment 4 - Draft Social Engagement Strategy

- (c) receive campaign marketing material including Trains not Toll Roads yard signs, posters, car stickers, badges etc
- (d) participate in upcoming campaign activities including campaign stands, advocacy training and community meetings.
- iv) provide advice to Council if they believe there are neighbours or local residents who might be in need of support.

Phase One - Information

It is suggested that a strong advocacy position is put to the Linking Melbourne Authority and State Government (including regional heads of departments of DoH and DHS) that it is the project responsibility to ensure provision of detailed information and timelines associated with the project.

Council should immediately write to all affected households and land owners (within the defined impact zone) to:

- i) empathise with the residents regarding their situation and advise that Council will provide support, when and if required;
- ii) this can include the provision of a community meeting space free of charge (perhaps on a fortnightly basis) to enable residents to meet collectively or individually with legal advisers, counsellors, support personnel
- iii) making available child care (or playgroup sessions) for people affected by the EW Road Link who are meeting and need support.
- iv) communicate clearly Council's position on the project;
- v) advise residents that immediate program support and / or assistance is available.
- vi) encourage residents to register for the Trains Not Toll Roads campaign mail list and to participate in campaign activities.
- vii) provide advice to Council if they believe there are neighbours or local residents who might be in need of support.

Develop a centralised 'register of interest' to collect names and contact details of people for:

- (a) information provision
- (b) activities associated with the campaign; and
- (c) immediate program support and / or assistance.

Identify and follow up on vulnerable persons in the designated 'impact zone'. This will be through existing relationships (case managers or program managers) or sensitive follow up through well briefed and trained outreach staff.

Attachment 4 - Draft Social Engagement Strategy

Single point of registration and communication to be established to ensure appropriate coordination.

Two streams will be nominated:

- (a) HACC Services – Aged and Disability Services will nominate a primary contact person to liaise and make contact with existing clients and new contacts;
- (b) Family, Children and Youth – the FY&C Services Branch will nominate a primary contact person to liaise and make contact with existing clients and new contacts.

Phase Two – Continuing Engagement

Work at multiple levels to understand and support individual requirements and continually review broader community response from the organisation.

The response must be particularised to the individual or specific group.

Information sessions might be offered from time to time on a various matters. These would be facilitated and supported by Council (i.e. child care support).

It is possible that Council will not have the expertise to provide services. Further pressure should be placed on DoH and DHS at a regional level to provide service response to affected communities.

Phase Three – Specific Response

When the detail of affected properties is known and understood there may well be a need for additional support in terms of information provision and transition support.

This will be assessed closer to the time and will focus on ensuring that the LMA and State Government are held accountable for the ancillary support needs of people who are affected by the project.

13. Confidential business reports

The following items were deemed by the Chief Executive Officer to be suitable for consideration in closed session in accordance with section 89 (2) of the *Local Government Act 1989*. In accordance with that Act, Council may resolve to consider these issues in open or closed session.

COUNCIL RESOLUTION

Moved: Councillor Gaylard

Seconded: Councillor Huggins

1. That the meeting be closed to members of the public, in accordance with section 89 (2) of the *Local Government Act 1989*, to allow consideration of:
 - (a) matters that may be prejudicial to Council and/or any person; and
 - (b) matters relating to legal advice.

2. That all information contained within the Confidential Business Reports section of this agenda and reproduced as Council Minutes be treated as being and remaining strictly confidential in accordance with the provisions of sections 77 and 89 of the *Local Government Act 1989* until Council resolves otherwise.

CARRIED

Following consideration of Confidential business, the meeting resumed in open session.

Conclusion

The meeting concluded at 10.20 pm.

Confirmed Tuesday 6 August 2013

Mayor