

# Submission Cover Sheet

Sub no:

# 158

West Gate Tunnel Project IAC

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Request to be heard?: Yes

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## **West Gate Tunnel Project**

**In the matter of an joint Inquiry under the *Environment Effects Act 1978*  
and an Advisory Committee appointed under section 151 of the *Planning and  
Environment Act 1987***

**Submission on behalf of Maribyrnong City Council**

**WEST GATE TUNNEL  
ENVIRONMENT EFFECTS STATEMENT  
SUBMISSION ON BEHALF OF MARIBYRNONG CITY COUNCIL**

**Contents**

<b>1.</b>	<b>Executive summary .....</b>	<b>3</b>
<b>2.</b>	<b>Truck curfews and toll avoidance .....</b>	<b>11</b>
<b>3.</b>	<b>Planning policy relevant to the Maribyrnong River environs and the Port.....</b>	<b>20</b>
<b>4.</b>	<b>The McKenzie Road Ramps .....</b>	<b>29</b>
<b>5.</b>	<b>Visual impact of the ramp connections .....</b>	<b>55</b>
<b>6.</b>	<b>Public open space.....</b>	<b>57</b>
<b>8.</b>	<b>Mclvor Reserve and Fogarty Avenue.....</b>	<b>68</b>
<b>9.</b>	<b>Urban Design and landscape architecture .....</b>	<b>69</b>
<b>10.</b>	<b>Air Quality .....</b>	<b>73</b>
<b>11.</b>	<b>Noise.....</b>	<b>81</b>
<b>12.</b>	<b>Human Health .....</b>	<b>84</b>
<b>13.</b>	<b>Economic impacts .....</b>	<b>84</b>
<b>14.</b>	<b>Construction impact mitigation.....</b>	<b>85</b>
<b>16.</b>	<b>Planning .....</b>	<b>87</b>
<b>17.</b>	<b>The EPRs .....</b>	<b>87</b>
<b>Schedule 1</b>	<b>Recommendations.....</b>	<b>90</b>
<b>Schedule 2</b>	<b>List of Attachments .....</b>	<b>98</b>
<b>Schedule 3</b>	<b>River Edge Master Plan.....</b>	<b>100</b>
<b>Schedule 4</b>	<b>Yarraville Gardens Master Plan.....</b>	<b>101</b>
<b>Schedule 5</b>	<b>Tottenham and West Footscray Framework Plan .....</b>	<b>102</b>

## 1. Executive summary

- 1.1 This submission is made by Maribyrnong City Council (**Council**) and relates to the West Gate Tunnel (**WGT**) and the:
  - 1.1.1 Environment Effects Statement (**EES**);
  - 1.1.2 draft planning scheme amendment (**draft PSA**); and
  - 1.1.3 the Works Approval Application for the tunnel ventilation structures (**WAA**).
- 1.2 This submission addresses matters including but not limited to changes to the:
  - 1.2.1 design,
  - 1.2.2 the draft planning scheme amendment;
  - 1.2.3 the works approval application; and
  - 1.2.4 the Environmental Performance Requirements (**EPRs**).
- 1.3 By way of introduction Council recognises that the exhibited EES has responded in significant ways to Council's desire, and the desire of Maribyrnong's residents, to shift freight traffic off local roads so as to improve health and amenity outcomes.
- 1.4 Following the decision not to proceed with the East West Link, the WGT presents the Victorian government's preferred solution to provide a second river crossing. If the WGT proceeds, it will have implications for the timing and delivery of a future (separate) tunnel under Footscray connecting to the Western Ring Road<sup>1</sup>. In accordance with its previous resolution (May 2016) Council considers that both the Northern Corridor Connection and the southern corridor connection (embodied by the WGT proposal) may ultimately both be required to accommodate Melbourne's future transport needs. Council notes that Infrastructure Victoria is considering the future delivery of the Northern Corridor Connection..
- 1.5 Council appreciates that the WGT project is an important opportunity to improve the health and liveability of suburbs such as Footscray, Yarraville, Seddon and Kingsville.
- 1.6 However, there are components of the WGT project that are not critical to this objective, or which require a critical assessment to ensure the outcome that

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<sup>1</sup> The proposal for a tunnel under Footscray is also known as the Northern Corridor Connection as per the Eddington Study and eventually became known as the western section or stage 2 of East West Link.

promotes the highest net community benefit. As supportive of the expanded curfews as Council is, this submission focuses on design issues, refinements of the EES information and the EPRs to get the best possible outcome for the City of Maribyrnong, assuming that the WGT project is delivered.

### **The development of the EES and Council's position**

- 1.7 As the IAC will be aware, Council has been involved in a lengthy process of engagement with the Western Distributor Authority (**WDA**) as the proposal has been developed.
- 1.8 Prior to the 2016 local government elections, the previous Council considered the proposal at its meeting on 17 May 2016, and provided in principle support to the proposal as it was conceived at the time, subject to the terms of the resolutions made. The resolution is provided as **Attachment 1** to this submission. Attached to the Council report were letters to:
  - 1.8.1 the Impact Assessment Unit of DELWP dated 15 March 2016 in relation to the draft EES Scoping Requirements;
  - 1.8.2 the Secretary of the Economy and Infrastructure Committee of the Parliament of Victoria's Inquiry into Infrastructure Projects, dated 21 March 2016.
- 1.9 Since that time, senior members of Council's planning department have participated in the Technical Reference Group (**TRG**) and provided commentary on aspects of the reference design and EES as it has evolved.
- 1.10 Its involvement in the TRG process and subsequent consideration of the proposal has been informed by independent expertise in fields of traffic engineering, air quality assessment, urban design and landscape architecture and social and economic impact assessment. Council is likely to call some or all of these experts to give evidence before the IAC.
- 1.11 By letter dated 16 March 2017, Council wrote to the Minister for Planning (**Attachment 2**) outlining some key issues of concern, including:
  - 1.11.1 the issue of toll avoidance and the need or extended curfews on Moore Street and Buckley Street;

- 1.11.2 concerns about the proposed ramps providing connections to the Port of Melbourne over the Maribyrnong River;
  - 1.11.3 concerns about the extent to which design alternatives were to be included;
  - 1.11.4 the potential modification to facilitate direct access from the Tottenham industrial precinct extending from Paramount Road via Tottenham Parade, Cemetery Road and Cawley Road;
  - 1.11.5 Option 5 for the Hyde Street connection;
  - 1.11.6 the interface with Fogarty Avenue; and
  - 1.11.7 the issue of compensatory public open space.
- 1.12 The letter was seeking to influence the evolution of the design of the reference project and the commercial bid design process. Shortly after that letter was sent, the government announced the preferred design, which included:
- 1.12.1 the extension of curfews over Moore Street and Buckley Street;
  - 1.12.2 additional public open space; and
  - 1.12.3 the proposed Harris Street shared use path.
- 1.13 While the EES design seeks to address some issues of concern to Council, it does not resolve important transport planning and road design issues.
- 1.14 Officers continued to assess the revised reference design following its release in April 2017, and briefed the new Council.
- 1.15 This submission address the following key issues:
- 1.15.1 the need to prevent toll avoidance and to ensure that the extended curfews are effective over time;
  - 1.15.2 the proposed McKenzie Street ramps;
  - 1.15.3 the approach to the provision of compensatory public open space;
  - 1.15.4 impacts to Yarraville Gardens;
  - 1.15.5 interface with Stony Creek Reserve;
  - 1.15.6 interface with Mclvor Reserve;

- 1.15.7 urban design and landscape architecture;
  - 1.15.8 air quality;
  - 1.15.9 noise;
  - 1.15.10 human health;
  - 1.15.11 economic impacts;
  - 1.15.12 construction impact mitigation; and
  - 1.15.13 the planning scheme amendment and the need for further strategic planning work as a consequence of the WGT;
  - 1.15.14 the terms of the proposed EPRs.
- 1.16 Further and more detailed submissions on particular issues, and the terms of the EPRs and planning scheme amendment will be provided during the course of the IAC hearings in the context of expert advice and evidence.

## **Preventing toll avoidance**

- 1.17 It is clear that the politics of freight and transport planning in Victoria are somewhat polarised. Infrastructure Victoria, as independent advisor to government prefers Melbourne's primary freight container port at Bay West. It is more than coincidence that it has provided this advice to government only a few weeks before the EES has been placed on exhibition. This preferred location is unsurprising given the amount of industrial land zoned located west of the Western Ring Road, the proximity to Geelong and proposed transport links including the Outer Metropolitan Ring Road and the proposed Western Intermodal Freight Hub.
- 1.18 The WGT project has not been endorsed by the Victorian opposition, but much progress in planning for the freight industry in the outer west has occurred, and this is reflected in metropolitan planning policy per Melbourne 2030. It seems that the Port of Hastings is less likely to play a key role into the future. In either case, there will be reduced need for trucks to use local roads in the inner west.
- 1.19 While Council welcomes the prospect of extended curfews on local roads, these are not necessarily bipartisan positions. If the benefits of the WGT project can be undermined by a change of government or executive level action, then the relief promised by the WGT project for residents of the inner west are not assured and could prove to be illusory.
- 1.20 The WGT project highlights an opportunity to provide certainty to the residents of the inner west namely that an historic structural shift towards a more strategic freight network that does not rely on local residential streets, will be delivered. Council submits that those who choose to work and live in residential areas should be entitled to a high level certainty that heavy freight movements will be directed to designated freight routes.
- 1.21 Stakeholders in the freight and logistics industry have naturally expressed concern about any extension of tolling arrangements that could increase the costs of freight movements. However, such opposition needs to be put in a context of a broader strategic approach to road and freight planning, which clearly seeks to articulate a designated freight route network.
- 1.22 Regardless of whether Stage 2 of the East West Link or the WGT is built, there will be new tolls on new arterial roads. If there are to be expanded tolling arrangements



on new freeways, Council submits that it is not orderly planning to allow freight movements to avoid the tolls by using residential streets. This may involve some longer routes, but the extra distance will in many instances be offset by faster road speeds, fewer traffic lights, less congestion and better urban amenity (through enhanced buffers to residential areas).

- 1.23 The stakeholders of the inner west need certainty that the effects of the WGT Project and the construction process will not be wasted. For this reason, Council submits that a recommendation ought be made to government to consider the following options to “future proof” the curfews from any future change of government policy:
- 1.23.1 that the proposed curfews be enshrined in an Act of Parliament (rather than delegated legislation), so that they cannot be removed by the executive action of any Minister;
  - 1.23.2 that as part of any agreement with Transurban for the WGT project, the road operator be entitled to compensation in the event that any future government decision alters the new curfews, or allows heavy vehicles (other than petrol tanks accessing the petrol terminals along Hyde Street) to use local roads so as to avoid the WGT tolling gantries;
  - 1.23.3 that additional road upgrades (for example, through the Paramount Road corridor) be funded as part of the WGT project where this is necessary to provide an alternative access to the Port of Melbourne, as a result of the expanded curfews;
  - 1.23.4 if necessary, development of warning systems that discourage or prevent trucks above a specified height from passing through local roads and key intersections; and
  - 1.23.5 that planning and delivery of a new road connection to the West Gate Freeway via the Paramount Road corridor in Tottenham be explored as a way to mitigate the effects of the WGT project on residents in Brooklyn, and to provide an alternate means of access to the WGT and the Port of Melbourne.
- 1.24 Orderly transport planning needs to endure beyond the next electoral cycle and provide certainty for those who work and live in the inner west.

- 1.25 If Transurban is not entitled contractually to ensure that freight vehicles use the WGT, then the supposed benefits of the WGT project for residents in the inner west will not be assured, and this can be expected to eventually result in increased tolls for a smaller number of trips on the WGT.

### **Design issues**

- 1.26 Council's submission addresses the following design issues, which we submit need to be resolved before the plans for the WGT project are approved (and should not be left to resolution through the secondary consent mechanisms envisaged by the EPRs)

1.26.1 the Port connections and McKenzie Street ramps;

1.26.2 the design and appearance of the tunnel vent structures;

1.26.3 the need for an extension of the acoustic barriers along the interface with McIvor Reserve and the Bradmill site;

1.26.4 the need for consideration of upgraded connections to the Westgate Freeway via the Paramount Road corridor; and

1.26.5 the design, tenure, usability and function of the proposed compensatory open space offering, and the River Edge areas affected by the off-ramp to McKenzie Street;

1.26.6 the need for issues to be addressed through detailed design for:

(a) the undercroft of the proposed structures over the Maribyrnong River; and

(b) The proposed Harris Street shared use path.

### **Operational issues**

- 1.27 Council's approach to assessment of operational issues is by critiquing the EES and its various impact assessments, but with a mind to refine and improve the approval documentation, including the EPRs.

- 1.28 The approach to noise, air quality, human health, economic impact assessments and the like seek to achieve the best outcome through the Environmental Management Framework, but are not addressed as 'design issues' that have to be

resolved outside of the EPRs and the proposed Incorporated Document for the WGT project.

- 1.29 As environmental performance requirements tend to be the subject of multiple iterations in the course of major project inquiries, Council will provide detailed commentary and suggested changes on the EPRs and the Incorporated Document during the course of the hearing, and in response to any changes advanced on behalf of the WDA, unless the IAC directs otherwise.

### **Recommendations**

- 1.30 The recommendations that Council asks the IAC to make are described generally in Schedule 1. These may be refined prior to Council's presentation to the IAC or added to in the course of the hearing.

## 2. Truck curfews and toll avoidance

2.1 Council welcomes the extension of curfews along Somerville Road, Francis Street, Moore Street and Buckley Streets. The proposal for 24 hour curfews along Buckley Street and Moore Street was announced in April 2017. It was not originally proposed, but this commitment follows Council's involvement in the TRG and engagement by Council with the Ministers for Roads and Planning, including the letter dated 16 March 2017 to the Minister for Planning (see **Attachment 2**).

2.2 There have been long held community concerns with compliance with the existing curfews along Somerville Road and Francis Street. These concerns have given rise to studies by Council and Vic Roads. The WGT project presents an opportunity to provide for a more cost effective approach to monitoring curfew compliance using remote technology and systems integration, which will place less reliance on physical surveillance by authorised officers.

2.3 Council's concerns regarding the curfews are threefold:

2.3.1 the need to enshrine the extended curfews in law so that they are not vulnerable to attack by Ministerial or executive action;

2.3.2 the need to ensure that compliance surveillance and reporting is effective and transparent;

2.3.3 the need to ensure that where trucks cannot easily use the WGT, there are associated planned road upgrades to ensure that trucks which would otherwise use Buckley Street or Moore Street can access the WGT.

2.4 These concerns are elaborated below.

### **Enshrining curfews in law**

2.5 The existing power to impose curfews arises from Rule 104 of the *Road Safety (Road Rules) 2009 (Road Rules)*. Rule 104 creates specified exemptions from the obligation not to pass a "No trucks sign." VicRoads has power to authorise the imposition of a "No trucks sign". and has published information that explains the effect of the inner west truck curfews and exemptions.

2.6 The Road Rules (as regulations or subordinate legislation) are subject to amendment by way of Ministerial intervention. There is a risk that a different

government could review curfews in the future after the project is built. Furthermore, all regulations sunset after a period of 10 years.

2.7 Since a key rationale of the WGT project is to take trucks off local streets in the inner west, it is imperative that the WGT project rationale is not undermined in future. For this reason, Council seeks a commitment from the government to introduce legislation to enshrine the proposed curfews as part of an Act of Parliament, so that any material change to the curfews in future requires amending legislation through Parliament not a mere regulation which can be changed essentially through executive action..

2.8 Council notes that advice prepared by the Department of Treasury and Finance states<sup>2</sup>:

There is no existing legislative framework in Victoria currently available to establish a tolling solution for the Project. In particular, there is currently no mechanism by which a privately owned concessionaire or State entity could enforce tolls in respect of the Project. As such, legislative enactment or amendment will be required.

In implementing this legislative framework, the State could amend existing legislation (such as the MTPFA) or enact new, standalone legislation.

This legislative framework could be drafted to apply only to the Project or could be drafted to create a more flexible regime whereby other roads can be brought within the tolling framework at future points in time (such as tolling of parts of the existing road network or future road projects that are to be tolled). There is precedent within Australia (NSW and QLD) for this more flexible approach.

A period of 12 to 18 months is a reasonable guiding estimate of the timeframe required for drafting and passing legislation for a tolling solution for the Project. The time by which this legislation needs to be in place will be guided in part by the procurement model adopted for the Project.

2.9 Legislation will be required to create or extend the concession for Transurban for Citilink. This is an appropriate opportunity to provide greater certainty regarding curfews.

### **Compliance surveillance**

2.10 Rather than rely on occasional physical surveillance by VicRoads, Council sees the WGT project as an opportunity to put in place a more sophisticated approach to

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<sup>2</sup> Western Distributor Project Tolling Structure Paper prepared by the Department of Treasury and Finance, as Attachment F to the Business Case, page 23. Available at: <http://economicdevelopment.vic.gov.au/transport/major-projects/westgate-tunnel-project/westgate-tunnel-publications>

compliance monitoring using 21<sup>st</sup> century technology, remote surveillance and tolling data.

- 2.11 If necessary, Council would be willing to consider the installation of tolling gantries at key exits or near Shepherd Bridge as a basis to monitor the extent to which freight movements to and from the port are using local roads such as Whitehall Street, Hyde Street, Moore Street and Buckley Street.

### **The Paramount Road corridor connection**

- 2.12 As set out in its letter to the Minister for Planning (*see Attachment 2*), Council has for some time advocated the completion of a road connection from Paramount Road in Tottenham to the West Gate Freeway, as an alternative means of access to the Port of Melbourne, so as to take the pressure off Buckley Street and Moore Street in Footscray.
- 2.13 It is important that the government announced the extended curfews just a matter of weeks after that letter was sent to the Minister for Planning, because there had been no commitment to extend curfews to Moore Street and Buckley Street prior to that.
- 2.14 Council recognises that as the government has committed to extend 24 hour curfews to Moore Street and Buckley Street, this necessitates an alternative means of access for freight to and from the Tottenham Industrial Precinct.

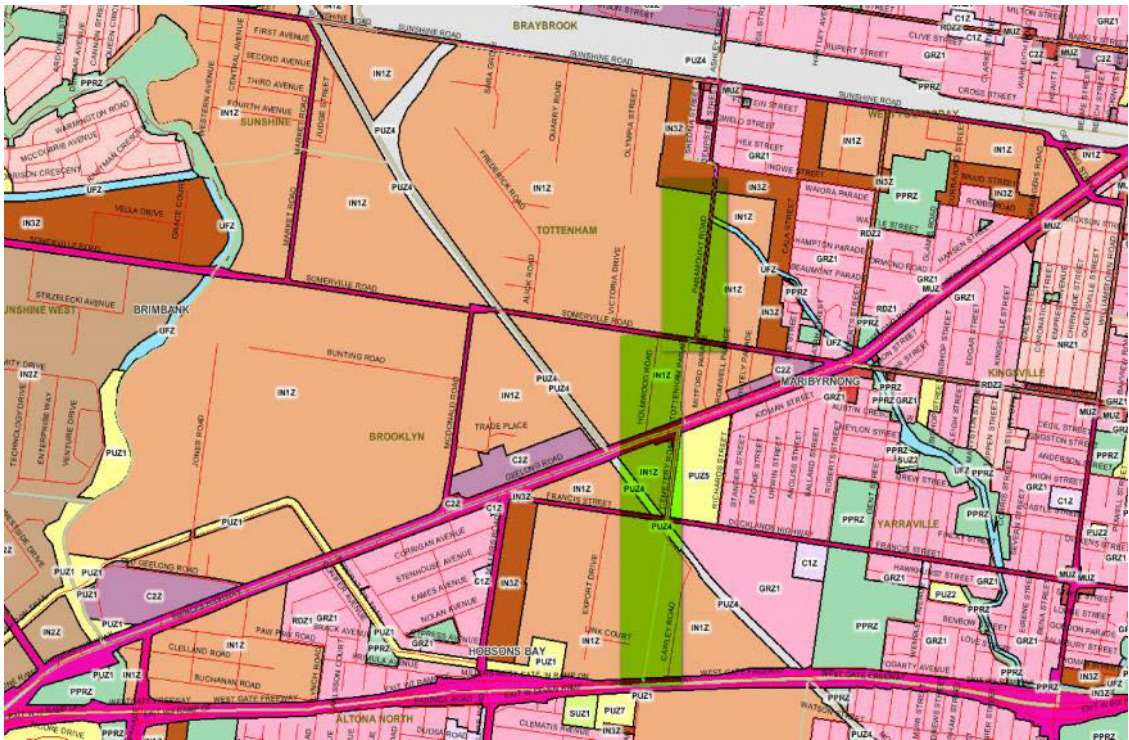


Figure 1: Paramount Road corridor zoning – area shaded green denotes the 'Paramount Road corridor'

2.15 As can be seen, there is an existing Public Acquisition Overlay over the majority of this corridor, excluding the section south of Docklands Highway.

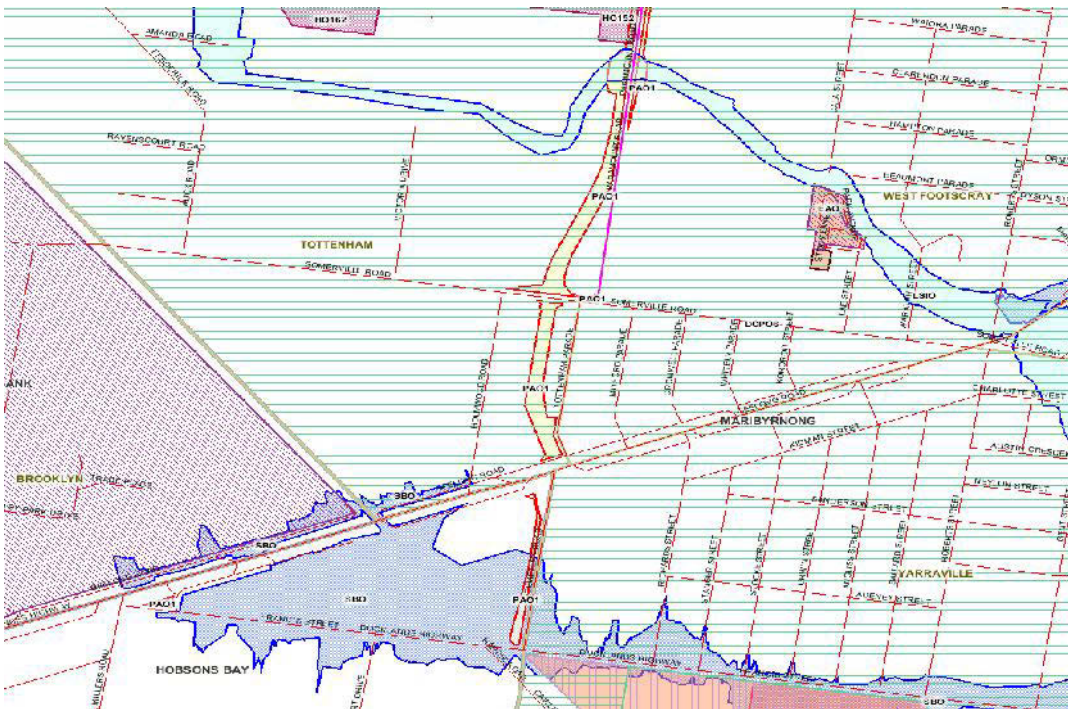
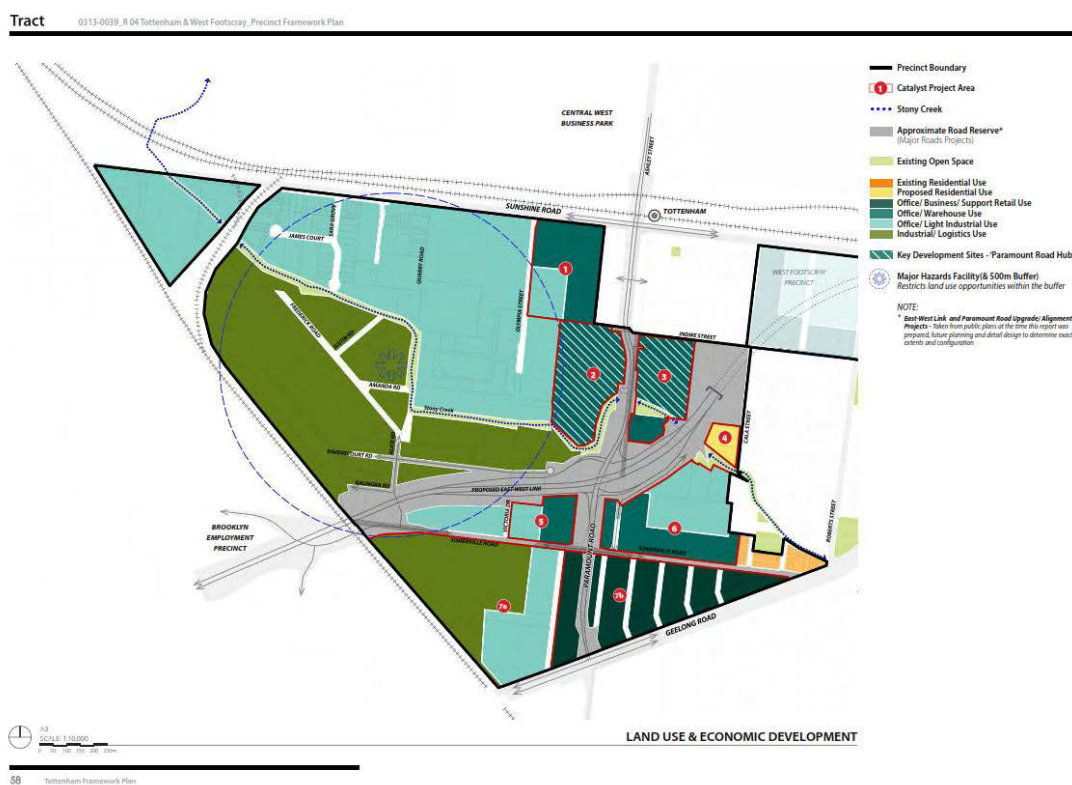


Figure 2: PAO reservation for the Paramount Road extension

- 2.16 The industrially zoned land to the east of the railway corridor is a relatively small portion of the industrial land in this part of Melbourne.
- 2.17 The Tottenham and West Footscray Precinct Framework Plan 2014 (**TWFPFP**) (prepared when the East West Link was being seriously contemplated) identifies a strategic shift towards higher employment generating uses in this area. The TWFPFP was endorsed by Council on 24 June 2014 to assist with future discussions about the precinct with the relevant councils and the Metropolitan Planning Authority.<sup>3</sup> The document includes an objective to support the relocation of storage containers away from the Paramount Road street frontage. The TWFPFP suggests that higher order commercial uses should be encouraged in this area, and identified a series of catalyst projects along the Paramount Road corridor. A larger scale copy of the TWFPFP is set out in Schedule 5



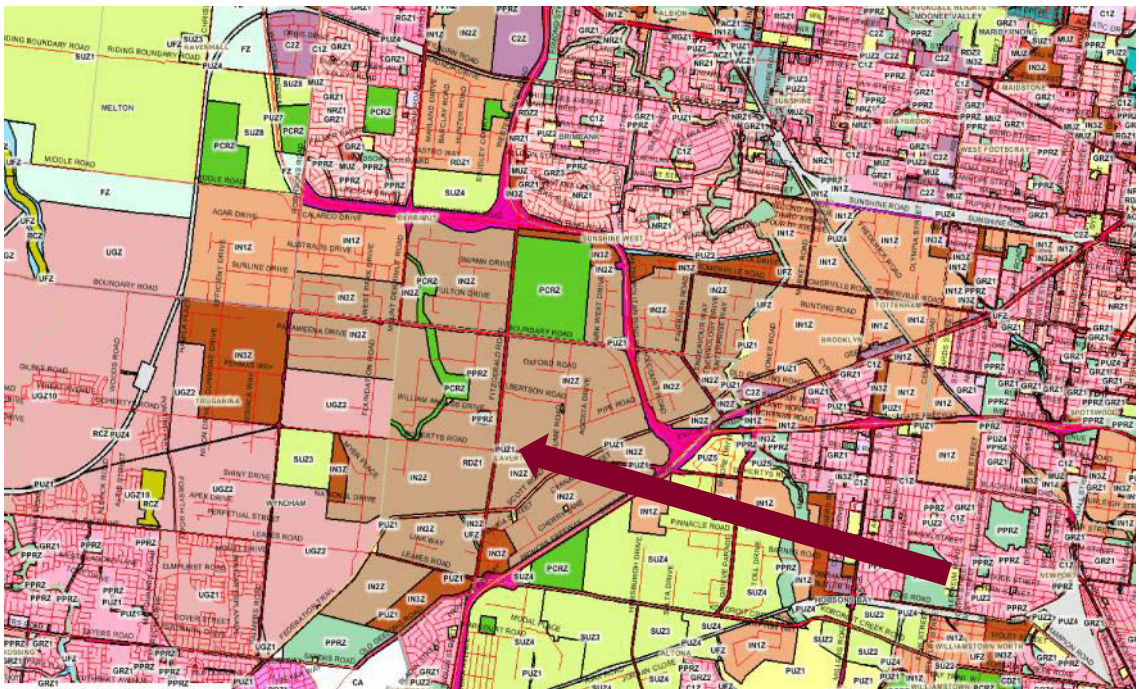
- 2.18 Freight movements from the Industrial 1 Zone on west side of the railway reservation (**PUZ4**) can already access Millers Road (a Category 2 Road) under existing conditions. However, rather than rely on Millers Road, freight from this industrial area could use an extension of Cemetery Road to access the West Gate

<sup>3</sup> <https://www.maribyrnong.vic.gov.au/Building-planning/Future-planning/Current-strategic-planning-projects/Tottenham-and-West-Footscray-Framework-Plan>



Freeway. Land to the south of Cemetery Road, abutting Cawley Road is currently used for shipping container storage and freight related logistics.

- 2.19 This can be seen as the further development of initiatives identified in Council's Industrial Land Strategy (2011) as referenced in the Maribyrnong Planning Scheme, which identifies Tottenham as Precinct 2, and includes a recommended action to *“Investigate the potential for rezoning of land east of Paramount Road to encourage employment uses compatible with nearby residential uses.”*<sup>4</sup>
- 2.20 Of course, over time, as greater volumes of freight travel to the Western Intermodal Freight Hub, and in the future to Bay West, the dynamics of the Tottenham Industrial Precinct as a freight hub are likely to change, just as urban renewal and consolidation around the Buckley Street and Hopkins Street precincts will mean that they are no longer suitable as a heavy vehicle route.
- 2.21 If a broader perspective is taken of industrial land in the west of Melbourne, it is clear that the majority of industrial land lies to the west of the Western Ring Road, outside the City of Maribyrnong.



- 2.22 Land in the Industrial 2 Zone between the Western Ring Road and Kororoit Creek will be able to access the West Gate Freeway and the WGT via:

<sup>4</sup> Maribyrnong Economic and Industrial Development Strategy, October 2011, Part 2, Section 4.1.2, Page 24.

2.22.1 Boundary Road and the Western Ring Road; or

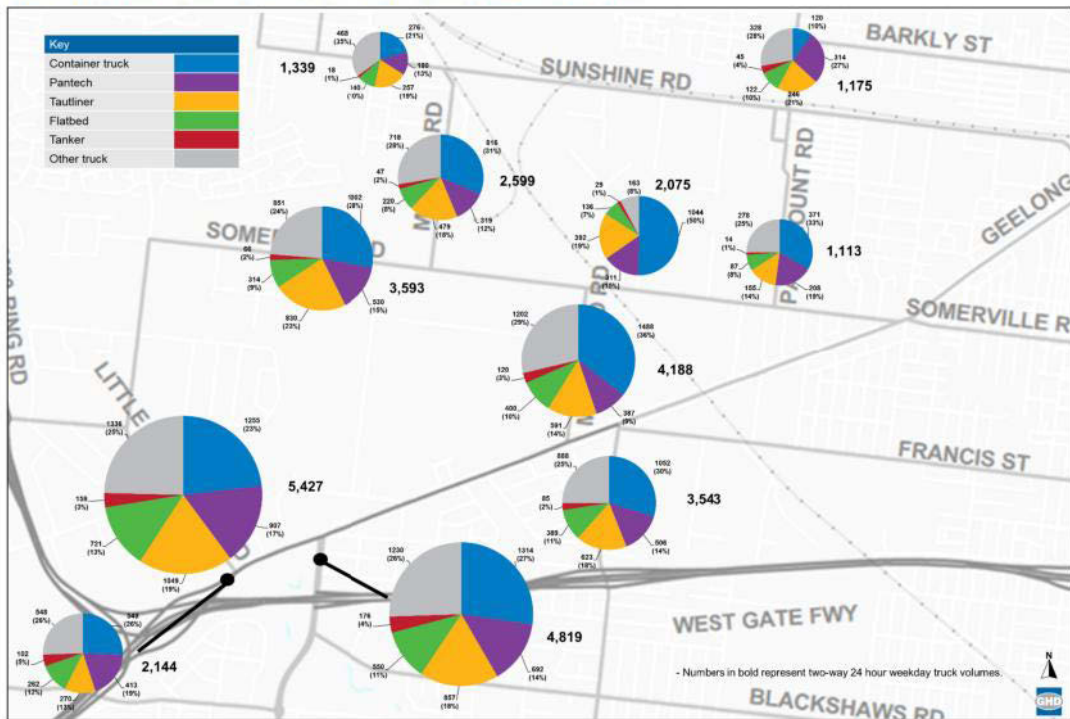
2.22.2 Little Boundary Road and Grieve Parade.

- 2.23 Land in the Industrial 1 Zone to the east of Kororoit Creek could access the WGT by travelling east along Somerville Road, then south along McDonalds Road and then onto Millers Road, even if the Paramount Road extension is not developed. Though this would be a little longer than the existing route, the adoption of freight network routes as part of transport policy means that the shortest route is not always appropriate. In the same vein, trucks travelling from the Hyde Street petroleum refineries will be required not to use Francis Street but will have to travel along Footscray Road and over the Bolte Bridge to access the eastern suburbs.
- 2.24 It might simply mean that trucks spend less time stuck at traffic lights or waiting on nearby roads to collect container loads.
- 2.25 The extension of Paramount Road to provide an additional connection would provide capacity for the freight industry to the east of Paramount Road, and would take pressure off Millers Road.
- 2.26 Having regard to Figure 72 of the TIA<sup>5</sup>, it can be seen that Paramount Road carries a relatively small proportion of container truck traffic, compared with McDonalds Road, Little Boundary Road and Millers Road. Seen from this perspective, re-directing that traffic away from Geelong Road should be seen as an important opportunity that may re-direct traffic flows from a relatively small section of the industrial land portfolio.

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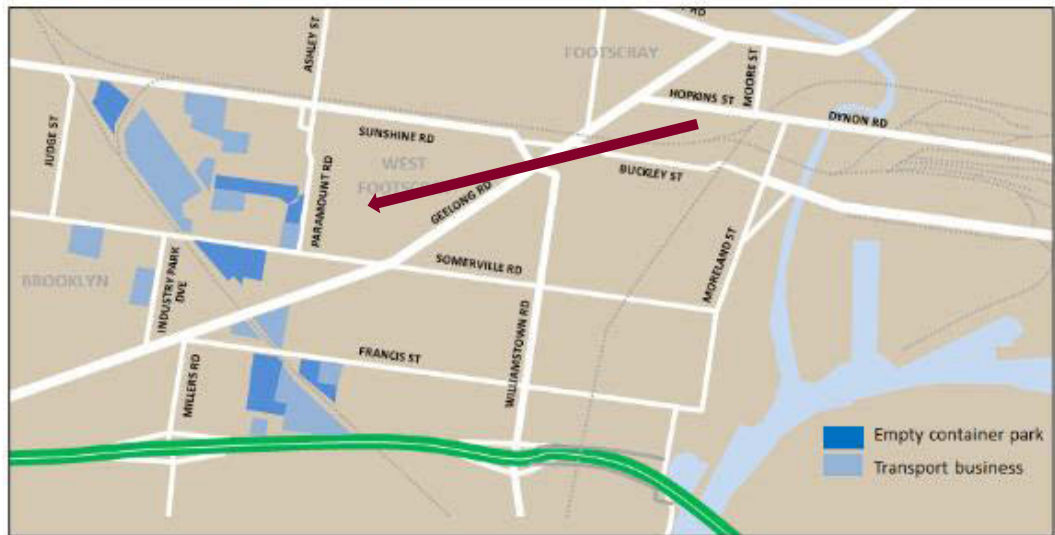
<sup>5</sup> TIA Part 1, page 73.

Figure 72: Truck volumes in Tottenham and Brooklyn: 24-hour period



2.27 Figure 58 of the TIA shows that there are no container storage areas to the east of Paramount Road

Figure 58: Freight Industry In Tottenham precinct



2.28 And of course, there is a very large amount of industrial land that is being released between the expanded Urban Growth Boundary and the existing Laverton Industrial Area. The Western Growth Corridor Plan (WGCP) has identified an additional 1510 hectares of industrial land to the west of the Western Ring Road. This is land that

was assessed as part of the expansion of the Urban Growth Boundary through the Melbourne Strategic Assessment that introduced the Western Grasslands Reserve.

2.29 Land closer to the proposed Western Intermodal Freight Hub will be attractively priced to encourage investment and owing to its distance from the CBD. The attraction will be all the more significant in the event that Bay West is developed.

2.30 The WGCP states that the critical parts of the road freight network include:

- ) Western Freeway
- ) Princes Freeway
- ) the Outer Metropolitan Ring Road transport corridor
- ) Boundary Road
- ) East-west Link
- ) Palmers Road

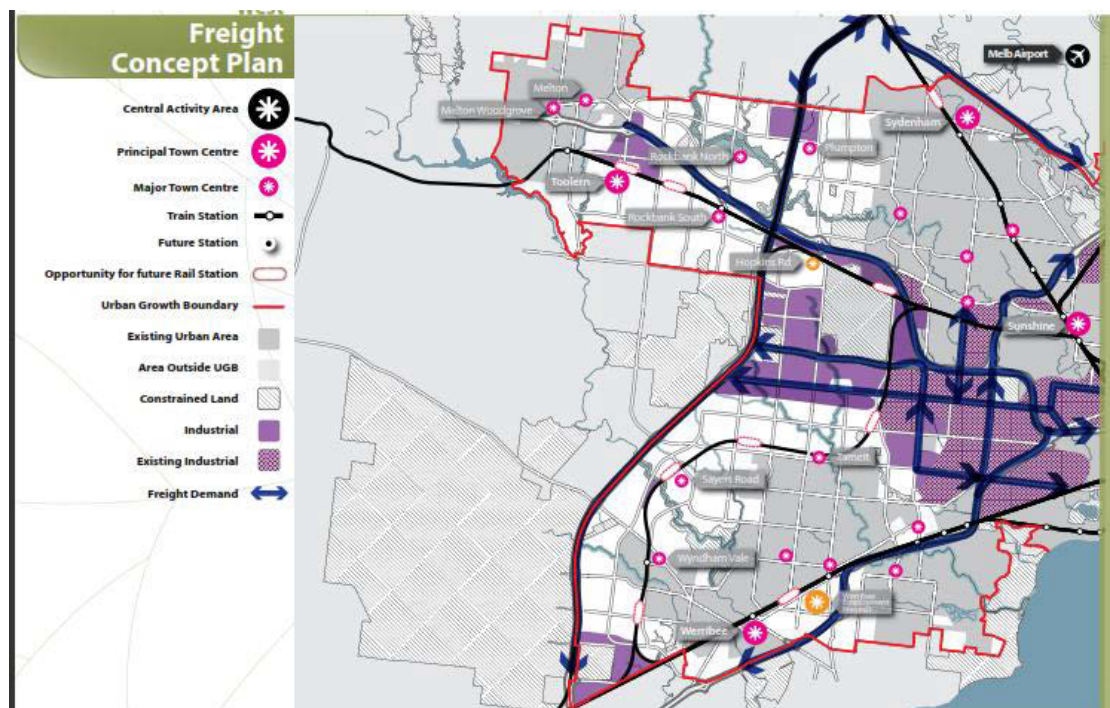


Figure 3: Western Growth Corridor Plan, page 54.

2.31 The Princes Freeway is the road between Altona and Geelong. It should not be confused with Geelong Road (also known as the Princes Highway). While there is still reference to the East West Link in the WGCP, it is clear that the WGCP freight

network does not identify Buckley Street or Moore Street as part of any key freight network.

2.32 It can be seen from the WGCP that the proposed arterial road that runs east/west between Rockbank and Laverton will then connect to the Western Ring Road and the West Gate Freeway. The vast majority of the industrial land it serves will not be using Geelong Road to access the Port of Melbourne into the future, if the WGT project proceeds.

2.33 As is set out elsewhere in these submissions, and in Council's letter to the Minister for Planning:

2.33.1 Buckley and Moore Streets are both assessed as being close to capacity already, let alone in 2031;

2.33.2 Buckley Street is undergoing a transformation from a light industrial past to a residential future, with multi-level apartment buildings under construction

2.33.3 the Hopkins Street (Joseph Road) Precinct (adjacent to Moore Street) is also a major urban renewal precinct with buildings of between 18-31 storeys currently under construction.

2.34 In order to ensure that these curfews are robust into the future, it is essential that the Tottenham industrial precinct can access the WGT.

2.35 The Paramount Road corridor has an important advantage over Millers Road in that it does not abut land in a residential zone. If completed, it can be used to take pressure off residents in Miller's Road who are assessed as being exposed to increases in heavy vehicle movements in the 2031 project case.

### **3. Planning policy relevant to the Maribyrnong River environs and the Port**

3.1 The above submissions focus on the traffic engineering issues and the need for more certainty in relation to curfews and the need for an alternative route to the port via Paramount Road. But the proposed structures over the Maribyrnong River (including the ramp connections to McKenzie Road) give rise to an important and challenging town planning policy assessment.

3.2 The proposed ramp connections to the Port of Melbourne will transform the Maribyrnong River corridor particularly when looking south, or when viewed from

Shepherd Bridge. Both of these perspectives are important public realm perspectives. The proposed ramp connections will detract from the urban design attributes of the proposed bridge, and will not afford visual surveillance to the setting of the Port of Melbourne, which has an historical association with the river front.

3.3 Protection of river corridors receives the highest level of state policy support. Relevant aspects of the State Planning Policy Framework that seek to protect river corridors, include:

3.3.1 Clause 12.04 (Significant environment and landscapes) which seeks to;

Protect environmentally sensitive areas with significant recreational value such as the Dandenong and Macedon Ranges, the Upper Yarra Valley, Western Port and Port Phillip Bays and their foreshores, the Mornington Peninsula, the Yarra and **Maribyrnong Rivers** and the Merri Creek, the Grampians, the Gippsland Lakes and its foreshore, the coastal areas and their foreshores and the Alpine areas as well as nominated urban conservation areas, historic buildings and precincts from development which would diminish their environmental conservation or recreation values.

3.3.2 Clause 12.05 (Rivers) seeks to protect and enhance the significant river corridors of metropolitan Melbourne and refers to:

- Healthy Waterways Strategy 2013, Melbourne Water
- Maribyrnong River – Vision for Recreational and Tourism Development (Melbourne Parks and Waterways, 1996)
- Maribyrnong River Valley Design Guidelines 2010, Department of Planning and Community Development.

3.4 Policies that seek to minimise the effects of development on the local environment include:

3.4.1 Urban design principles at clause 15.01-2 seek to, among other things:

**The public realm**

The public realm, which includes main pedestrian spaces, streets, squares, parks and walkways, should be protected and enhanced.

**Landmarks, views and vistas**

Landmarks, views and vistas should be protected and enhanced or, where appropriate, created by new additions to the built environment.

**Light and shade**

Enjoyment of the public realm should be enhanced by a desirable balance of sunlight and shade.

This balance should not be compromised by undesirable overshadowing or exposure to the sun.

#### 3.4.2 Clause 18.03 (Ports) seeks to:

Provide for the ongoing development of ports in accordance with approved Port Development Strategies.

Identify and protect key transport corridors linking ports to the broader transport network.

Manage any impacts of a commercial trading port and any related industrial development on nearby sensitive uses to minimise the impact of vibration light spill, noise and air emissions from port activities.

#### 3.4.3 Clause 18.05 (Freight) includes the following strategies:

Improve the freight and logistics network to optimise freight handling and maintain the efficiency and effectiveness of the network.

Improve freight efficiency and increase capacity of Transport Gateways while protecting urban amenity.

Facilitate increased capacity of Interstate Freight Terminals, both in regional areas and metropolitan Melbourne.

Ensuring an adequate supply of land is zoned to allow high-volume freight customers to locate adjacent to Interstate Freight Terminals.

Minimise negative impacts of freight movements on urban amenity.

Limit incompatible uses in areas expected to have intense freight activity by identifying and protecting key freight routes on the Principal Freight Network.

#### 3.5 Turning to the Local Planning Policy Framework of the Maribyrnong Planning Scheme, relevant policies include:

- Clause 21.03
- Clause 21.05-1 (Landscape Values)
- Clause 21.06 (Built Environment and Heritage)
- Clause 21.11 (Local Areas)
- Clause 22.04 (Yarraville Port Industrial Precinct Policy);

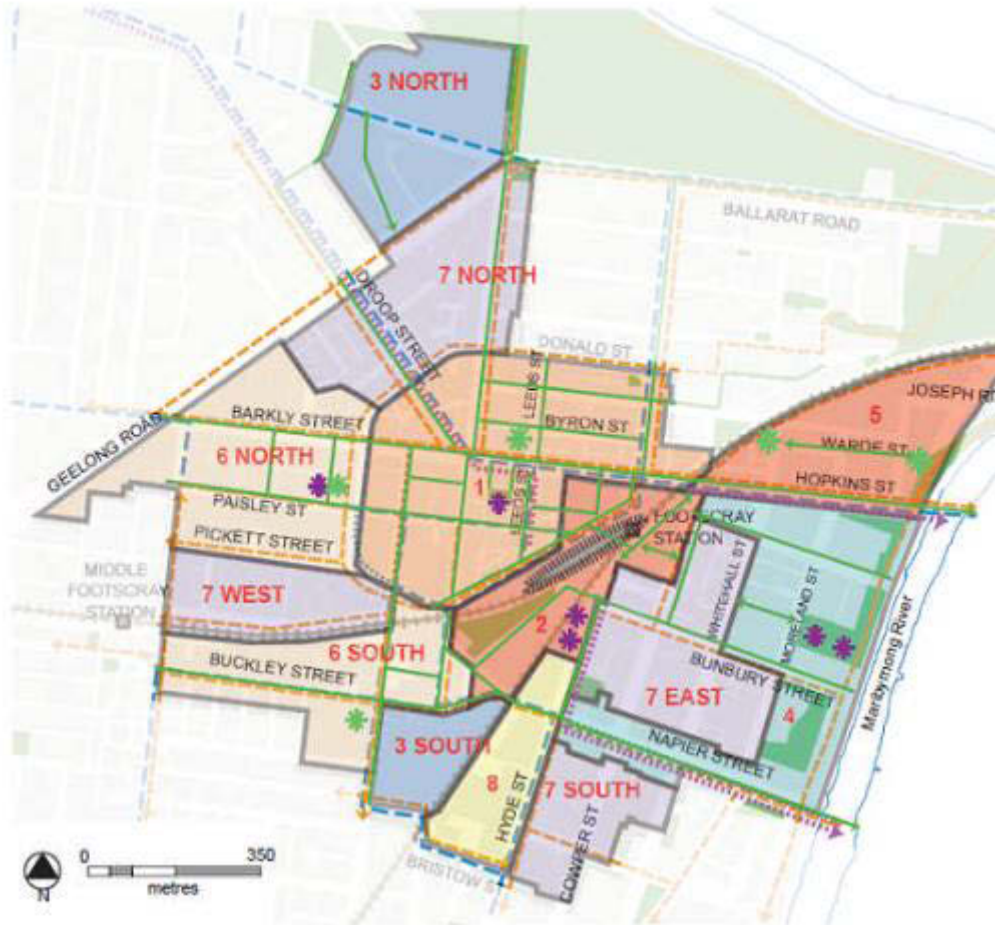
#### 3.6 The Land Use Framework Plan at clause 21.03 of the Municipal Strategic Statement (**MSS**) designates the area between Yarraville Gardens and Shepherd Bridge as a Core Employment Area.

#### 3.7 Clause 21.05-1 includes the strategy of enhancing the landscape character along the Maribyrnong River and Stony Creek.

3.8 Clause 21.11 includes the Footscray Metropolitan Activity Centre Framework Plan. Precinct 4 applies to the riverfront around the Footscray Community Arts Centre, noting its role as a recreational and cultural centre.



## Footscray Metropolitan Activity Centre Framework Plan



### LEGEND

- passenger rail line
- existing & proposed pedestrian network
- existing & proposed cycling network
- existing & proposed tram network
- existing & proposed bus network

- new transport modal interchange
- existing park
- existing or planned community facility
- potential plaza

### PRECINCT FUTURES

- 1** The Central precinct will stay low scale at the core and develop at moderate heights around it. Land uses will diversify from mainly retail and parking to include more commercial and community services and medium density and shop top housing. It will remain FCAA's key pedestrian precinct.
- 2** Precincts 2 (Station) and 5 (Joseph Road) will be transformed by higher density residential, retail and commercial development, with upgraded public spaces and pedestrian connections to the centre and to a new public transport hub at the Station.
- 3** The two campuses of Victoria University will be better linked to the centre of the FCAA through pedestrian and cycle connections and through shared spaces. Opportunities for redevelopment of underused spaces into complementary uses, such as student accommodation, will be explored.
- 4** The Riverside precinct will continue redeveloping key sites, at moderate heights. It will keep its heritage features and role as a recreational and cultural centre for the wider area, and be linked to the FCAA by attractive pedestrian and bike ways.
- 6** Precinct 6 - Peripheral Activity - has two parts. Both will evolve with a mix of health, retail, hospitality, aged care, small office and other services to support Footscray's core. Development will be at moderate heights and well connected to the centre and Station by street based pedestrian and cycle paths.
- 7** The four parts of the Neighbourhood precinct will retain their low rise, mainly residential character and heritage places.
- 8** The Civic precinct retains its heritage character, low building heights and government, cultural and educational uses. Pedestrian connections to and through the site are improved, and new community facilities enhance its role in the FCAA.

### 3.9 Relevant strategies include:

#### **Objective 6**

To ensure the centre is well served by accessible high quality public open space and community infrastructure to meet community needs.

#### **Strategies**

Provide for new community facilities, including within large new developments.

Ensure developers contribute towards the provision of community infrastructure.

Ensure new development enhances the open space network.

Protect open spaces from overshadowing from new development.

Encourage greater access to public open space, in particular open space along the Maribyrnong River.

Provide for informal social interaction in public spaces associated with new development.

Provide for diverse sporting facilities.

#### **Objective 7**

To further Footscray MAC's identity as a centre for arts and cultural activities.

#### **Strategies**

Encourage new cultural and arts facilities to locate in the centre.

Encourage development to incorporate art in public areas

#### **Objective 8**

Protect and reflect the features of Footscray's natural environment within the MAC.

#### **Strategies**

Protect and enhance natural features within and surrounding the MAC, in particular the Maribyrnong River.

Provide for attractive landscaped spaces through the centre.

Mitigate off-site amenity impacts of activities in the centre.

Ensure known potentially contaminated land is covered by an Environmental Audit Overlay (EAO).

- 3.10 The strategic planning history of the Maribyrnong River corridor will be described in greater detail during Council's presentation to the IAC.

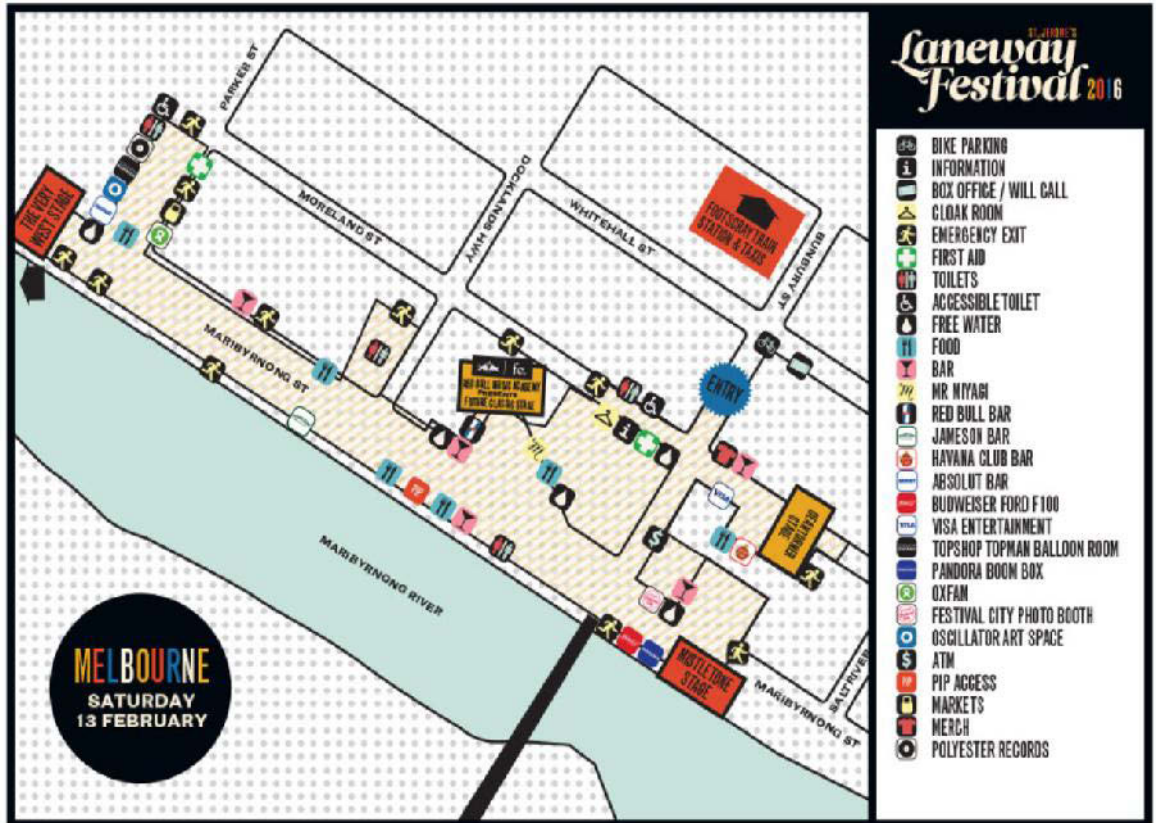
### **River Edge Master Plan**

- 3.11 In its May 2016 resolution, Council sought funding support for the implementation of the Maribyrnong River Edge Master Plan. This was on the basis that the significant negative impacts associated with the new bridge and ramp structures on the land to the south of Shepherd Bridge should be 'offset' by public realm improvements along the River Edge. A copy of the River Edge Master Plan is contained in **Schedule 3**.

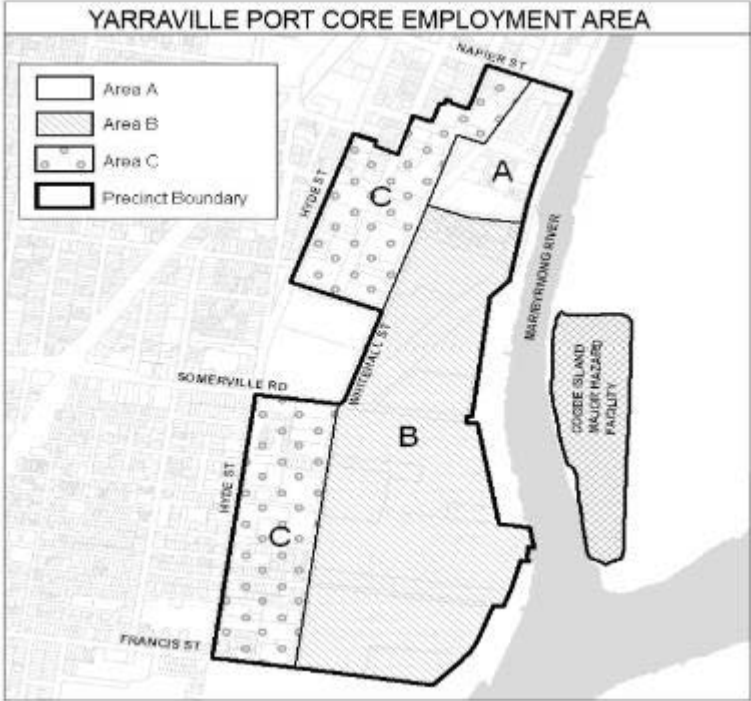
- 3.12 Council recognises that the WGT project proposes to enhance connections to the Yarraville Gardens. However, there is a need to respond to the new urban context through further planning and contributions to the river front facilities along the Maribyrnong River, assuming that the WGT project proceeds as exhibited.
- 3.13 Council would like funding support to review the strategic planning for these areas, and to provide further input into the detailed design phase of the WGT project to ensure that an appropriate urban design strategy and revised planning framework for key project interfaces with the public realm can be developed.
- 3.14 The Maribyrnong River corridor provides a vital link for the delivery of cultural life through festivals and community events and activities and is a destination of choice to a growing of number of creative industries, sporting organisations and world class festivals. These activities draw cultural tourists to the city and provide the local community the environment with which to engage with nature in an inner city environment. The precinct is a vital oasis within the urban setting.
- 3.15 Events such as St Jerome's laneway festival are now held on the river edge next to FCAC, Dream Factory and the Cotton Mills precinct attracting large numbers of people and makes a major contribution to the vibrancy of the community<sup>6</sup>.

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<sup>6</sup> <http://melbourne.lanewayfestival.com/info/venue-info/>



- 3.16 Accordingly, the IAC is asked to consider the extent of the impact on the community and for events along the river front consequential upon the construction of the proposed ramp connections.
- 3.17 On the other hand, clause 22.04(Yarraville Port Core Employment Area Policy) applies to the following area which for the most part applies to the area on the south side of the structures across the river.



3.18 Area A is described as follows:

Area A – Comprising offices and commercial uses based around the former warehouse heritage buildings and some industrial uses. The area enjoys an attractive frontage to the Maribyrnong River and Footscray Wharf with views to the Melbourne CBD skyline.

3.19 The area provide a buffer to the Coode Island Major Hazard Facility.

3.20 Policy for Area B seeks to discourage uses that attract significant numbers of people.

3.21 Decision guidelines are as follows:

It is policy that the responsible authority considers as appropriate:

The ways in which development and uses with Areas A, B and C responds to potential adverse amenity and risk impacts from the port and the Coode Island MHF.

In Areas A, B and C, the numbers, occupancy and vulnerability of persons likely to be present at the proposed development or use.

In Areas A (south of Parker Street), B and C (south of Parker Street) the ability of persons present to be organised and to safely respond to an emergency at Coode Island MHF.

The overall impact of developments and uses on the role of the precinct as a buffer.

Whether the proposed development positively contributes and enhances the character of Area C.

In Area C, whether the development has been designed appropriately to limit new interface and transition impacts between adjoining land use activities.

It is policy that applications for use and/or development within Areas A, B and C provide an assessment report responding to the potential amenity and risk/health impacts of the port and Coode Island MHF and detailing mitigation measures and their effectiveness.

3.22 The Land Use Planning Advisory Note for Coode Island published by Work Safe (2010) is a reference document.

3.23 Accordingly, maintaining the amenity of the area between Shepherd Bridge and the main bridge component of the WGT project is vital given that it is the primary part of the river that is accessible by the general public. It is at least in part, in this context then that one must properly scrutinize the McKenzie Road Ramps.

#### **4. The McKenzie Road Ramps**

##### **Summary**

4.1 In summary, Council submits that :

4.1.1 the proposed ramp connections (which we will now refer to as the McKenzie Road ramps or simply “the ramps”) are lacking in proper justification. The assumption regarding closure of Coode Road within the Port, being the primary basis upon which the ramps are premised, is unjustified;

4.1.2 if one models the performance of Appleton Dock Road without the ramps, it is possible that Appleton Dock Road may provide an acceptable level of service (with or without a direct connection to the WGT from Dock Link Road);

4.1.3 if Council’s primary submission on the lack of the justification for the ramps is not accepted, Council’s position is alternatively, that:

- (a) an off-ramp providing access to Dock Link Road should be preferred;  
or
- (b) the ramps can be staged and delivered in the event that approval is granted in future to close Coode Road, such that access to Swanson Dock West is constrained in the future, and this is reflected in an amendment to the approved Port Development Plan.

4.2 It is clear enough that the off-ramp (being the ramp on the Shepherd Bridge side of the main bridge element of the WGT project) will be more visually intrusive and prominent when viewed from the west side of the Maribyrnong River. Accordingly, it is the primary focus of this submission.

### **Introductory comments**

4.3 It is not entirely clear how the proposal for the McKenzie Road ramps was first conceived. It is not an infrastructure item identified in the Port of Melbourne Development Plan. The structure detracts heavily from the public realm for the benefit of the Port of Melbourne in circumstances where the Port of Melbourne has plenty of land at its disposal and a largely unfettered ability to provide further connections if needed to the Footscray Road corridor.

4.4 The authors of the EES seem to have treated the Port of Melbourne as somewhat inviolate, even though the port connections directly benefit the Port of Melbourne. This is to turn orthodox planning principles on their head. A developer of a residential subdivision is required to provide their own road connections to the surrounding road network. Why is a private port entitled to take or impact upon other land for such connections when it already has several kilometres of abutments to a multi lane road such as Footscray Road? When one takes a few steps back and considers the proposition inherent in the EES, it is confounding and lacking in common sense.

4.5 If one accepts the EES that this has been a market lead proposal, it is perhaps easier to understand how orthodox planning principles have not been followed. In a market lead approach to major project planning, one may expect a more self-serving approach to the development of plans. But that does not mean this approach should be endorsed by the IAC or the Minister for Planning.

4.6 The primary justification in the EES for the ramps is an assumption that Coode Road will be closed in a future scenario. This is an assumption which itself, presupposes a major capital upgrade or expansion of Swanson Dock which would require its own suite of statutory approvals. Approval of the ramps as part of this process would be putting the cart before the horse.

4.7 The EES Scoping Guidelines include an objective of improving connections to and from the Port of Melbourne. To illustrate this:

4.7.1 The evaluation objective is provided:

***Transport capacity, connectivity and traffic management** – To increase transport capacity and improve connectivity to and from the west of Melbourne and, in particular, to increase freight movement via the freeway network instead of local and arterial roads, while adequately managing effects of the works on the existing broader and local transport networks, including road, public transport, cycling and pedestrian transport networks.*

4.7.2 The Priorities for characterising the existing environment, at section 5.2, state that the EES should:

- *Establish **comprehensive baseline data on freight, private motor vehicle, public transport, pedestrian and bicycle movements** in areas affected by the project, including along the West Gate Freeway, Footscray Road, CityLink and routes intersecting the proposed alignment, **including the existing routes to the Port of Melbourne.***

4.7.3 Under the heading "Assessment of likely effects" (page 15) states:

- Assess the project's positive and negative effects on the existing transport network during construction (including spoil transport) and operation including in relation to:
  - o **Predicted travel time and vehicle movement outcomes, including at the interchanges with the West Gate Freeway, CityLink, Footscray Road and Port of Melbourne**, as well as for other relevant existing roads;

4.8 It is submitted that the ramp connections to the Port of Melbourne **are not necessary at this time**, will have a significant impact on the public realm of the river environs and will in any event, provide for an unacceptable level of service for vehicles accessing the Port of Melbourne from the WGT via Appleton Dock Road.

4.9 The proposed ramp connections will make it harder for port traffic and freight to move around the Port, because:

4.9.1 freight from Swanson Dock East and Appleton Dock will not be able to access the McKenzie Road ramps;



- 4.9.2 west turning movements from Appleton Dock Road will be harder than the existing direct connection to Footscray Road, due to:
  - (a) the need to exit Footscray Road via an off-ramp;
  - (b) the need to accelerate up yet another hill and then merge to access the viaduct from the proposed on-ramp, while competing with other vehicles travelling west along Footscray Road;
- 4.9.3 there is no ability to access the WGT for west bound movements from Dock Link Road; and
- 4.9.4 there will be additional signal delays at Appleton Dock Road due to a new connection, which will increase queue lengths around the intersection (in this regard it is incredulous that the EES can show an improved level of service at this intersection for any movement into or out of Appleton Dock Road).

#### **The Assessment of the Dock Link Road Ramps in Table 3-4 of Volume 1**

- 4.10 The comparison in the EES of the Dock Link Road ramp alternative design option for Swanson Dock West suggests that:
  - 4.10.1 it would provide efficient access for existing port operations;
  - 4.10.2 it would not provide 'efficient' access to West Swanson Dock in a future scenario where Coode Road is closed (it is not clear whether efficient is worse than a Level of Service D);
  - 4.10.3 the Dock Link Road would prevent superior performance from an amenity and urban design point of view, by revealing the urban design attributes of the bridge structure to the public realm; and
  - 4.10.4 it avoids the need for additional piers in the river and land acquisition in Youell Street.
- 4.11 The only negatives for this alternative design option are based on assumptions regarding how the Port **might** be developed into the future. However, it is clear that the connection can work to an acceptable level of service based on the current approved port configuration.

4.12 This stands in contrast to the Appleton Dock Road connection which has been designed to levels of service E and F. Dock Link Road will be highly under-utilised and will have a Level of Service A in both the no project and project case. This clearly suggests that the design options have not been adequately resolved, and that inadequate consideration has been given as to the need to maintain port access via Dock Link Road.

4.13 An apparent error in TIA exists because, in one section of the TIA the entry ramp to Appleton Dock Road shows half as many trucks than the off-ramp to Swanson Dock West, which would service a relatively small part of the port<sup>7</sup>. This is not consistent with other parts of the transport model prepared by GHD showing that the off-ramp to McKenzie Road will carry half of the volume of trucks movements (600-700 vehicles in the am peak), compared with Appleton Dock Road (1000-1200 vehicles)<sup>8</sup> – a position that is logical given the smaller area of Swanson Dock West. Surely a peak demand at those levels can be accommodated without the need for the off-ramp, and also assuming some potential for increased use of rail freight if Swanson Dock is redeveloped.

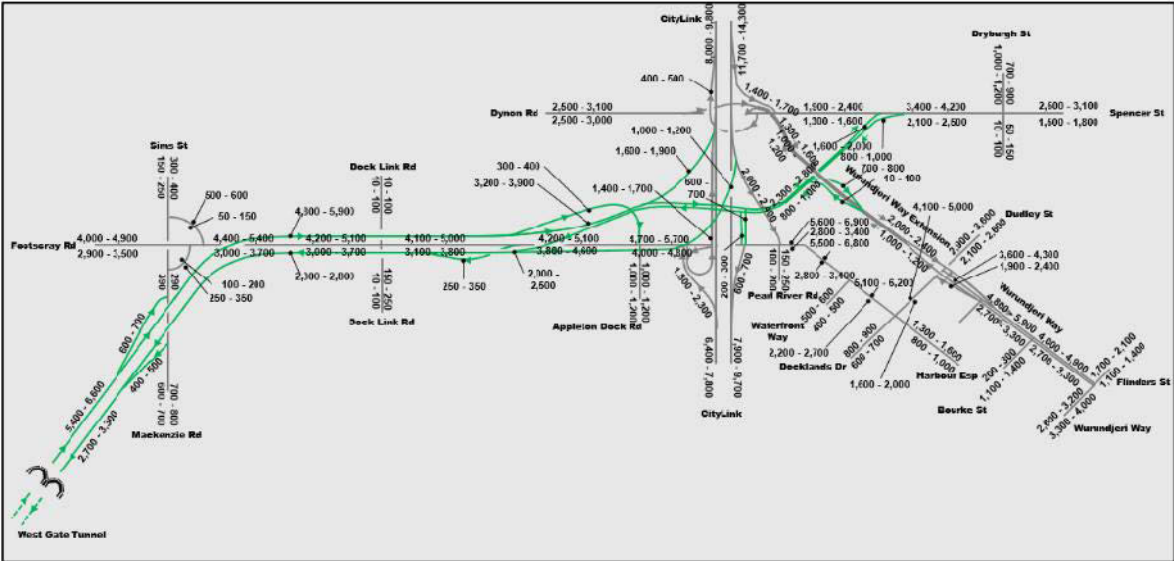


Figure 15: 2031 project case - AM peak period (7 am - 9 am) volumes - Footscray Road corridor

<sup>7</sup>TIA Figure 213, page 343 (2031 project case) shows a daily volume if 3000, 35000 vehicles using the off-ramp to McKenzie Street, compared with only 14,00-1800 trucks using the off-ramp to Appleton Dock Road.  
<sup>8</sup> West Gate Tunnel Transport Modelling Summary May 2017, GHD, located at Appendix F of Technical Report A (Part 2), Figures 15 and 16 pages 29-30.

- 4.14 However, the assessments that have informed table 3-4 in Volume 1 are not set out in the EES and so, submitters are not being afforded a fair opportunity to comment on them, or to refer them to experts for peer review.

#### **Eastbound access to Swanson Dock West**

- 4.15 Council does not accept the assumption that Coode Road has to be closed. Council is sceptical that this assumption merely serves to assist in the justification of the ramp connections, but is otherwise a scenario that requires speculation and to that extent, is probably unlikely. It is certainly an assumption open to challenge. Accordingly, the traffic analysis needs to consider a range of other plausible scenarios, including the scenario that Swanson Dock West is not isolated from the rest of the Port. To that end Council seeks the IAC direct that the WDA provides additional modelling of these scenarios so that the IAC has better information before it when the hearing commences.
- 4.16 If Coode Road remains open as appears likely, it is submitted that for westbound vehicles leaving the Port:
- 4.16.1 the levels of service at Appleton Dock Road may still be acceptable for trucks turning left;
  - 4.16.2 an access ramp from Dock Link Road could assist in achieving a better level of service at Appleton Dock Road, compared with the Level of Services E and F assessed in the 2031 project case.
- 4.17 For vehicles traveling to Swanson Dock from the west, an off-ramp providing access via the Dock Link Road would still be capable of providing acceptable access to Swanson Dock West (assuming that access via Dock Link Road was not available).
- 4.18 If Coode Road is closed:
- 4.18.1 the volumes of freight accessing Swanson Dock West and Coode Island under the 2031 project case are relatively low;
  - 4.18.2 acceptable access to Swanson Dock West for eastbound freight could be provided by an off-ramp commencing on the east side of the river which provides access to the northern side of Footscray Road that connects the signalised Dock Link Road intersection.

## **Vehicles travelling west from Swanson Dock West**

- 4.19 It is accepted that the northern off-ramp is clearly a much greater threat to the amenity and useability of the west bank of the river, than the on-ramp. Council is not as concerned about the on-ramp over the river, noting it will be screened by the bridge to an extent. Nevertheless, Council does not believe the on-ramp has been adequately justified, as an alternative to access to the WGT via the Footscray Road corridor.
- 4.20 The WGT project and the TIA has adopted a design response which does not preserve the ability to turn left from Dock Link Road, even though it is clearly possible that the port could be configured to provide such access. While vehicles can turn left here, they cannot access the viaduct, yet there is no reason why a ramp could not be provided just west of Dock Link Road.
- 4.21 While this design choice should not penalise the river corridor, acceptable access to the west from Swanson Dock West could be achieved by:
- 4.21.1 maintaining access to Coode Road (and rejecting the closure of Coode Road as a project assumption);
  - 4.21.2 providing alternate access via Dock Link Road; or
  - 4.21.3 requiring west bound vehicles from Swanson Dock West to use the Bolte Bridge or Wurundjeri Way (as will be the case for petrol tankers heading east from the terminals).
- 4.22 The visual impact of the eastbound off-ramp on the north side of the proposed bridge is clearly more prominent when viewed from the public realm in the City of Maribyrnong. Though Council does not support either ramp, it would be prepared to compromise on the basis that:
- 4.22.1 the northern off-ramp over the river is deleted and replaced by an off-ramp on the east side of the river;
  - 4.22.2 the proponent agrees that the delivery of the ramps can be deferred until such time as Swanson Dock is extended further north.
- 4.23 Council advocates an outcome that:

- 4.23.1 improves the access arrangements to Appleton Dock Road to ensure an acceptable level of service in 2031 (i.e. not worse than Level of Service D), such that ramps are not required, or can be deferred until they become essential;
  - 4.23.2 to make better use of the Footscray Road corridor, so as to minimise the need for ramps over the Maribyrnong River;
  - 4.23.3 defers the construction of any ramps across the Maribyrnong River until there is a demonstrated need for them, but then, only after every effort has been made to improve the access connections to Footscray Road as a first priority.
- 4.24 Council submits that if approval is to be given for the northern (east-bound) off-ramp connection, it should be on the basis of a recommendation that the design for the ramps allow a staged delivery, to allow the ramps to be deferred until a point in future where the Port of Melbourne has exhausted all other access options, including landside productivity opportunities.

**Access to and from Appleton Dock Road if Coode Road remains open**

- 4.25 The assumed closure of Coode Road in the traffic modelling, and lack of a connection from Dock Link Road means that there will be greater reliance on Appleton Dock Road, rather than the internal port road network. However, if one assumes that Coode Road may remain open to 2031, the question arises as to whether Appleton Dock Road can provide suitable access without the proposed ramps, or any access connection from Dock Link Road.
- 4.26 It is submitted that:
- 4.26.1 in all likelihood this major signalised intersection, with two lanes in each direction and slip lanes, is capable of handling port traffic turning west and arriving from the west, if Coode Road remains open;
  - 4.26.2 the IAC should be assisted by modelling based on an assumption that Coode Road remains open in the 2031 project case, for comparative purposes.
- 4.27 Council submits that the IAC:

- 4.27.1 direct the WDA to provide modelling that assists the IAC to make a finding as to whether, assuming that Coode Road remains open in the 2031 project case:
- (a) Appleton Dock Road intersection has capacity to handle the changes in traffic;
  - (b) the addition of a connection from Dock Link Road would improve the level of service, to the extent that this may be necessary to achieve a Level of Service D;
- 4.27.2 makes a finding regarding the maximum capacity of the Appleton Dock Road and critically assesses the stated average delay times in the EES for this intersection (which are not accepted by Council).
- 4.28 The low levels of service at the Appleton Dock Road intersection in the 2031 project case could be used to help justify the ramps. Council does not accept that the poor level of service of this connection should assist in justifying the ramps over the river, particularly given the low volumes of traffic using these ramps.
- 4.29 Properly designed, this intersection should be able to perform to a Level of Service D or better in the 2031 project case.
- 4.30 In relation to Appleton Dock Road it is noted that:
- 4.30.1 figures 185 and 186 of the TIA (2031 project case am peak) show:
- (a) an unacceptable level of service (E) for the eastbound off-ramp access to Appleton Dock Road (am peak);
  - (b) an unacceptable level of service (F) for vehicles leaving Appleton Dock from Appleton Dock Road (am peak);
- 4.30.2 figures 187 and 188 (2031 project case pm peak) show level of service E for the eastbound off-ramp access to Appleton Dock Road;
- 4.30.3 table 63 (2031 no project case) does not provide any specific assessment of vehicle numbers turning right from Footscray Road into Appleton Dock Road. There is no specific assessment of right turning movements into Appleton Dock Road from Footscray Road, as the level of service is provided for the intersection as a whole;

- 4.30.4 comparison of Figure 163 (2031 project case) and Figure 105 (2031 no project case) shows that the arrived volume into Appleton Dock Road increases by only 100 vehicles in the am peak.
- 4.31 It is submitted that the reliance on an average level of service for the intersection as a whole is of little assistance in understanding the effect on freight movements into and out of Appleton Dock Road. It is the ability to turn into and out of Appleton Dock Road that is relevant to the justification for the ramps. In that regard the EES does not successfully address the EES scoping requirements and consequently fails to justify the need for the additional ramps over the Maribyrnong River.
- 4.32 The 2031 project case levels of service for Appleton Dock Road (Table 63) fail to consider:
- 4.32.1 the difference between delays for use of signals, compared with the ability to turn left to enter or exit Appleton Dock Road **via the existing slip lanes**;
- 4.32.2 that only right turns into and out of Appleton Dock Road rely on the signals.
- 4.33 In the absence of a more specific assessment of turning movements for freight travelling across the Maribyrnong River, the IAC cannot reasonably make any informed assessment of whether the 2031 project case and no project case would or would not provide an acceptable level of service for freight vehicles:
- 4.33.1 turning right into Appleton Dock Road or Dock Link Road from Footscray Road;
- 4.33.2 turning left from the Appleton Dock Road intersection;
- 4.34 Of course, under the no project case, the volumes along Dock Link Road are small and would not be expected to pose any problem into the future. The assessed levels of service from Dock Link Road under the no project case would continue to be acceptable (Level of Service D or better).
- 4.35 Furthermore, in the 2031 project case:
- 4.35.1 there is no analysis of delays or queue lengths in the proposed off and on-ramps westbound along Footscray Road, or whether signals will be required to regulate merging from the ramps to the viaduct;

- 4.35.2 there is little if any analysis of whether the McKenzie Road ramps will create congestion in McKenzie Road, or elsewhere in the Port of Melbourne;
  - 4.35.3 there is no design detail as to whether this off-ramp would interfere with the existing at grade bicycle connection (the signalised pedestrian crossing at the base of the ramp on Footscray Road to the west of Appleton Dock Road);
  - 4.35.4 there is no analysis of how easy it will be for cars travelling along Footscray Road to merge onto the off-ramp, when competing with port vehicles, to access the viaduct;
  - 4.35.5 there is no analysis of whether a direct connection to the viaduct from the Appleton Dock Road intersection or an (additional ramp from Dock Link Road) would be a better solution, or has even been considered.
- 4.36 The exhibited EES has included a proposal to raise the height of McKenzie Road. This appears to be a new aspect of the proposal. In any event, the effect of this is to close the existing connection to Coode Road. This will prevent other vehicles from accessing Coode Road from McKenzie Road. This seems to be an unplanned consequence. It is certainly not an outcome that has ever previously been flagged as an objective or something that the Port of Melbourne has requested.
- 4.37 The EES should have included more detailed consideration of:
- 4.37.1 the level of service for specific turning movements into and out of Appleton Dock Road;
  - 4.37.2 daily and weekly levels of service (that take into account increasing shifts to off peak freight movements), rather than reliance on am and pm peaks alone.
- 4.38 The assessed levels of service for the Appleton Dock Road intersection are based on the am and pm peaks, rather than 24 hour averages. It is clear that the government is looking at tolling arrangements that encourage off peak freight movements, and so it is illogical to base the assessment of the existing levels of service solely on am and pm peak levels of service, rather than adopting a broader based assessment of the level of saturation. Appleton Dock Road is a fully



signalised intersection with slip lanes and two lanes of traffic at the signals. It is difficult to accept that this intersection cannot provide an acceptable level service.

4.39 If a more robust assessment of access and egress from the Port were carried out, it is quite possible that Appleton Dock Road would show an acceptable level of service for both the 2031 project case, and the no project case. Even assuming that such analysis still suggested that the ramps were necessary, consideration should be given to the following:

- 4.39.1 staging the delivery of the ramps until after Swanson Dock is extended northwards such that there was no access for Swanson Dock West to Appleton Dock Road;
- 4.39.2 an eastbound exit ramp which connects to Dock Link Road , to mitigate visual impact to the river;
- 4.39.3 a direct connection from the Appleton Dock Road intersection to the elevated roads (rather than the relatively convoluted access arrangement involving an off-ramp to Footscray Road and on-ramp).

**Assessment of Appleton Dock Road levels of service under the ‘no project case’**

4.40 If one compares Figures 105, 107 and Table 63 of the TIA, it is reasonable to ask:

- 4.40.1 how can an arrived volume of 470 vehicles result in a level of service E?
- 4.40.2 how can an arrived volume of 330 (pm peak) result in a Level of service F?
- 4.40.3 is the assessed delay of 348 seconds (pm peak):
  - (a) representative of west bound movements (for which there is a slip lane)?
  - (b) realistic or accurate?
  - (c) affected by the lack of access from Dock Link Road to the WGT?

4.41 Council requests the IAC to critically examine the accuracy of the TIA assessment of Appleton Dock Road when considering the justification for the McKenzie Road

ramps (and in particular the east bound ramp providing access to Swanson Dock west).

#### **Assumed closure of Coode Road**

- 4.42 Improving the access arrangements at Appleton Dock Road intersection is a desirable objective in and of itself. But it would not solve the dilemma of ensuring access to Swanson Dock West and Coode Island in the event that Coode Road is constrained or closed due to an expansion of Swanson Dock further northwards.
- 4.43 As noted earlier, the TIA justification for the provision of the McKenzie Road ramps was an assumption that Coode Road would be closed in future<sup>9</sup>. However, the closure of Coode Road, is not a given and is contingent on future approvals being granted under legislation governing the development of the Port of Melbourne. It is not something which the new owner of the Port of Melbourne has committed to pursue, nor has the government indicated that it is necessary in the foreseeable future. If it were to occur, it cannot be said that it would occur before 2031. Further, if Bay West is selected as Victoria's second port, then the need for the ramps may dissipate further. It is submitted that such an assumption is not a probable scenario, and is not a sound basis for decision making. It should be rejected by the IAC.
- 4.44 It is submitted that the appropriate basis on which this EES is to be assessed, is not an assumption that Swanson Dock West is extended northwards so as to cut off access to Coode Road. The appropriate starting point is that any decision to extend Swanson Dock West 100m north:
- 4.44.1 would require a range of further statutory approvals;
  - 4.44.2 would be very expensive, relative to other productivity options for the Port;
  - 4.44.3 would not necessarily cut off access to Dock Link Road from Swanson Dock West;
  - 4.44.4 may be deferred until after other productivity improvements were made to landside operations and berthing arrangements.
- 4.45 If such an extension was approved to allow Coode Road to be closed so as to cut off access to Dock Link Road:

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<sup>9</sup> TIA Part 1, page 36.Introduction

- 4.45.1 that would be a more appropriate time to approve the delivery of ramps across the Maribyrnong River;
  - 4.45.2 this may present an opportunity to reconfigure Coode Road so as to maintain access to Dock Link Road and Appleton Dock Road;
  - 4.45.3 it would clearly have implications for freight movements into and out of Swanson Dock west, because vehicles accessing Swanson Dock West would not be able to easily travel to other parts of the port.
- 4.46 As proposed, the reliance on the ramps would mean that there would be less flexibility for movement of trucks through the Port. For example:
- 4.46.1 trucks in Swanson Dock West would not have a direct means of accessing other parts of the Port, and would have to use Footscray Road;
  - 4.46.2 you could not use Dock Link Road to access Swanson Dock East, unless you were on Footscray Road, for example.
- 4.47 To suggest that the use of ramps would improve the port connections is simply inaccurate.

#### **Infrastructure Victoria's advice on Port Capacity**

- 4.48 Infrastructure Victoria recently released its report entitled '*Advice on Securing Victoria's Port Capacity*' (May 2017), which favours the development of Bay West over the Port of Hastings. Its advice considers forecast growth in container traffic as well as the physical needs and constraints of the alternative options (including amenity issues, channel depth requirements, the need for dredging, land reclamation, terminal operations and transport connections beyond the port gate). The recommendations assumed a future capacity to handle up to 9 million TEU, noting that:

9 million TEU is a very large port for Australia. Today, the Port of Melbourne handles about 2.6 million TEU and all Australian ports handle about 8 million TEU in total.<sup>10</sup>

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<sup>10</sup> Page 110

4.49 Figure 42 to that Infrastructure Victoria report identifies the fundamental shift in freight transport that will be occasioned by a shift to Bay West, which can be understood in the context of the freight network plans in the WGCP:

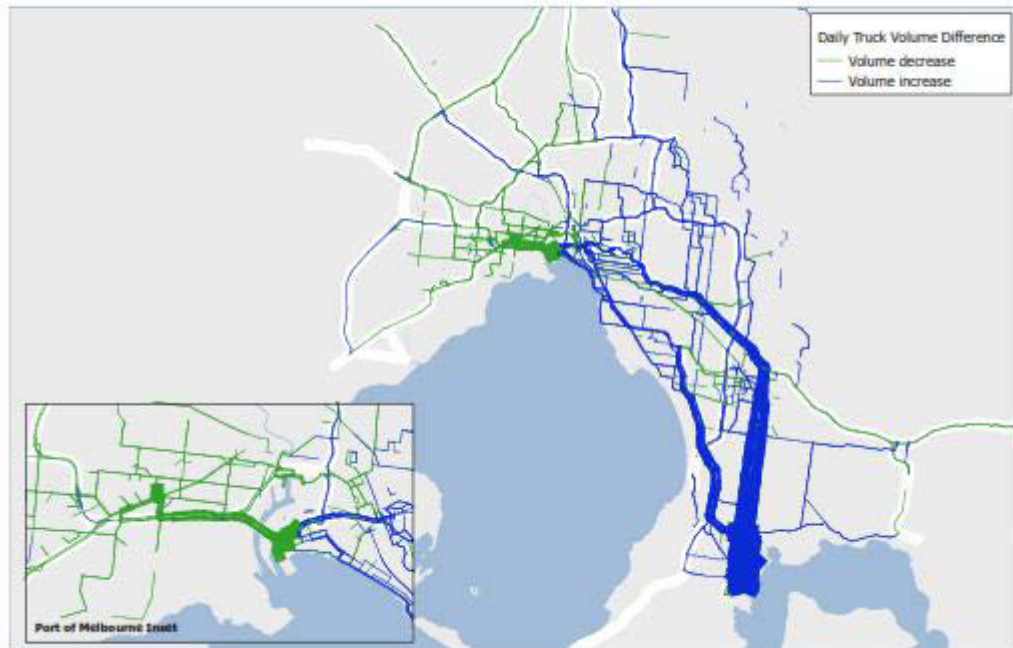
Figure 42. Change in total movements of heavy commercial vehicles with a full container port move from Melbourne to Bay West (2046)



Source: Deloitte/Jacobs, Infrastructure Victoria Second Ports Advice Port strategic transport modelling, 2017 report.

4.50 The opposite effect is modelled to the east of Melbourne if the Port of Hastings were preferred.

Figure 41. Change in total movements of heavy commercial vehicles with a full container port move from Melbourne to Hastings (2046)



Source: Deloitte/Jacobs, Infrastructure Victoria Second Ports Advice Port strategic transport modelling, 2017 report.

4.51 In either case, there is a significant modelled decrease in freight traffic in the inner west, which only serves to suggest that:

4.51.1 the port connections along Footscray Road should be adequate; and

4.51.2 the proposed ramps proposed over the Maribyrnong River are a folly and should not be supported, or should be staged and delivered only if and when essential.

4.52 In this regard, it is critical that the IAC is able to see through the self-serving and unrealistic growth predictions of the Port of Melbourne's new owners<sup>11</sup>. While the Port is keen to develop the Port of Melbourne to even greater volumes of freight, there is no policy support for such an outcome, and it is a scenario that is quite unlikely to be realised within the term of the current lease. Such an outcome would only undermine the strategic planning efforts that have resulted in the direction outlined in the WGCP.

<sup>11</sup> See for example, its submission to Infrastructure Victoria.

- 4.53 The IAC is asked to consider the justification for the ramp connections in the context of the future scenario articulated by Infrastructure Victoria, which contemplates the effect of Bay West and possible relocation of Coode Island.



**Figure 4: Extract from Advice on Victoria's Second Port, Infrastructure Victoria , Infrastructure Victoria (May 2017), page 170**

- 4.54 This future scenario modelled by Infrastructure Victoria is premised on:
- Z Swanson Dock at 4 million TEU;
  - Z Webb Dock at 5 million TEU;
  - Z the development of the Western Intermodal Freight Hub;

Z the development of Bay West and relocation of vehicular freight trade to the Port of Hastings;

Z relocation of Coode Island to facilitate redevelopment of Swanson Dock.

4.55 Bearing in mind that Bay West (and or Port of Hastings) may be developed sometime before or after 2051, even if this scenario is put to one side, it cannot reasonably be assumed that the capacity of the Swanson Dock will be much more than about 4 million TEU during the 50 year lease of the Port of Melbourne.

4.56 The IAC should not accept the justification of the ramps by reference to more optimistic scenarios of freight traffic advocated by the Port of Melbourne or other industry bodies with a vested interest in the growth of container trade out of the Port of Melbourne. The IAC should adopt the scenario adopted by Infrastructure Victoria.

4.57 The IAC should not assume freight volumes that would presuppose an extension of the lease of the Port of Melbourne, or a decision not to proceed with a second port. Volumes of trade exceeding 4 million TEU are only likely if one assumes that the Port of Melbourne will continue to grow after the expiry of the current lease. Such an assumption is counter-intuitive in light of the Infrastructure Victoria advice.

4.58 The Infrastructure Victoria analysis also casts doubt on whether it is realistic to expect that Swanson Dock will be extended. For example it notes<sup>12</sup> that:

a. Increasing capacity at Webb Dock to accept ships larger than around 7,500 TEU could make it difficult for Swanson Dock's capacity to be fully utilised due to its vessel size restrictions. This may prematurely compromise the viability of Swanson Dock, unnecessarily bringing forward the need to invest in additional capacity. This can be managed through deliberate staging of infrastructure investments at Webb Dock as well as upgrades to navigation infrastructure (channels and swing basins) and changes to regulation of navigation.

4.59 In comparing Swanson Dock to Webb Dock, it states:

At the Port of Melbourne, international containers are handled at Swanson Dock and Webb Dock. The size of container ships that can access Swanson Dock is limited to about 7,500 TEU by the West Gate Bridge, Yarra Channel and width of the dock, as discussed in the Capacity of the Port of Melbourne section. These restrictions do not apply to Webb Dock. With relatively minor works Webb Dock could accept ships up to 14,000 TEU.

4.60 Table 2 summarises access restrictions for different ship categories:

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<sup>12</sup> Page 16.

Table 2. Port Phillip Bay channels and constraints for various ship sizes

AREA	CONTAINER SHIP CLASS					COMMENT ON EXISTING LIMITATIONS
	Old Post Panamax 7,000 TEU	Old Post Panamax Plus 8,500 TEU	Old Post Panamax Plus 9,500 TEU	New Post Panamax 14,000 TEU	Ultra Large Container Ship 18,500 TEU	
Great Ship Channel (Heads)	✓	✓	✓	✓	✗	Width of channel
South Channel	✓	✓	✓	✓	✓	
Port Melbourne Channel	✓	✓	~	~	✗	Width of channel
Williamstown Channel	✓	✓	~	~	✗	Width of channel
Webb Dock Swing Basin	✓	~	~	✗	✗	Size of swing basin
Webb Dock	✓	✓	✓	~	~	Width of northern section, southern section adequate
Yarra River Channel	✓	✗	✗	✗	✗	Width of channel
West Gate Bridge	✓	✓	~	✗	✗	Air draught
Swanson Dock Swing Basin	✓	✗	✗	✗	✗	Size of swing basin
Swanson Dock	✓	✗	✗	✗	✗	Width of basin

Source: GHD, Infrastructure Victoria Second Container Port Advice – Estimated Capacity of the Port of Melbourne, 2017

Key: ✓ Vessel size can operate in channel or through constriction  
 ~ Borderline. Vessel size should be able to operate with minor adjustments or some restrictions  
 ✗ Vessel size cannot operate

4.61 Infrastructure Victoria considered that the scenario that constrained the size of ships accessing Swanson Dock Victoria was a reasonable scenario.<sup>13</sup>

4.62 In considering the traffic capacity of Swanson Dock for freight movements, the report states:

The Port of Melbourne’s current container handling capacity is about 5 million TEU per year, split between the capacity to handle about 3-4 million TEU a year at Swanson Dock East and West (depending on the yard equipment each stevedore chooses to use) and the ability to handle about 1.4 million TEU per year at the new Webb Dock terminal.<sup>14</sup>

....

**Swanson Dock**

The West Gate Tunnel is likely to provide a substantial boost to road capacity at Swanson Dock. The completion of the West Gate Tunnel **and a minor upgrade to the Sims Street/Footscray Road interchange** and underpass (with a capital cost of about \$70 million) means Swanson Dock **can grow up to a 4 million TEU capacity without increasing truck night operations.**

<sup>13</sup> Page 64

<sup>14</sup> Page 78



Based on the VicRoads Level of Service D standard, an achievable overnight increase for Swanson Dock from the current 28 per cent up to 50 per cent maintains enough intersection capacity to accommodate a capacity increase at Swanson Dock of about 6 million TEU.

The social impacts of a possible increase in night operations at Webb and Swanson Dock would need to be considered.

To support greater truck efficiency, which is the average amount of TEU carried on each truck trip, there may need to be more investments on the road network to allow High Productivity Freight Vehicles (HPFV). HPFVs are not suitable for all parts of the supply chain, especially the last mile delivery to retail centres, but are very good for either the export move to a port or the first move from a port to a staging area or distribution centre.

- 4.63 It is notable that modelling carried out by GHD was relied upon both for the purposes of this EES and for the work commissioned by Infrastructure Victoria. The IAC must ask how it is that a Level of Service D can be assessed for the Infrastructure Victoria work, when the Appleton Dock Road connections are showing Levels of Service E and F for the WGT? If the failure of the connection at Appleton Dock Road is the problem, then it should be fixed. Poor design of that connection does not justify the ramp connection at the river
- 4.64 Infrastructure Victoria included the following assessment of possible changes in transport, assuming different levels of growth in port capacity<sup>15</sup>:

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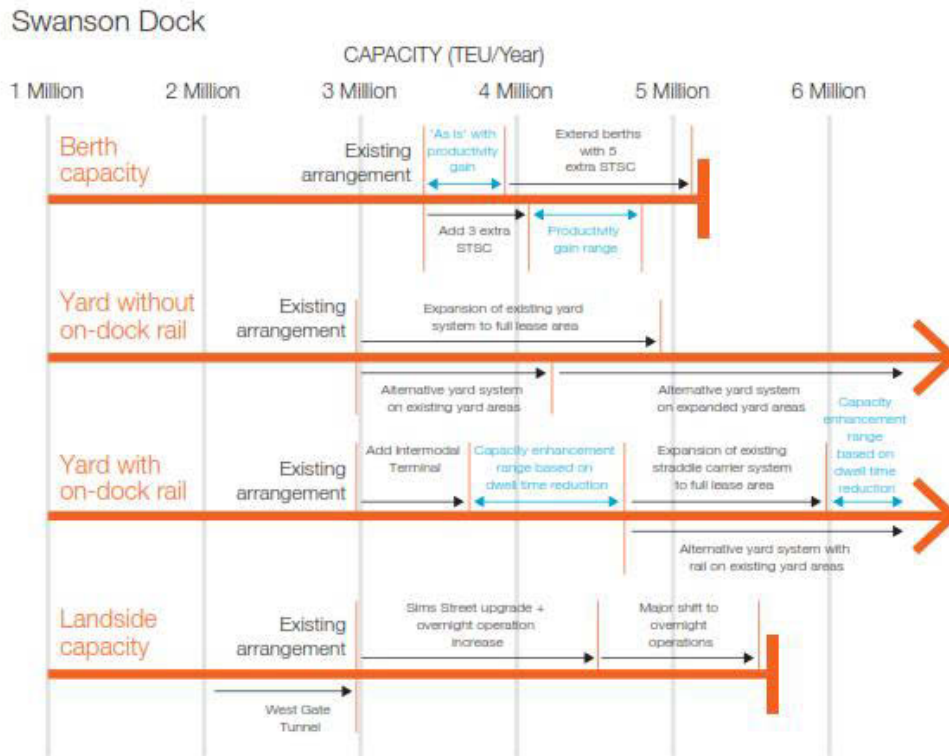
<sup>15</sup> Page 74

Figure 17. Landside port capacity overview



- 4.65 It is noteworthy that the attainment of the 9 million TEU scenario (split between Swanson and Webb Dock) can be attained without the need to extend Swanson Dock further north (so as to cut off Coode Road). Similarly, Figure 17 above does not refer to any extension of Swanson Dock or closure of Coode Road.
- 4.66 Infrastructure Victoria considered capacity enhancements that would increase productivity at the Port, distinguishing between landside operations and capacity upgrades, as follows:

Figure 21. Possible capacity enhancements for berth, yard and landside at Swanson Dock



Source: GHD, Infrastructure Victoria Second Container Port Advice – Estimated Capacity of the Port of Melbourne, 2017

Figure 22. Theoretical sequence of possible capacity upgrades at Swanson Dock



Source: GHD, Infrastructure Victoria Second Container Port Advice – Estimated Capacity of the Port of Melbourne, 2017

4.67 The point to note from all of the above is that the extension of Swanson Dock to the north appears as though it were an option of last resort. It is not required until after Swanson Dock reaches a capacity of 4.5 million TEU (which Figure 17 suggests could occur after 2046) and Figure 22 disregards the potential shift to night operations referred to in Figure 17 (that would achieve 6 million TEU). If berth, yard and landside capacity improvements outlined in Figure 21 can achieve 4 million TEU or more, then there is no need for extension of Swanson Dock (which would come at a major capital cost).

4.68 Infrastructure Victoria then set out a sequence of investments, as follows, which exclude any reference to extending Swanson Dock<sup>16</sup>:

At Swanson Dock:

a. To increase capacity from around 3.0 to 3.6 million TEU per year:

- add an on-dock rail terminal and implement a metropolitan intermodal system (MIS)
- upgrade the Sims Street/Footscray Road intersection
- add one ship to shore crane (STSC) and associated straddle carriers.

b. To increase capacity from 3.6 to 4.5 million TEU per year:

- demolish Swanson Dock East quay, widen the basin and rebuild one kilometre of quay line
- expand the footprint of container stacks within the current terminal footprint
- add two ship to shore cranes (STSC) and associated straddle carriers.

### **Port of Melbourne's proposed productivity improvements**

4.69 The Port of Melbourne submission to Infrastructure Victoria makes no specific mention of an intention to extend Swanson Dock to the north, or to close Coode Road. That submission notes that the new owner of the Port (the Lonsdale Consortium) put a carefully designed long term plan to Government for the long term growth of the Port, which proposes:

4.69.1 significant investment;

4.69.2 enhancements to on port/near port road and rail links, including development of a rail and HPF link to Webb Dock; and

4.69.3 other ongoing efficiency and productivity initiatives.

4.70 The future automation of the Port is clearly part of that agenda, but extension of Swanson Dock is not even mentioned.

4.71 The submission states<sup>17</sup> that:

“PoM and the Lonsdale Consortium consider that it is probable that the Australian market will not support the ultra large container vessel deployments that have been suggested by shipping lines in the foreseeable future.”

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<sup>16</sup> Page 88

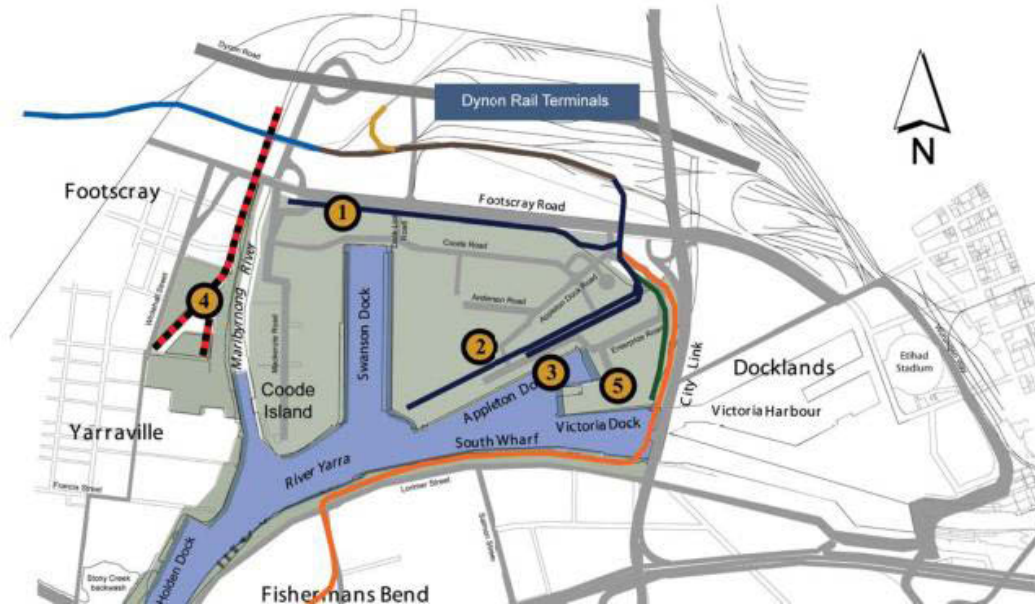
<sup>17</sup> Page 4

- 4.72 Consistent with that sentiment, there is no proposal in the submission to close Coode Road or extend Swanson Dock 100m to the north (though this is something that is noted in the existing Port of Melbourne Development Plan that is subject to review).
- 4.73 The submission notes that the Port is currently ‘refreshing’ its long term Port Development Plan (the current plan is an Incorporated Documents forming part of the Port of Melbourne Planning Scheme) and this is expected to take more than 18 months to complete.
- 4.74 While one may speculate as to these future options and scenarios, the fact remains that a doubling of trade at the Port of Melbourne will not occur for many years. If trade volumes grow to such an extent that the capacity of Footscray Road proves deficient, and Coode Road is cut off, such that the ramps become critical, and there is ultimately no near term decision to move the port to, for example, Bay West, the ramps can be delivered closer to that time, in a staged manner, provided that the bridge is designed appropriately.
- 4.75 As the Port’s submission does not indicate any intention to extend Swanson Dock further north, or to close Coode Road, the key assumption underpinning the ramps in the EES is based on a scenario that is entirely speculative, and to the extent that there is a prospect that the ramps would be needed at all, in all likelihood won’t occur before 2046, . Critically, such an extension of Swanson Dock would require further statutory approvals (possibly its own EES), and is, simply, **not before the IAC.**
- 4.76 The existing Port Development Strategy referred to in the SPPF only extends to 2035, and forecasts a level of container trade of 7.057 m TEU. There is no mention in that document of a proposal to develop a direct ramp connection to the west side of the Maribyrnong River. To the extent that this document refers to possible closure of Coode Road, it is in the context of what was previously contemplated, which involved a major expansion of rail access to the west of the river, as is shown below<sup>18</sup>:

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<sup>18</sup> Port Development Strategy 2035 Vision, Page 35, as referred to in clause 18.03-2 of the Maribyrnong Planning Scheme

## Rail capacity improvements



- 4.77 Clearly, the Port Development Strategy is out of date and requires a complete review, given the advent of the WGT project and the execution of the new lease. The closure of the Coode Road is also, of necessity, a matter that needs to be reviewed, in light of the extended curfews proposed as part of the WGT. When the Port Development Strategy was prepared, it was assumed that there would be continued access via inner west roads via the southern Sims Street ramp to Footscray Road. As that is no longer the intent of government, the assumed closure of Coode Road needs to be revisited. There can be no assumption that it will survive the review of the Port of Melbourne Development Plan.
- 4.78 Unless the IAC can be persuaded that the Footscray Road corridor does not have capacity to handle expected growth in port traffic to 2031, the IAC should simply reject the assumption that Coode Road will be closed as a justification for the proposed ramps over the Maribyrnong River. The existing road reserve of Footscray Road should be used to its best effect, and so as to avoid adverse impacts to the river corridor. The port connections should be designed to achieve an acceptable level of service for left turn movements out of Appleton Dock Road, and connections to the viaduct from Dock Link Road should not be excluded from consideration.

- 4.79 It is not acceptable that others might retort by suggesting the Port of Melbourne is a 'no go zone'<sup>19</sup>. The Port of Melbourne has a mutual obligation to contribute towards the planning and delivery of port connections using its own land. It does not have any legitimate right or expectation to blight the Maribyrnong River. While there are indirect references in the EES to the ramps being 'consistent with the recent lease of the Port of Melbourne'<sup>20</sup> the extent to which this is relevant must be zero unless the terms of the lease are made available to submitters and the IAC. In any event, legally, the lease should not be regarded as pre-empting the outcomes of the EES process or fetter the statutory functions and discretions of a planning authority.
- 4.80 Of course, if government policy was to develop the Port of Melbourne to its fullest potential beyond the terms of the current lease, so that any second port was deferred, the argument might change. But it is quite clear that the government is looking at the future option of redeveloping the Port of Melbourne for housing and developing Bay West.
- 4.81 It is evident from the increasing focus on Bay West and the planning of freight networks in the outer western suburbs that the government has a strategic framework to shift the freight and logistics industry away from the inner west over a period of time. Its future epicentre will sit west of the Western Ring Road, away from Brooklyn and Yarraville. This is a planned outcome, and does not reflect a land use conflict.

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<sup>19</sup> Various plans exhibited as part of the EES refer to the Port of Melbourne land as a no go zone.

<sup>20</sup> See for example, Volume 1, page 3-28.

**5. Visual impact of the ramp connections**

5.1 Figures 28-11 and 28-13 of the EES Volume 4 are damning.

**Figure 28-11** Maribyrnong Street – Top Left: existing view, Top Right: photomontage of the view at project opening, Bottom: photomontage of the view 10 years after opening





Figure 28-13 Shepherd Bridge, looking south – Top Left: existing view, Top Right: photomontage of the view at project opening, Bottom: photomontage of the view 10 years after opening



- 5.2 The visual analysis lacks panoramic perspectives and provides glimpses that do not enable one to appreciate the peripheral experience when looking at this imposing proposition.
- 5.3 The northern ramp alignment runs parallel with the river before adopting a diagonal alignment. This cannot be regarded as an acceptable approach to urban design of a major river crossing. The imposing alignment is not justified by precedent. Nearly all river crossings along the Yarra River and the Maribyrnong River seek to achieve something close to a 90 degree angle to the river.
- 5.4 The footprint of the ramps are a major change from reference design. When compared to the original design for the Western Distributor, the footprint of the ramp connections has expanded significantly from 150m in length to 275m.
- 5.5 There is little if any analysis of the constraints imposed by the additional shadow fall in allowing landscaping to thrive. If the condition of the landscaping under the Bolte Bridge and along the Moonee Ponds Creek is any guide, this is a major cause for concern.

5.6 Interposing such structures on the river corridor particularly at this prime public location is not an outcome supported by policy, or the Port of Melbourne Development Plan. In addition to the amenity impacts caused by the visual intrusion of the structures, the ramp will have direct impacts on the adjoining land in terms of air quality and noise.

5.7 We submit that a better solution is to make better use of the Footscray Road corridor and associated road reservation to ensure adequate access to the Port of Melbourne.

**6. Public open space**

**Introduction**

6.1 A project of this scale raises a number of issues relevant to the public open space network. On the one hand it proposes a significant intrusion into key open space assets such as the river environs and other existing local parks, but it also seeks to offset those impacts through the provision of compensatory public open space.

6.2 The proposed compensatory open space simply emerged through the tender process, and the ‘offer’ was not the subject of consultation with Council before the reference design was announced in April. To better understand the current state of play regarding public open space in the City of Maribyrnong, the Maribyrnong Open Space Strategy (which is a reference document in the Maribyrnong Planning Scheme) sets out the following analysis of quantity compared with other adjoining municipalities, and shows that the City of Maribyrnong has the lowest levels of public open space per person<sup>21</sup>:

Municipality	Total open space sqm	Total municipal land area sqm	Total population estimated population 2013	Open space sqm per person	% of open space as a proportion of total land area
City of Maribyrnong	3,079,298	31,210,000	78,981	39	9.9%
City of Moonee Valley	5,178,000	43,090,000	115,978	45	12.0%
City of Melbourne	5,690,000	37,700,000	110,075	52	15.1%
City of Hobsons Bay	13,872,000	64,200,000	88,390	157	21.6%
City of Brimbank	18,592,000	123,350,000	193,408	96	15.1%

<sup>21</sup> City of Maribyrnong Public Open Space Strategy (2014), Table4-5, page 62

- 6.3 Though Council recognises and appreciates the significant effort that has gone into the design of the shared path linkages and the compensatory public open space offer, it asks the IAC to bear in mind that:
- 6.3.1 much of the proposed additions will not be useable open space;
  - 6.3.2 there are as yet no agreements with Council regarding:
    - (a) design, functionality and provision of open space furniture;
    - (b) the transfer of land or the acceptance of management responsibility<sup>22</sup>;
  - 6.3.3 there has been limited consultation about the proposed shared use path and bridge structure in Harris Street prior to the announcement of the reference design in April 2017.
- 6.4 This creates a number of issues that need to be resolved preferably through a detailed consultation process.
- 6.5 Though there is scope, through the EPRs and detailed design process to resolve alignment issues and the provision of compensatory open space and landscaping, this will require agreement with the City of Maribyrnong. Council will need to be consulted as a partner, rather than as a stakeholder, in managing the detailed design process.
- 6.6 Council wishes to address the following issues in relation to the open space impacts and offsets:
- 6.6.1 clarifying the extent of land to be temporarily acquired;
  - 6.6.2 compensatory public open space;
  - 6.6.3 impacts from groundwater depressurisation on park assets and ecology;
  - 6.6.4 the resolution of detailed design and connections for the shared use path through Harris Street;
  - 6.6.5 mitigation of impacts to the Stony Creek Reserve; and
  - 6.6.6 the extension of acoustic barriers within McIvor Reserve (and its connection to the adjacent Bradmill site).

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<sup>22</sup> Especially in the context of land which may be contaminated

6.7 The effects of noise and air emissions on public open space assets is dealt with separately in these submissions.

**Land to be temporarily acquired**

6.8 Table 5-9 in Volume 1 of the EES identifies permanent and temporary land acquisition at various open space assets through the WGT project alignment.

6.9 The amount of land to be temporarily acquired affects a much greater extent of land than the permanent acquisition. Major open space assets such as Mclvor Reserve will be affected, as will substantial areas of the Westgate Golf Course, as will parts of the Stony Creek reserve. It is not sufficient to simply include EPRs for these areas. The public are entitled to greater detail regarding the effects on these areas before the WGT project is approved.

**Compensatory public open space**

6.10 Table 5-10 in Volume 1 of the EES sets out the additional open space as follows:

Table 5-10 Additional public open space

Project component	Additional public open space	Area (m <sup>2</sup> )
West Gate Freeway	Land between the West Gate Freeway and Precinct 15, west of Newport Freight Railway Line, Altona North	~30000
Tunnels	Land north of West Gate Bridge, south of Stony Creek and east of Williamstown railway line, Yarraville	~17000
	Land west of Whitehall Street and south of Youell Street, Yarraville	~28000
Port, CityLink and city connections	Land north of Footscray Road and west of Moonee Ponds Creek, West Melbourne	~14000

6.11 As can be seen, there is no detail regarding the tenure (i.e. will it be reserved for use by the public) or the nature of the open space and whether it is encumbered or useable. There is no spatial allocation of the suggested figures by reference to a map.

6.12 The EES states that an additional area of 8.9 hectares of public open space will be provided.

6.13 While Council would generally prefer compensatory open space to be useable, or to meet a 'like for like' objective, the EES includes little analysis of whether the compensatory open space will serve the same purpose as what is being taken, degraded or lost. There is no analysis of whether the compensatory open space is

encumbered or useable, by reference to the usual standards that are applied by Planning Panels Victoria in a strategic or precinct structure planning context.

- 6.14 To illustrate this point in a technical manner, it is debatable whether much of the Whitehall Street reserve should be regarded as new public open space. The provision of a stormwater retarding basin for an industrial facility such as a quarry or landfill would not usually be regarded as a public open space contribution. Certainly, it occupies a large area, but most of it is not proposed to be accessible by members of the public and so it is not public open space, defined within the *Subdivision Act 1988* as follows:

**public open space** means land set aside in a plan or land in a plan zoned or reserved under a planning scheme—

- (a) for public recreation or public resort; or
- (b) as parklands; or
- (c) for similar purposes.

- 6.15 The retarding basin, for example, will be reserved for drainage purposes, rather than being dedicated as a place of public resort or recreation.
- 6.16 The nature of management tenure and public access needs to be clarified and the IAC should make appropriate recommendations to ensure that the compensatory open space is accessible and supported by an urban design process that is funded by the WDA and completed in consultation with Council and Melbourne Water.
- 6.17 That said, a stormwater retarding basin might not need to be managed for a single purpose if it only floods occasionally. Multi-functional public open space assets can be designed and might offer a greater benefit to the community, subject to acceptable environmental management controls. If the wetland was to be managed by Council for a broader range of purposes, this would require agreement with Council and Melbourne Water, but it is an option that should be explored.

### **Yarraville Gardens**

- 6.18 Yarraville Gardens attracts 54% of open space visits for residents in Seddon, and 40% of uses for residents in Yarraville. Seddon has a significant under supply of public open space compared with Yarraville. Extracts from the Open Space Strategy (to be provided to the IAC at the hearing) and provide further information

regarding utilisation and future challenges. Yarraville Gardens are used for Auskick and by the Seddon Cricket Club.

- 6.19 Recommendation 6.9D-5 of the Open Space Strategy (for Yarraville) sets out the following action for Yarraville Gardens:

Update the current 2004 Masterplan to guide minor upgrades and ongoing management of this major area of open space in the future, recognising its broad appeal and use from across the municipality. Refer to the open space survey outcomes for suggested improvements for the revision of the masterplan.

- 6.20 Key issues of concern in Yarraville Gardens include:

- 6.20.1 visual impacts of the tunnel vent structure;
- 6.20.2 groundwater drawdown and impact on vegetation and park assets;
- 6.20.3 the proposed shared use path in Harris Street; and
- 6.20.4 tree loss and management.

- 6.21 Council adopted the Yarraville Gardens Master Plan in 2004 (see **Schedule 4**). The Yarraville Gardens are covered by the Heritage Overlay and play a critical role in shaping the character and identify of Yarraville and the area adjacent to Seddon Station. As can be seen it proposes the partial closure of Harris Street.

- 6.22 The statement of significance for HO138 is informed by the Conservation Plan for the Yarraville Gardens (to be provided to the IAC at the hearing).

- 6.23 The Yarraville Gardens Master Plan is due for revision, and any revision would need to take account of the existence of neighbouring land uses such as Kindred Studios, as well as any future development opportunities.

#### **Groundwater impacts upon vegetation within Public Open Space**

- 6.24 Groundwater drawdown will be required during the construction of the northern portal and the tunnel structures.

- 6.25 Potential effects of concern in relation to groundwater dewatering and interference with groundwater include:

- 6.25.1 impacts on vegetation and mature trees;
- 6.25.2 potential movement of groundwater contamination.

- 6.26 Council notes that EPRs GWP1, GWP2, GWP4, GWP5, GWP6 and GWP7 will play a role in addressing this risk. Council will propose any refinements to these EPRs in the course of its presentation to the IAC, so as to provide more specific management measures for Stony Creek and Yarraville Gardens.
- 6.27 To address the risks to vegetation, Council asks that WDA fund the development and implementation of a strategy, within the proposed Construction Environment Management Plan (**CEMP**) to assess, monitor and manage risks to vegetation in public open space areas, with particular emphasis on Yarraville Gardens. Input into this process from arboricultural experts and Council's open space team should be reflected in the EPRs. The CEMP should include contingency measures where there is observed deterioration on the condition of vegetation in the parks.
- 6.28 Baseline environmental studies in Yarraville Gardens are required to assess:
- 6.28.1 depth to groundwater;
  - 6.28.2 vegetation conditions;
  - 6.28.3 any existing groundwater contamination or contaminants above natural background levels or relevant health and investigation investigation levels, having regard to existing groundwater impacts from nearby industry.

#### **Disturbance of contaminated groundwater**

- 6.29 Because of the potential interception of contaminated groundwater, the independent environmental auditor should complete a post construction environmental audit of nearby open space assets to ensure that the public land manager is not left with legacy issues to manage as a result of the project.
- 6.30 Council would anticipate that the EPA would require, through the works approval process, a system to monitor and regulate any interference with groundwater plumes, and will seek clarity as to this through the IAC process.

#### **Ensuring the health of playing surfaces and trees**

- 6.31 Irrigation of trees affected by dewatering should be funded by the WDA as necessary, where dewatering affects the groundwater conditions required to sustain vegetation. Council asks that this be done using reticulated irrigation infrastructure,

rather than the unsightly use of temporary road barricades that have been used in drought conditions in some parks, to maintain amenity levels in open space.

- 6.32 As is noted elsewhere, the levels of service within Yarraville Gardens needs to be managed to preserve the use of the ovals for sports competitions.

### **The Harris Street shared path and bridge connection**

- 6.33 Council welcomes the opportunity to support an appropriate bicycle crossing of Whitehall Street that provides a connection to the river front. However, it considers that greater consultation is required before the alignment and design can be supported.
- 6.34 As noted above, Council did not lobby the WDA for a shared path connection accessed from Harris Street, though it certainly welcomes a connection to the river front to complete the Federation Trail.
- 6.35 The construction of the Bridge over Whitehall Street is to commence near the cricket nets in Hanmer Reserve (about 2/3 of the way up Harris Street) and will have a major impact on mature trees within the northern park boundary. The alignment of the path is now in the park, rather than the road reserve.
- 6.36 A number of valuable trees are located within this alignment including mature date palms, conifers and native trees that contribute to the character and cultural significance of the Gardens. The loss of these trees requires careful consideration. EPRs that seek to maximise retention of trees in this area are required to inform the detailed design process, in the absence of an agreed approach to the final design. Translocation of mature date palms (that are characteristic of Yarraville Gardens) should be considered and this should be reflected in the EPRs.
- 6.37 The path would require interference with a substantial retaining wall (approximately 2 m in height) that supports the cricket nets, which may be associated with the former use of the land as a quarry. This juxtaposition may be challenging from an engineering and environmental management point of view.
- 6.38 Further, the accessibility of the path from the northern end of Hanmer Reserve is not clearly articulated in the plans. Are bikes to access the path by traversing Hanmer Reserve itself, or are they to ride down Harris Street before entering the elevated structure? If bikes are to traverse Hanmer Reserve, this could create traffic conflict



with pedestrians using Hanmer Reserve. During Auskick sessions, in excess of 200 people can be present at Hanmer Reserve. Overall there are estimated to be 664 regular users (excluding spectators and parents) of the Hanmer Reserve through organised sport. Sixty-eight per cent of these users are aged between 5 – 17 years old and would regularly use the Harris St crossing to access the pavilion for changeroom and toilet facilities (there are no such facilities within the oval itself).

- 6.39 The alignment of the shared use path along the eastern side of Hyde Street, whilst suitable for those commuting home from the city, is not a logical travel path for bike users travelling towards Shepherd Bridge. It can be expected that most bike riders crossing the intersection with Somerville Road may turn right at Harris Street.
- 6.40 Its position is that the proposal should be supported in principle, although the alignment of the path should be resolved **by agreement** with the City of Maribyrnong and VicRoads.
- 6.41 It is possible through subsequent consultation that:
- 6.41.1 further consideration of a pedestrian crossing at the corner of Hyde Street and Harris Street (south of the bus stop) should be given to encourage safe connections to the path from Seddon and Yarraville;
  - 6.41.2 an additional ramp or ladder connection to the proposed bridge could be provided at the bottom of Harris Street, so that park users are not required to travel to the top of Harris Street to access the path, and to provide a means of access from Whitehall Street.
  - 6.41.3 alternate routes and designs might need to be given further consideration (for example via Youell Street and the existing drainage reserve, or a signalised at grade crossing of Whitehall Street).

Council is still considering this matter and will elaborate on this issue during its presentation to the IAC, noting that the proposal is a recent addition and was not part of the original design that Council considered in 2016. In resolving its position, Council will give appropriate consideration to the views of the Seddon Cricket Club, Seddon Auskick and Kindred Studios (located on the corner of Harris and Whitehall Street) and other regular users of the sports facilities including Yarraville District Schools Sports Association (Interschool Sport and Leisure Programming), St Augustine's Primary School, Netball Victoria and Tennis Victoria.

### Stony Creek Reserve (Hyde Street Reserve)

6.42 Council adopted the Stony Creek Directions Plan 2011, which should be considered in assessing the effects of the WGT project upon this important component of the public open space network.

### Hall Street ramp option

6.43 In its report of May 2016 Council identified a preference for the 'Hall Street' option for the Hyde Street connection, in order to avoid the need for a crossing of Stony Creek.

6.44 While the reference design did not adopt Option 5, Council indicated to the WDA that it is important that the EES includes an assessment of alternative design options for the Hyde Street connection. Section 3.8.1 of Volume 1 to the EES commences the discussion of the Hyde Street Ramps and notes the various options that were considered, noting that Option 5b was preferred.

6.45 Option 4 Hall Street is described as follows in the EES:

#### Option 4 Hyde Street ramps – Hall Street



6.46 As can be seen this option avoids direct impacts to Stony Creek. It is understood that VicRoads does not support the off-ramp doubling back under the West Gate Bridge near Hyde Street (as an alternative to the creek crossing), although there is sufficient clearance to make this work. It would seem that an ability to avoid a creek crossing is worthy of detailed consideration.

6.47 The eastbound off-ramp to Hyde Street avoids the need for trucks to travel east along Francis Street. The truck volumes using the proposed off-ramp are 1500 – 1900 movements per day for both the on and off-ramp.<sup>23</sup> There is a trade-off to be made between protecting Francis Street and the impacts associated with the northern ramp on the Stony Creek environs, and increased use of Hyde Street. Residents along Hyde Street south of Francis Street are naturally concerned about the modelled increase in truck use along Hyde Street, and some have campaigned for their land to be acquired. The increase in truck traffic along Hyde Street (1200-1600 trucks) is higher than the number of trucks modelled to use the Hyde Street off-ramp (750-950).<sup>24</sup> An assessment of the ability of this intersection to accommodate this level of traffic is required.

**Figure 216: 2031 no project vs project case: Hyde Street and Francis Street changes in truck volumes**



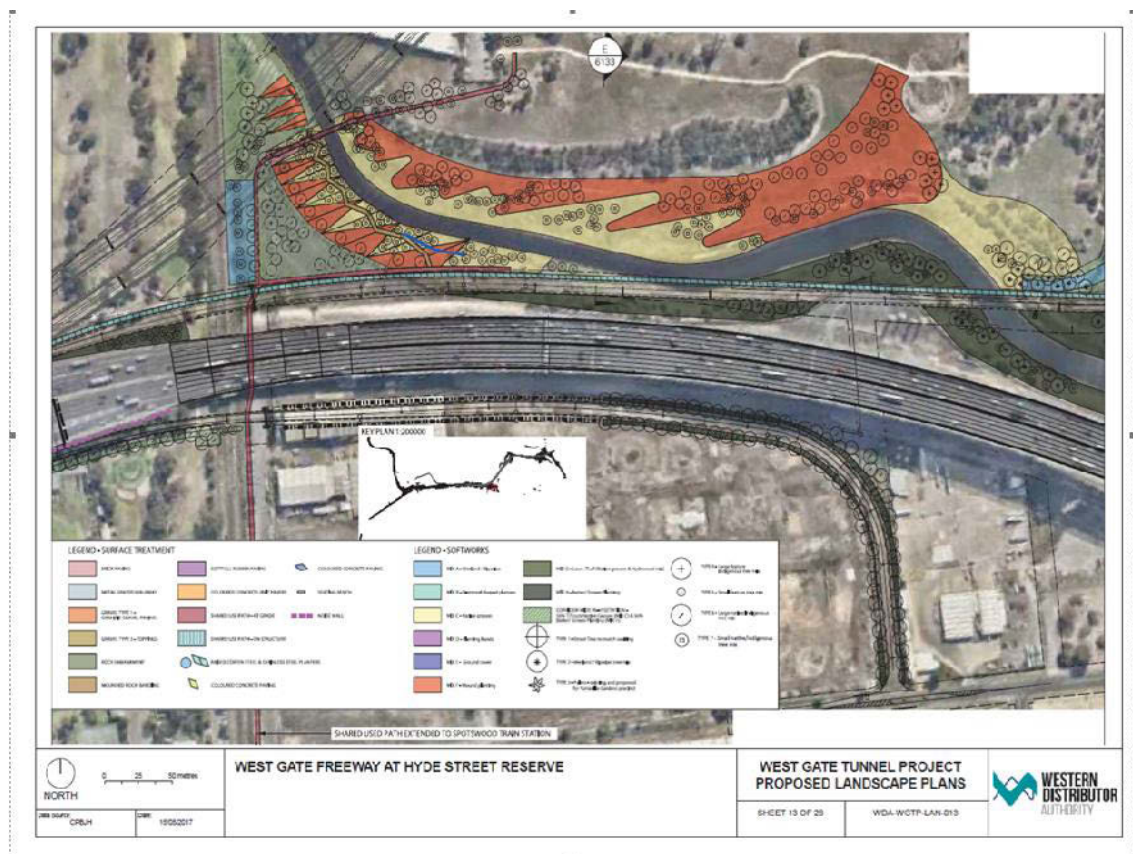
6.48 Table 3-3 to the EES includes a comparison of the different ramp options but, it is submitted, there is no clearly explained narrative as to how the different assessment criteria were ranked or weighted.

6.49 No doubt stakeholders from either side of the freeway will have different views as to this. The IAC is encouraged to consider those submissions in detail to ensure that the competing arguments are fairly assessed, having regard to the planning policy context for each area of land. It is fair to observe that the land to the south of the freeway along Simcock Avenue is in the Industrial 1 Zone, though there is a small

<sup>23</sup> See section 7.8.2 of the TIA (p 340).  
<sup>24</sup> Figure 216 of the TIA, page 347

pocket of land in the General Residential Zone further south. The land at the corner of Hyde Street and Francis Street is in a Mixed Use Zone with residential land zoned further west along Francis Street. The Francis Street Mixed Use Policy applies to this area.

- 6.50 Aside from the issues identified above, the WGT project will need to source an appropriate offset for the loss of the Coastal Saltmarsh EVC. If a like for like approach is adopted then this may not be simple to achieve. Some clarity regarding the nature of the proposed offset is requested by Council through the IAC process.
- 6.51 Council’s landscape team has identified a potential concern that mounded plantings and topsoil may be applied to areas that have been identified as comprising the Coastal Saltmarsh EVC identified in the ecological technical report, as illustrated in Sheet 13 of 28 of the Proposed Landscape Plans<sup>25</sup>.



<sup>25</sup> Reference WDA-WGTP-LAN-013

## **8. Mclvor Reserve and Fogarty Avenue**

8.1 In its May 2016 assessment Council identified concerns relating to:

8.1.1 the need for additional noise attenuation along the West Gate Freeway reservation

8.1.2 the alignment of the shared path along Fogarty Avenue, and the need for a continuous off road path;

8.1.3 vibration and regenerated noise.

8.2 In particular, Council urged that the project extend noise walls between Fogarty Avenue and the Bradmill site.

8.3 In assessing the reference design released in April 2017, Council notes that:

8.3.1 the shared use path has been separated from Fogarty Avenue;

8.3.2 there is no proposal to extend the acoustic barriers all the way along Fogarty Avenue to include the Bradmill site.

8.4 This leaves the Yarraville Glory soccer club devoid of acoustic protection, and fails to recognise the incremental increase in the level of noise experienced in the Bradmill site as a result of the WGT project. It is submitted that open space which is wedged between major infrastructure corridors should be afforded suitable acoustic protection to offset a major increase in noise levels.

8.5 Regional open space assets such as Mclvor Reserve and JJ Holland Park experience noise levels that have a significant effect on the amenity of these regional assets. A major project such as this is a once in a generation opportunity to deliver improved standards of urban amenity in these key assets. Glib submissions that planning is only designed to achieve 'acceptable' outcomes may be appropriate for regular statutory planning applications, but this is a case of city shaping infrastructure that defines the liveability of entire suburbs. The IAC can advise on improved liveability standards, rather than confining itself to standards that are applied to a worst-case scenario. It is feasible to deliver these outcomes as they will be funded by toll revenue.

8.6 Allowing a major gap in the noise wall between the Bradmill site and Fogarty Avenue will only be regarded in future as a missed opportunity.

## 9. Urban Design and landscape architecture

9.1 Council has a number of concerns with the landscape and visual impact assessment (LVIA).

9.2 While Council believes there has been an improvement in the assessment since earlier drafts were made available during the TRG process, it has concerns with the LVIA methodology, relating to:

- Z the adequacy of the assessment of the impacts on the river corridor, and their visual representation;
- Z the lack of shadow assessment for the river crossing and ramps;
- Z the clearances and height particulars for river crossings and ramps are not identified or assessed;
- Z the LVIA defers to the Urbis Design Report, rather than providing an independent assessment;
- Z the LVIA does not provide clear guidance regarding mitigation recommendations and measures to resolve issues, but identifies procedural solutions referring to the EPRs;
- Z there is no overall impact assessment or assessment of the merits of the urban design approach, or the scale, bulk and massing of structures;
- Z the LVIA focuses on discrete viewpoints, narrowly framed, but does not provide holistic landscape assessment;
- Z the assessment of noise barriers is not comprehensive, but focuses on isolated locations;
- Z the LVIA does not provide a clear explanation of how the relevant EES Scoping Guidelines have been achieved through the EES;
- Z the LVIA should have set out a clear suite of recommended mitigation measures;

9.3 The full scope of Council's concerns will be addressed through expert evidence.

9.4 Council officers identified the following range of concerns regarding the design offering as it was announced in April 2017:

**Urban Design** - The overall design of the proposal lacks unity across the engineering, architecture and landscape concepts. The design narrative developed, is strong and clear, however in its current form it suggests multiple and diverse outcomes, that do not connect as cohesively as it could both across the length of the alignment and between the structures and the landscape.

**Bridge Footprint and Impact** - The overall base area impacted by the river crossing bridge and two ramps is significantly larger in extent than in the

reference design. Reference Design was approximately 150m in length (as measured in plan from the most southerly ramp crossing to the north ramp crossing). The tender concept design enlarges this to approximately 275m.

This accentuates and increases the impacts identified in the Reference Design, by:

- Reducing the amount of the open and free river corridor environment.
- Lengthening the impact on the Maribyrnong Street, its existing and proposed open space and adjacent properties, from 75m to approximately 175m.
- Bringing the bridge closer to the Footscray Bridge and this reducing long views along the river.

**Bridge Design** - The bridge design provides an evocative form when viewed from the air and from within the road, however it lacks the same level of quality when viewed from the ground plan and other public vantage points.

There is concern for public safety and amenity near and under bridge structures.

### **Portal Designs**

The non air vent portal designs are significantly large. While it is clear that the designers are seeking this element to be iconic and a large urban landmark, the cost and level of design thought placed in these items would be more importantly focused on improving the public realm outcomes of the areas underneath and adjacent to the Western Tunnel. There appears to be limited public use of the landscape areas surrounding the tunnel portal.

The design and location of vent stacks will impact the Yarraville Gardens and surrounds areas.

### **Shared Pedestrian/Bicycle Path Bridge Structures**

The shared use path crossing of Whitehall with a bridge presents visual impact on Yarraville gardens and potential impact on adjoining land uses. The bridge architecture is not celebratory.

The proposed shared use path along Hyde and Harris streets around Yarraville Gardens requires further design assessment to minimise any impact on the Gardens and recreation infrastructure on Harris St.

**Landscape Design** - The overall landscape design concept is not of the standard expected of a major piece of infrastructure with significant impacts in the public realm, it places on the landscape shapes, forms, and spaces that lack site and contextual relationships.

The proposed new open space is largely a wetland retarding basin and contains a large maintenance building, portal compound & substation. These elements put together do not make it usable open space.

### **Stony Creek Reserve**

The concept design is not significantly different to that of the Reference design.

The proposal of an additional shared path link to Hughes Street is of good public benefit. The landscape design seems to be very preliminary and lacking in coordination with the engineering elements and lacking site responsiveness.

For example, at Stony Creek Street reserve mounds are proposed in abstract shapes within the estuarine environment of the creek. This is not an appropriate treatment for this sensitive environment.

The proposal for the undergrounding of high voltage power lines along Fogarty Avenue is unclear, and the design is now leading towards relocating the power line to a mono pole in order to consolidate this infrastructure.

9.5 Council's urban design unit has express concerns to the following effect about the bridge over the Maribyrnong River and its relationship to the ramps:

- Z The main bridge crossing lacks innovation in its engineering and design. It does not meet the stated objectives of the urban design strategy in being a bridge of national significance. Rather, the bridge design is typical of any freeway bridge crossing.
- Z The bridge does not recognise or announce the river crossing. It is a seamless freeway treatment until it hits the tunnel. Why are the celebratory gestures here and not at the river crossing? The architectural approach has failed to recognise the importance of the river, the geography, the history. Any attempt to add value to the structures is purely cosmetic and not integral.
- Z There are too many piers in the river from both the main bridge and ramps which should be minimised through innovative engineering that is more sensitive and light weight in appearance. The levels set for the bridge and ramps effectively creates a visual dam to the river as viewed from the north, this should be avoided.
- Z The main bridge should be elevated in its vertical alignment, to give the crossing some recognition. This would also improve on the heights underneath the bridge and ramps which remain problematic. The typical pier and beam construction results in an underside that does not support the creation of appealing public spaces. The whole bridge and ramp structures require redesign to remove the bulk, add a level of finesse and innovation and to present as appealing and engaging structures in close, and from a far.
- Z Currently, the public space being envisioned for the areas around these structures will be highly degraded. If public space was to be pursued, it must be designed in collaboration with Council.

9.6 In relation to the design of the open space wetland area near Whitehall Street, Council's urban design unit has suggested that:

- Z The wetland is supported for the purpose of stormwater management only but the majority of this open space should be dry and functional. Flood offsets should be managed in other ways. We have been advised that the growth of wetland plants under the bridge structures may not be successful so locating the wetlands there may not work.



- Z The maintenance building should be located next to the substation building so there is a green and at-grade connection between Yarraville Gardens and the new open space
- Z The portal design is satisfactory but there are concerns with the vent stack design. Besides height, it appears the design seeks to make a landmark of these elements. We are questioning whether this needs to be a background element. Deemphasising this element can free up time and costs to then focus on getting the bridge and public realm right.
- 9.7 Council staff have expressed the need for a detailed assessment of the visual impact of the tunnel exhaust structures. The height and scale of the structures is significant.
- 9.8 Careful assessment of the effects of these new structures on the West Gate Freeway corridor is necessary given that there are two major portal structures within this alignment. When viewed from Mclvor Reserve, these two major structures have the potential to dominate the landscape and remain imposing across a panoramic perspective. Viewpoint 11 looks to the south-west but there is no attempt to represent the full panorama (which may show both portals).
- 9.9 Leaving the resolution of this to the detailed design process under the guidance of the EPRs is possible, but opportunities to mitigate bulk and improve the ground level perspective of these structures needs to be explored through the IAC process, and by further consultation with Council and the community.
- 9.10 When viewed from Hanmer Reserve in Yarraville Gardens, there is no reasonable prospect that the exhaust vent structure will not be a prominent feature in the landscape, but there is no representative perspective of this in the EES.
- 9.11 The LVIA does not achieve a successful representation of key perspectives, or assist the reader to appreciate where each location is taken from (there is no spatial map to inform the location of each viewpoint).
- 9.12 Council is likely to present expert evidence regarding this issue to assist the IAC in its deliberations.
- 9.13 It is submitted that:
- 9.13.1 it is hard to be satisfied that the impact on Viewpoint12 (which reveals a previously concealed freeway corridor from an at grade perspective) near the corner of Wembley Avenue and Fogarty Avenue is an acceptable or

positive outcome. The close up scale of this image does not provide a sufficiently broad perspective of what is proposed or its juxtaposition;

- 9.13.2 viewpoint 20 from the Yarraville Gardens is inadequate. A perspective from Hanmer Reserve which is located further north, and which sits higher in the landscape is required, with an orientation directly towards the CBD (this would afford the clearest view of the northern portal);
- 9.13.3 a visual representation of the proposed shared use path in Harris Street is warranted;
- 9.13.4 A visual representation from elevated land fronting the Maribyrnong River to the north of Shepherd Bridge towards the viaduct is warranted (e.g. from the Footscray Community Arts Centre);
- 9.13.5 the visual perspectives in the EES are not of much practical assistance in assessing the scale and impact of the major structures when viewed from key vantage points in the public realm.

## **10. Air Quality**

- 10.1 While Council accepts that a key expected benefit of the proposal is to improve air quality in local roads due to a reduction in freight traffic, it needs to be satisfied that the assessment of the effects of the project on receptors within its municipal district has been properly assessed. The project will redistribute emissions to the air environment in a manner that will result in some decreases and some increases.
- 10.2 Though there will be reduced use of roads such as Somerville, Francis Street, Buckley Street and Moore Street, there may be impacts on specific areas that require closer assessment.
- 10.3 It is noted that the combined assessment identifies exceedances of the objective standard for:
  - 10.3.1  $PM_{10}$ ,  $PM_{2.5}$  (based on a 24 hour average);<sup>26</sup>

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<sup>26</sup> Technical Report G - Air quality, Table 100, page 223, Table 101, page 224

10.3.2 Concentrations of NO<sub>2</sub> from surface roads at Receptor 14 (Fogarty Avenue) are effectively double the background, responding to major increases in the traffic volumes;<sup>27</sup>

### **Technology for treatment of exhaust emissions**

- 10.4 The EPR APQ3 for the project contemplate the possibility of retrofitting pollution control equipment. This infers that such equipment does not need to be provided from the outset as part of the construction of the tunnel exhaust system. Council does not accept that a 'wait and see approach' is appropriate. Pollution control technology should be delivered concurrently with the WGT project and should not be deferred. This is particularly so, given that vehicular emission controls in Australia lag behind those in Europe and the United States.
- 10.5 Though it can be expected that air quality will improve along roads where curfews have been applied, the opposite is true along the project corridor. The residual risk rating after mitigation remains 'medium.' This does not tend to suggest that there is a sound basis for reliance on monitoring during the operational phase to inform the need for pollution control technology.

### **Analysis of the worst case scenario skews the analysis**

- 10.6 Table 20-11 in Volume 3 of the EES seeks to demonstrate that the changes between the no project and project case are zero or marginal at many sensitive receptors. The assumptions underlying these results will need to be properly tested during the process. In particular, the basis for the assumed increases in background conditions in the no project case. It can be observed that there is no change in air quality near the northern portal in Table 20-11.

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<sup>27</sup> Ibid, Figure 102, page 229

Table 20–11 Modelled air quality (peak concentrations) in 2031 (in worse case traffic scenario) – Combined Impacts – at sensitive receptors (air quality with and without the project)

Receptor ID	Location	PM <sub>10</sub> (24-hour average)		PM <sub>2.5</sub> (24-hour average)		NO <sub>2</sub> (1-hour average)	
		Without Project	With Project	Without Project	With Project	Without Project	With Project
1	Williamstown Road / Thomas Street	63 (2)	62 (2)	26 (1)	26 (1)	140	130
2	Williamstown Road / The Avenue	60 (2)	60 (2)	25 (1)	25 (2)	140	130
3	Williamstown Road / Thomas Street	61 (2)	61 (2)	25 (1)	25 (1)	160	120
4	Bena Street	61 (2)	61 (2)	25 (1)	25 (1)	160	130
5	Williamstown Road / Francis Street	61 (2)	60 (2)	25 (1)	25 (1)	120	120
6	Francis Street Community Centre	61 (2)	60 (2)	24 (1)	24 (1)	120	130
7	Hyde Street / Francis Street	61 (2)	60 (2)	25 (1)	25 (1)	120	130
8	Hyde Street / Somerville Road	59 (2)	59 (2)	24 (1)	24 (1)	120	120
9	Yarraville Gardens AAQMS	59 (2)	59 (2)	24 (1)	24 (1)	120	120

- 10.7 Figure 20-7 drowns out the effects of the WGT project based on assumptions that the background levels at 2031 will be higher, applying a worst case scenario analysis.
- 10.8 What the analysis in Volume 3 fails to do, is to provide a comparison between the current (or 2016) background conditions and the 2031 no project case, to allow the IAC to appreciate the assumed increase in background levels without the WGT. The assumed contribution to background in the no project case needs to be critically assessed.
- 10.9 The following figure, taken from Technical Report G, provides an assessment of the current conditions at Yarraville Gardens (adjacent to the Northern Portal), and provides a basis for comparison with the 2031 figures in Volume 3 of the EES:

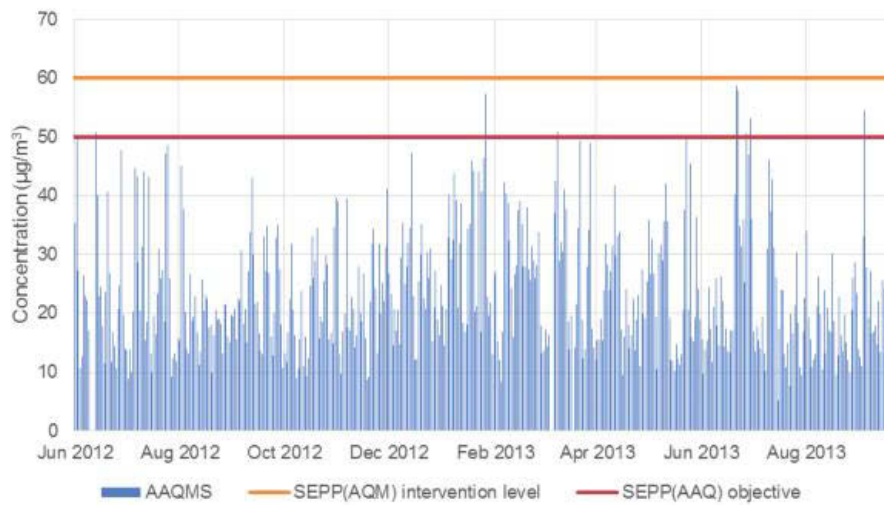


Figure 21: Yarraville AAQMS PM<sub>10</sub> - June 2012 to September 2013 (24 hour average)

10.10 What this shows is that the current levels of particulate matter (**PM**) in the form of PM<sub>10</sub> at Yarraville Gardens are, on average, well below the 50<sub>ug</sub> limit for PM<sub>10</sub> applied in the EES for the 2031 project case. The EES justification, therefore, relies on an assumption that the PM<sub>10</sub> levels will increase from these levels to 59<sub>ug</sub> based on a 24 hour average, but applies a ‘worst case scenario’. The real position is that average PM<sub>10</sub> levels in Yarraville Gardens are well under 50<sub>ug</sub>. There is no analysis to suggest that those levels will increase to 59<sub>ug</sub> on average by 2031 in the no project scenario. If a comparison of the average or median PM<sub>10</sub> levels was used, rather than the worst case result for a 24 hour average, then the AQIA would provide a more meaningful basis for comparison.

10.11 In other words, if you live in a big city like Melbourne, it will always be possible to demonstrate that background conditions will be close to 100% of the observed pollution on days when Melbourne is affected by ambient air pollution from other sources. Often these results will be influenced by bushfires or smog. A more appropriate basis for comparison, is to assess the change in average conditions, rather than just the worst case scenario. There’s isn’t much point using a 24 hour average, but then pick the ‘worst case.’ But this is what the EES does.

### Reduction of Class 3 indicators to maximum extent achievable

- 10.12 Council also notes the statement in the Air Quality Impact Assessment (AQIA) that<sup>28</sup>:

For Class 3 indicators, it is not feasible to use emission control technology to remove these from the discharge stacks. The most effective way is to remove them at source through improvements in fuel quality and motor vehicle technology. The improved emission quality associated with the introduction of **tighter fuel quality requirements and Euro vehicle emission standards** is considered to represent MEA for Class 3 indicators’.

- 10.13 Section 9.1.4 of the AQIA concludes that the air pollution control technology cannot be considered best practice and outlines a series of measures to meet best practice as part of the relevant EPRs. It states:

Evidence to date indicates there are more cost-effective ways of reducing air pollution in metropolitan Melbourne with the potential for greater health benefits (such as reducing the use of wood heaters). In addition, introducing and enforcing more stringent fuel standards and **adopting new vehicle technology through State and Commonwealth legislation are more practicable measures for controlling pollutant emissions from vehicles**. These measures would have a flow on effect through the reduction of pollutant emissions from the West Gate Tunnel Project ventilation structures.

- 10.14 Section 10.2 of the AQIA outlines best practice measures required to achieve EPR AQP1 which include:

10.14.1 Preventing smoky vehicles from entering the tunnels;

10.14.2 Controlling traffic at the off and on-ramps to optimise vehicle movements during peak traffic times.

- 10.15 These measures would not be easy to achieve, and would require coordinated action by government. It can properly be suggested that the government’s ability to regulate queuing at peak times is limited. Similarly, it is not clear that the EPRs will effectively prevent smoky vehicles from entering the tunnels.

- 10.16 The potential for vehicles to wait in queues at the entry ramps highlights the concerns with the proposed McKenzie Road ramps and the potential for spatial impacts that have not been specifically assessed due to modelling constraints.

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<sup>28</sup> Ibid, page 239

10.17 Stakeholders rightly expect greater levels of detail as to how these sorts of questions will be resolved, and are not content to leave to it to be resolved after the IAC process has concluded, with limited public scrutiny.

### **Improved emission standards and major roads projects**

10.18 If European fuel quality and vehicle emission standards are not required in Victoria, then the corollary is that the emissions will not satisfy the requirements of the SEPP(AQM). This is regarded by Council as a matter that the proponent and the State of Victoria must address for any major road project. Stakeholders exposed to growth in vehicular emissions in inner urban areas have a legitimate expectation that regulators work with government in an integrated manner to ensure class 3 indicators are reduced to the maximum extent achievable. If government is serious about protection of public health by meeting SEPP(AQM) requirements, then it is incumbent on EPA and the State of Victoria to chart a course to ensure that best practice emissions standards are adopted within a foreseeable period of time. The charting of that course should be done at the same time as those governments embark on ambitious infrastructure agendas. It should not be considered as a discrete policy issue. They must go hand in hand in order to achieve integrated planning outcomes and environmental impact assessment.

10.19 In the seminal decision of *Dual Gas Pty Ltd and Ors v EPA* [2012] VCAT 308 the VCAT approved a works approval application for a coal fired power station using superior technology on the condition that the greenhouse gas emissions were offset by the retirement of an equivalent amount of coal fired generation (in the knowledge this retirement would represent a greater level of greenhouse emission intensity than what had been proposed). The proponent did not have the ability to ensure that other generating capacity was retired. This would require coordination with government to meet the terms of the condition.

10.20 In the case of a road project emitting class 3 indicators at levels that do not comply with SEPP objectives, it is not only open to an independent body or arbiter to recommend that the increases in emission of class 3 indicators as a result of a road project be offset so as to ensure compliance with SEPP design criteria, the Dual Gas decision would suggest that it is necessary to give effect to policy and statutory objectives. If the WGT project will exceed the design objectives in SEPP then the appropriate recommendations is to ensure government develops offset measures to

ensure compliance with section 16 of the *Environment Protection Act 1970* which requires that statutory policy is 'observed'.

- 10.21 Even if such an 'offset' requires policy development or further agreement by governments, it can still be given effect.

### **The veracity of the air quality model**

- 10.22 Council may call expert evidence in relation to this before the IAC. As presently advised it has concerns relating to:
- 10.22.1 under-estimation of particulate matter, carbon monoxide (CO), and nitrogen dioxide (NO<sub>2</sub>);
  - 10.22.2 reliance on AusRoads model which uses the CALINE suite of models. It is understood that the CALINE models are being phased out in the United States as they have been shown to under-predict ambient concentrations from road networks, with particular under-estimation for diesel particulates;
  - 10.22.3 consideration of NO<sub>2</sub> only. Insufficient consideration has been given to the emission of NO which will oxidise to form NO<sub>2</sub>;
  - 10.22.4 the inability to conduct a proper cumulative assessment due to limitations in the AusRoads model, which results in an absence of contour plots in the air quality assessment, and only allows assessment at specified locations;
  - 10.22.5 use of different timescales in the emissions for the tunnel and ventilation shafts (2009-2013), compared with the assessment of open road emissions (2011-2016) has the potential to create misleading results and analysis.
- 10.23 Council would like to ensure that the IAC is put in a position to compare the baseline data with the data collected from project specific air quality monitoring stations deployed in 2016 in Yarraville Gardens and near Yarraville Train Station. Reliance on the EPA meteorological station in West Footscray should, as a minimum, be compared to air quality in Yarraville Gardens to ground-truth the data adjacent to the tunnel exhaust stack. This data should be made available to Council and the IAC, particularly as the background levels of emission are significant in the model results.
- 10.24 The absence of contour plots on the model is a major constraint. That should be remedied before the hearings commence. Stakeholders should be provided with



cumulative contour plots based on peak emissions (99.9<sup>th</sup> percentile) and using averages. Greater confidence regarding impacts on open space asset and nearby residences is required.

10.25 Furthermore, the potential effect of air emissions on the Maribyrnong River corridor needs to be assessed in greater detail. In particular:

10.25.1 potential impacts on air conditioning and ventilation systems around the Cotton Mills Precinct should be assessed and reported;

10.25.2 an assessment of any risks posed by particulates depositing into the Maribyrnong river should be provided.

10.26 Council would expect that the air quality assessment can demonstrate in a robust manner that the proposal will improve the air environment compared with the 2031 no project case, but asks that the assessment be improved as set out above. The resolution of the air quality model should be a condition precedent to project approval.

### **The bridge alignment and air quality**

10.27 To the extent that there may be unanswered questions regarding impacts from the Northern tunnel portal exhaust stack and ramp connections, Council would like clarity as to why the road alignment does not correlate to the Public Use Zone – Schedule 4 that exists adjacent to the Maribyrnong River:



10.28 Shifting the bridge further east into this alignment would have the benefit of

10.28.1 improving dispersion of emissions on the west bank of the river and at Yarraville Gardens;

10.28.2 minimising groundwater drawdown impacts to Yarraville Gardens;

10.28.3 reducing noise exposure; and

10.28.4 minimising the need for land acquisition and demolition of existing buildings near the off-ramp.

10.29 If there is queueing on the ramps, this may mean that emissions onto the adjoining land uses on west side of the river is excessive.

## **11. Noise**

### **Construction noise**

11.1 The modelled exceedances of the construction noise objectives at Yarraville Gardens and other areas for the duration of the project needs to be mitigated to the maximum extent achievable, unless it can be demonstrated that the costs of this cannot be recovered from tolling revenue.

11.2 The assessment of baseline noise levels for Yarraville Gardens fails to give sufficient weight to the peaks and troughs in noise that occur over the typical week. One could be forgiven for thinking that there is elevated noise along Whitehall Street all the time, when this is not the case. The experience of Yarraville Garden on weekends and outside peak periods is very peaceful and relatively quiet. It is not presently an environment characterised by elevated average background noise levels during the weekend and evenings and this should be reflected in the EPRs and the EES. Though there are truck movements on weekends along Whitehall Street, they are far fewer. Avoiding and minimising construction noise, particularly on weekends and public holidays, is an important objective given the length of the construction schedule.

### **Operational noise**

11.3 Council notes that the EES proposes a specific noise objective of 63dB<sub>(LA10(18hr))</sub>. The noise assessment states that this can be achieved along the West Gate Freeway where noise barriers are installed, but it does not provide much clarity as to

how operational noise will be or can be further mitigated near the Northern portal, in an areas where noise walls are not proposed and there is currently no freeway.

11.4 EPR NVP1 applies to Category A and B Buildings, but there is no specific target for impacts on public open space, the public realm along the river front or community assets. This is not acceptable. A comprehensive and integrated approach to the development of the noise and vibration EPRs must include measures to mitigate impacts to open space to the extent reasonably practicable. NVP2 applies to operational noise, but it applies the standard in NVP1.

11.5 Table 151 of the noise assessment sets out predicted operational noise impacts for selected receptors within Footscray. Council notes that this is based on an 18 hour average, rather than taking a representative noise period of 1-2 hours during an am or pm peak. By comparison it would appear that background noise levels were based on an  $L_{A90}$  measurement, which may skew the background noise levels relative to the contribution from the WGT.

11.6 The EES noise assessment states<sup>29</sup>:

Traffic noise at parks and recreational areas are not predicted to increase by more than 1 – 2 dB(A) as a result of the project. Consequently, mitigation is not justified in these areas. It should be noted that significant reductions have been achieved at Crofts Reserve, Mclvor Reserve and Don McLean Reserve due to the upgrade in noise barriers in these areas. The human amenity for the users of these facilities would be improved when the project is operational.

11.7 This statement seems to ignore the assessed operational noise levels at Yarraville Gardens which are to be exposed to a 12dB increase in noise levels (42-54 dB(A)). It is the principle place of recreation for residents in Seddon and Yarraville residents who live east of Williamstown Road. This will represent a major change to the amenity of the reserve. This risk warrants close scrutiny of options for further noise mitigation.

11.8 It is inexplicable that the project would disregard a 12 DB(A) increase at this location. The assessment at section 7.3.4.1 of the Noise and Vibration Technical Report (Aecom) discusses Grimes reserve but fails to consider Yarraville Gardens. A 12 dB(A) increase in noise is transformational and requires mitigation. The

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<sup>29</sup> Technical report H, Section 9.3, page 267.

conclusion that the impact is minor and will not impact amenity at Yarraville Gardens simply cannot be sustained.

- 11.9 Similarly, the analysis at Mclvor Reserve is lacking. It focuses on the provision of noise attenuation to the Hockey Club but omits to mention that the Yarraville Glory Soccer club will not receive noise attenuation. The noise assessment fails to consider noise emissions at the Yarraville Soccer Club in Mclvor Reserve, but then states that extension of noise barriers is not feasible. The omission of the soccer club from the analysis is not adequate. This conclusion is not justified.
- 11.10 The Bradmill precinct is expected to have noise levels of 70 dB(A) with the project, but only 66 at present. No doubt the predicted background noise will be contentious in the IAC hearings, but putting that to one side, the fact is that the post project noise level will not meet noise standards that have been developed and applied to other road projects, which the IAC will be well aware are in the order of 65dB(A)<sup>30</sup>. With the location of the vent stack close to the Bradmill site, additional noise attenuation is fair, as the WGT is the agent of change. It is also an outcome that the WDA is well placed to deliver from a financial point of view, given that its costs will be recouped through toll revenue, from customers who generate the noise, consistent with the Polluter Pays Principle.
- 11.11 One would expect that a tunnel operation could successfully mitigate noise emissions. It is not clear whether, or to what extent, noise from the off-ramp to Swanson Dock West is influential in this result, but the need for deceleration, acceleration and idling in queues at this location is assumed to be a factor.
- 11.12 The role of the Independent Reviewer and Environmental Auditor (**IREA**) needs to be clearly articulated as it relates to assessment of noise and vibration. This would be assisted if the EPRs for noise and vibration indicate what role the IREA will play in monitoring compliance with the noise during construction and operation. Council supports the maintenance of a website to ensure that monitoring data and reports are publicly available during the construction phase, and for the first 2 years of operations.

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<sup>30</sup> See for example the discussion in the recent Mooleric Road Quarry Advisory Committee.

## **12. Human Health**

- 12.1 Technical Report J to the EES is a Human Health Risk Report prepared by EnRisks. The veracity of this assessment will no doubt be tested in the IAC process. Some will ask whether it adequately addresses air quality and noise impacts at particular locations. Some will ask why it identified beneficial outcomes, but underplays negative impacts.
- 12.2 It is a fair criticism that its conclusions mention positive impacts, but make little mention of areas that will experience increases in emission associated with increased vehicle movements.
- 12.3 The subject matter of the human health risk assessment relies on and applies the conclusions of other aspects of the EES. It is not an independent critique of those conclusions. Accordingly, the expertise of an independent expert such as Dr Denison will be invaluable to the IAC deliberations, and may provide submitters with great comfort.
- 12.4 Council would respectfully ask that Dr Denison prepare a review of the Human Health Risk Assessment in advance of the hearings for consideration by submitters. Presumably, any questions Dr Denison may have will be conveyed via the IAC shortly after the directions hearing.
- 12.5 One may question whether Dr Denison should be made a member of the IAC for this project. For example, her views regarding the integration of major roads projects with reform of vehicle emissions standards would be of assistance and interest as a matter of public record. It is clear that the expertise of the IAC is diverse, but risks to human health from major road projects invariably require specific expertise from experts in air quality and human health.
- 12.6 Air quality in Yarraville and Brooklyn has been a major point of contention for submitters. If Dr Denison's advice is made public it will provide assurance to submitters regarding the process.

## **13. Economic impacts**

- 13.1 The EES notes that there will be impacts on businesses along Williamstown Road, Hyde Street and adjacent to the Maribyrnong River.
- 13.2 Particular areas of concern regarding potential economic impacts include:

- 13.2.1 the need for a careful assessment of the effects on:
  - (a) passing trade along Williamstown Road;
  - (b) the Hyde Street corridor;
  - (c) the Cotton Mills Precinct; and
- 13.2.2 the need to assist smaller business to tender for local work to meet tender documentation requirements;
- 13.3 Council understands that persons who suffer economic losses as a direct and natural result of a project delivered using the powers available under the *Major Transport Projects Facilitation Act 2009 (MTPFA)* may be entitled to compensation in some circumstances. Where construction related impacts cannot be mitigated through the EPRs, the stakeholder engagement plans should include provision for providing advice regarding compensation entitlements, and for negotiating the need or relocation of landowners during works, where the need may arise. Major disturbance of landowners can occur without there being agreement as to compensation, or any formal notice of acquisition, particularly where construction noise standards can't be met.

#### **14. Construction impact mitigation**

- 14.1 The preceding submissions focus primarily on design and policy issues.
- 14.2 Council will address the IAC in greater detail regarding measures to manage the effects of the construction process during its presentation to the IAC, noting that the EPRs will likely be the focus for mitigating construction impacts. That presentation will address issues including:
  - 14.2.1 clarifying the spatial impact and duration of temporary occupation;
  - 14.2.2 ensuring that active open space assets are not disrupted during construction;
  - 14.2.3 clarifying when residents and sporting events will have relief from noise impacts associated with construction;
  - 14.2.4 the need to communicate information about:
    - (a) work scheduling for each precinct in advance of works commencing;

- (b) development of the CEMP and other subsidiary management plans for construction management;
    - (c) opportunities for further consultation during the detailed design process;
  - 14.2.5 management of construction noise and vibration;
  - 14.2.6 addressing management of spoil storage and management to control dust emissions from the site adjacent to the Northern Portal work station<sup>31</sup> and opportunities to minimise the duration of storage of spoil after classification before it is transported off-site;
  - 14.2.7 consideration of opportunities to minimise the effects of construction traffic routes on local residents and open space (for example, opportunities to re-route certain trips between Dock Link Road and Dynon Road, rather than requiring trucks to cross Shepherd Bridge to access Dynon Road); and
  - 14.2.8 the need for agreements and arrangements for compensation to be resolved by agreement, before construction commences, rather than leaving stakeholders to argue with Project Co after works commence, where works prove to be intrusive.
- 14.3 In the time available to prepare these submissions, it is not possible for Council to provide a comprehensive assessment of the construction impacts at this stage. Council will provide a detailed assessment of the EPRs and its construction related impacts in advance of the IAC hearings. As much of the detailed planning around construction issues is to be developed under the terms of the proposed EPRs, it is hard to comment on many of the potential issues raised at this stage.
- 14.4 If the WDA can provide greater clarity regarding these matters it would be appreciated. For example the likely strategy for the spoil management plan is a matter of interest to the community. It is appropriate that the likely approach be explained in greater detail through the IAC process, rather than being treated as a procurement matter for Project Co.

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<sup>31</sup> Construction compounds are identified at Table 5-4 of Volume 1 of the EES, page 5-35

## **16. Planning**

16.1 Key town planning issues of concern to Council include:

16.1.1 the need to review a range of strategic plans for areas affected by the project;

16.1.2 the draft PSA and in particular;

(a) the terms of the Incorporated Document;

(b) the constraints imposed by DDO13.

16.2 Assuming the project proceeds, Council requests support to carry out further strategic planning work that will be necessary to review:

16.2.1 the River Edge Master Plan;

16.2.2 Yarraville Gardens and Stony Creek Reserve Master Plans;

16.2.3 Tottenham and West Footscray Framework Plan.

16.3 In this case, Council asks for the following, which it submits have a direct causal nexus with the WGT project:

16.3.1 funding to review these strategic plans in response to the project; and

16.3.2 a financial contribution toward the improvement of the facilities and amenity on the west side of the Maribyrnong River, to offset the detrimental visual and amenity impacts of the WGT on the Footscray Wharf environs.

## **17. The EPRs**

17.1 As noted in Volume 1, the EPRs will be finalised during the EES assessment process. It is anticipated that the WDA will circulate amendments to the EPRs for comment by submitters, as has occurred in other Inquiries for major projects.

17.2 No doubt, parties will be mindful of the need to ensure that the language used in the EPRs is clear and capable of being enforced. To the extent that the EPRs contemplate the need for changes to designs, or could have material impacts on the interface with public open space and sensitive receptors, stakeholders are entitled to further consultation, where appropriate.



- 17.3 It is necessary to ensure that the Incorporated Document and the EPRs do not confer inappropriate discretions on Project Co, and there is a clear involvement for the responsible authority, the independent auditor and relevant public authorities such as Melbourne Water and the EPA as plans and management documents are further refined.
- 17.4 Invariably, in these projects, there will be tension between the efficient delivery of the project, the need for certainty, and the need for further stakeholder consultation, on issues that require further input, or will give rise to further changes of plans and assessments.
- 17.5 Matters to be addressed through refinement and additions to the EPRs relate to:
- 17.5.1 groundwater dewatering and management;
  - 17.5.2 ground movement;
  - 17.5.3 air quality;
  - 17.5.4 odour;
  - 17.5.5 light spill;
  - 17.5.6 noise and vibration mitigation;
  - 17.5.7 spoil management;
  - 17.5.8 construction impacts, including but not limited to:
    - (a) noise management and mitigation;
    - (b) construction routes and traffic management; and
    - (c) hours of operation.
- 17.6 Council notes that it is to be extensively consulted during the implementation phase of the WGT Project.
- 17.7 Where the project requires works within land under Council's management, a specified objective specified in the EPRs and the Incorporated Document should include to reach agreement with land managers before finalising design responses.

.....  
**MADDOCKS LAWYERS**

For and on behalf of the Maribyrnong City Council  
Date

Per:

Terry Montebello

Barnaby McIlrath

Briana Eastaugh

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## Schedule 1      Recommendations

The City of Maribyrnong asks that the IAC make recommendations addressing the matters identified below. As the EPRs are likely to evolve during the IAC hearing, Council will refine and amend these recommendations during the IAC hearing.

### **Further information and assessments required before the hearing**

1. The letter to the proponent from the IAC should request further information addressing the following issues of interest to the City of Maribyrnong:
  - 1.1. modelling of the port connections in the 2031 project case on the assumption that Coode Rd remains open;
  - 1.2. level of service assessments and vehicle counts of specific turning movements providing westerly access and egress to and from Appleton Dock Road and Dock Link Road, with discrete analysis of left turn movements from slip lanes and right turns reliant on signals (in both the 2031 no project case and the 2031 project case);
  - 1.3. modelling which shows performance of the Dock Link Road ramp option levels of service (with and without closure of Coode Road);
  - 1.4. clarification of any differences between local air quality modelling baseline data compared with the data relied on from the EPA's Footscray meteorological data
  - 1.5. further assessment of impacts of noise increase to Yarraville Gardens and the Maribyrnong river edge;
  - 1.6. clarification of whether any peak hour noise modelling was carried out or can be provided, for comparison with the EES approach of adopting an 18 hour average;
  - 1.7. explanation of why the noise model does not address the impacts to the Yarraville Glory Soccer Club;
  - 1.8. whether the proponent is aware of any consideration being given to the extension of the Paramount Road corridor and connection proposed by the City of Maribyrnong or DEDJTR, or has a technical response to this;
  - 1.9. whether there has been consultation with Work Safe Victoria regarding the proximity of the WGT project to the Coode Island Major Hazard Facility and any outcomes from that consultation.

## **Recommendations**

2. The IAC is asked to recommend that:

### **Toll avoidance and curfews**

- 2.1. the proposed curfews be protected by an Act of Parliament so that they cannot be amended by Ministerial or executive action without review by Parliament;
- 2.2. protection to be included in the contract/concession to ensure that Transurban is compensated in the event that there is a change of government policy that allows changes to the curfews that would reduce tolling revenue
- 2.3. remote surveillance measures be included as part of the Project to monitor use of key intersections by heavy vehicles (for example, along Whitehall Street, Buckley Street, Moore Street and Francis Street);
- 2.4. public reports assessing compliance with new curfews be released annually for the first 10 years of operation;
- 2.5. the monitoring arrangements for the project give rise to a report prepared by VicRoads regarding the need for any additional road upgrades to traffic control measures, to address observed redistribution of traffic, as a consequence of the project;

### **The Paramount Road connection**

- 2.6. further assessment of the feasibility of the planning and delivery of the Paramount Road connection endorsed by the City of Maribyrnong to the West Gate Freeway is carried out and delivered as part of the WGT project in order to:
  - 2.6.1. facilitate the effective introduction of extended curfews for freight movements with origin/destination in Tottenham;
  - 2.6.2. mitigate the increased traffic impacts on residential areas in Brooklyn, along Millers Road.
- 2.7. road authorities and the WDA investigate an holistic review of potential alternatives to the use of Millers Road (north) for freight movements, including:

2.7.1. options to better connect the industrial precinct near Boundary Road to the West Gate Freeway through a connection further east (with no abuttal to residential land); and

2.7.2. revised tolling arrangements and curfews.

### **McKenzie Street ramps**

- 2.8. the McKenzie Road Ramps not be delivered as part of the WGT Project.
- 2.9. the design of the bridge structure accommodate a future connection for McKenzie Street ramps if required in future;
- 2.10. an off-ramp commencing on the east side of the river, connecting to Dock Link Road be preferred to the proposed off-ramp from the Northern Portal;
- 2.11. if the provision of an off-ramp on the east side of the Maribyrnong River to provide access to Swanson Dock is not supported, that the off-ramp be staged, and delivered only in the in the event that an approval is granted to extend Swanson Dock closer to Footscray Road, and to reconfigure West Swanson Dock such that access via Coode Road from Swanson Dock West would be precluded;
- 2.12. that the need for delivery of the ramps be the subject of further assessment, depending on how Swanson Dock West is reconfigured, and the extent to which rail freight may displace road based transport under a future scenario;
- 2.13. the bridge be designed and future proofed to preserve an option for the future delivery of the McKenzie Street ramps;
- 2.14. as part of any future planning for the Port of Melbourne, further consideration of potential connections to the viaduct along Footscray Road be given so that:
  - 2.14.1. left turning movements into and out of Appleton Dock be provided to achieve a Level of Service D or better;
  - 2.14.2. the potential for a new connection along Footscray Road are considered, in the context of any proposed revision to:
    - (a) the Port of Melbourne Development Strategy by the new lessee of the Port; and

- (b) possible future reconfiguration of the Port's internal road connections and the role of Coode Road;

with a view to avoiding the need for additional ramps over the Maribyrnong River;

- 2.15. further assessment be provided of the potential for the Northern Portal and bridge alignment to be shifted east, within the existing PUZ4 alignment, to avoid impacts to Yarraville Gardens, and to minimise visual bulk;

### **Urban Design**

- 2.16. the LVIA and associated EPRs for the Urban Design Strategy be revised to address the matters raised in these submissions and the concerns of the urban design unit at the City of Maribyrnong before revised plans are presented to the Minister for Planning for approval;
- 2.17. to address the concerns of the City of Maribyrnong the Victorian Government Architect be consulted further on the proposed design and urban design strategy;
- 2.18. the City of Maribyrnong be afforded an opportunity of not less than 28 days to provide comments on any revisions to the design of the river crossing and port connections before the revised plans are presented to the Minister for Planning, in consultation with the Victorian Government Architect.
- 2.19. the design of the tunnel portal and exhaust structures be reviewed with the provision of a revised landscape and urban design assessment based on further information, including:
  - 2.19.1. a full scale 3D model assessment;
  - 2.19.2. panoramic perspectives from additional public vantage points along the Maribyrnong River, the corner of Buckley and Hyde Street and from Mclvor Reserve;
  - 2.19.3. the scale and massing of the exhaust structures be revised to minimise impacts on the public realm, provided this does not affect the air dispersion performance of the exhaust stack;
  - 2.19.4. additional noise mitigation options to be developed to assess and mitigate impacts on Yarraville Gardens and the Maribyrnong River corridor.

### **Harris Street shared use path**

- 2.20. the design and alignment of the Harris Street shared use path by resolved by agreement with the City of Maribyrnong;
- 2.21. the WDA consult the City of Maribyrnong to resolve design and alignment options for the proposed shared use path, with consideration of the following:
  - 2.21.1. the need for a connection from the lower reaches of Yarraville Reserve;
  - 2.21.2. alignment options to prevent and mitigate impacts on Hanmer Reserve and vegetation within Yarraville Gardens;
  - 2.21.3. the functionality of Harris Street and impacts on Kindred Studios, Seddon Cricket Club and sporting events held in Hanmer Reserve; and
  - 2.21.4. whether a crossing closer to Youell Street or at-grade crossing along Whitehall Street should also be provided;
  - 2.21.5. consistency with the Yarraville Gardens Master Plan;

### **West Gate Freeway corridor**

- 2.22. acoustic barriers be extended for the full length of Fogarty Avenue and also provide acoustic protection for the Bradmill site;
- 2.23. further assessment of acoustic treatments along Fogarty Avenue to improve amenity outcomes

### **Air quality**

- 2.24. the Victorian government and EPA Victoria:
  - 2.24.1. only support the grant the works approval subject to appropriate conditions (and associated amendments to the EPRs) that require:
    - (a) reduction of emission from the portal exhaust stacks to the maximum extent achievable using world's best practice emission controls; and
    - (b) development and approval of remote monitoring and enforcement regime to prevent smoky vehicles from using the WGT, linked to the EPA's complaint management system;

- (c) the development of an air quality management plan to be applied to vehicles using the West Gate Tunnel, which includes:
  - a. measures to regulate access by vehicles with inferior emissions control;
  - b. a transition plan to phase out older vehicles and transition to best practice technology for vehicles used in the freight transport industry (addressing air quality and noise performance);
- (d) necessary offset measures to attain appropriate ambient air quality along the WGT project corridor over a specified period of time, to ensure consistency with State Environment Protection Policy (Ambient Air Quality) and State Environment Protection Policy (Air Quality Management), as appropriate;

2.24.2. commit to develop Victorian targets for emissions reductions along major transport routes to be achieved through adoption of best practices in emission in the automotive and freight industry over specified timeframes prior to 2031;

2.24.3. identify, development and implement policy initiatives, including use of the EPA's powers to support economic instruments, to promote or mandate the adoption of best practice vehicle emissions standards to offset the additional transport capacity afforded by major arterial roads projects, and that the government advocate a timeline for introduction of improved vehicle emissions standards.

## **Noise**

2.25. the EES assessment of noise impacts to Yarraville Gardens fails to give sufficient consideration to the operational noise increases and requires revision;

2.26. the EPRs be amended to require design measures to limit noise from the Northern portal and off-ramps to the Port of Melbourne be revised to include all options that are available to minimise the effects of operational noise on Yarraville Gardens (in addition to the residential road noise objectives in the EPRs);



- 2.27. a revised assessment of noise including noise mitigation options is prepared in consultation with the City of Maribyrnong before the project is approved, and before the Noise and Vibration Management Plans are approved in accordance with the EPRs;
- 2.28. the EPRs for construction noise near public open space (including Yarraville Gardens and Mclvor Reserve) be refined to ensure there is specific protection for sporting events on weekends and events on public holidays
- 2.29. the WDA fund an independent peer review of the Construction Noise and Vibration Management Plan required by NVP3, which allows further input from councils and the EPA so that there is a meaningful opportunity for Council to have input into the process after the IAC hearings conclude. While Project Co will be keen to expedite the process, the quality of the plan should not be undermined after the public part of the process concludes.

### **Planning Scheme Amendment**

3. The IAC is asked to recommend that:
  - 3.1. the Incorporated Document be reviewed through the EES and IAC process to address issues raised by submissions and to ensure drafting does not confer powers on the proponent or Project Co to use 'secondary consent' in a manner that allows material changes to the design or EPRs that have not been considered by the IAC, or that have not been the subject of stakeholder consultation, consistent with the approach to the refinement of the Incorporated Document approved for the Melbourne Metro Rail Project;
  - 3.2. the proposed DDO13 be refined to:
    - 3.2.1. rationalise the extent of land affected in Area 2 (which does not have the benefit of exemptions from permit triggers); and
    - 3.2.2. ensure that there are appropriate exemptions for reasonable buildings and works in areas of public open space in Area 2;

### **Further planning work**

4. The IAC is asked to recommend that:

- 4.1. the WDA fund the City of Maribyrnong to revise strategic policy and master plans along the project corridor interfaces, including:
  - 4.1.1. the River Edge Master Plan;
  - 4.1.2. the Yarraville Gardens Master Plan;
  - 4.1.3. the Stony Creek Directions Plan 2011; and
  - 4.1.4. the Tottenham and West Footscray Framework Plan;
  - 4.1.5. development of an urban design framework plans for the interface of the shared use path in Harris Street, to integrate with Council plans for Yarraville Gardens.
- 4.2. the WDA negotiate an agreement with the City of Maribyrnong to fund the implementation of a package of offset measures to mitigate the detrimental impacts of the project along the public realm along the Maribyrnong River corridor, in consultation with the City of Maribyrnong.

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## Schedule 2      List of Attachments

Attachment	Description
1.	Council resolution May 2016
2.	Letter dated 16 March 2017 to Minister for Planning

## 9.2. Western Distributor Proposal

The purpose of this report was to seek Council's in-principle support of the Western Distributor proposal and to consider the preferred concept design options.

### ADJOURNMENT OF MEETING

In accordance with Clause 11.18 of Council's Meeting Procedure, the Chair, Mayor Cr Cameron McDonald adjourned the meeting at 7.12pm.

The Chair, Mayor Cr Cameron McDonald, Cr Sarah Carter, Cr Michael Clarke, Cr Catherine Cumming, Cr Grant Milles, Cr Nam Quach and Cr Martin Zakharov left the meeting.

### RESUMPTION OF MEETING

The meeting resumed at 7.15pm with all Councillors present.

### Council Resolution

*That Council:*

1. *Notes the submission to the Western Distributor Environment Effects Statement Scoping Requirements as included in Attachment 1.*
2. *Notes the submission to the Economy and Infrastructure Committee of the Victorian State Parliament as included in Attachment 2.*
3. *Supports in-principle the Western Distributor Project as it offers to:*
  - a. *Reduce the significant truck traffic issues which currently exist in the residential streets of City of Maribyrnong.*
  - b. *Provide broader benefits through provision of an alternative to the West Gate Bridge with a second river crossing, travel time savings, and a boost to the Victorian economy.*
4. *Notes that the northern corridor (in the original Eddington study) which replicates the West Link option is needed to meet the growing demand in the western region and planning should commence immediately to reserve the land along its alignment.*
5. *Pending provision of further detailed information and the completion of the Environment Effect Statement, provides in-principle support to the:*
  - a. *Long tunnel option for connecting the Western Distributor to the West Gate Freeway as included in Attachment 3, noting that in the absence of detailed traffic modelling, it is considered appropriate that the tunnels be designed and constructed to provide three lanes of traffic in each direction.*
  - b. *Option 5 Hall Street – for connecting the West Gate Freeway to Hyde Street via Hall Street and Simcock Avenue as included in Attachment 3, or any improvements thereof which achieves a free flowing connection.*
6. *Notes that pending completion of the detailed studies and the EES, it is considered that the following additional works and measures would be required as a minimum to ensure that the purported benefits of the Western Distributor to the City of Maribyrnong are realised:*
  - a. *Truck bans on Francis Street, Somerville Road, Buckley Street and Moore Street.*
  - b. *Additional noise attenuation for existing traffic on the West Gate Freeway.*
  - c. *Federation Trail to be provided as a continuous off-road shared path.*
  - d. *Review of traffic signals throughout the municipality to deter toll avoidance and through traffic and to promote public transport, walking and cycling.*
  - e. *Road space redesign and reallocation on major roads in the south-eastern part of the municipality (i.e. east of Geelong Rd) to deter toll avoidance and through traffic and to promote public transport, walking and cycling.*

- f. *Making the Hyde Street ramps available for placarded and local trucks only.*
- g. *Ensure the toll structure is set so that cars exiting at Hyde St pay the same toll as those exiting at the city, to prevent the Hyde Street exit being used for toll minimisation.*
- h. *Consider a North-South arterial road upgrade along Ashley Street, Dempster Street, Paramount Road and Tottenham Parade to provide better connectivity to the West Gate Freeway.*
- i. *Any acquired land becoming surplus following completion of the construction works be transferred to Council as open space.*
- j. *The tender evaluation criteria for the construction works include a preference for local jobs and content.*
- k. *Funding of the Maribyrnong River Edge Master Plan.*

Moved: Cr Martin Zakharov  
 Seconded: Cr Michael Clarke

**CARRIED**

Cr Catherine Cumming called for a **DIVISION**.

The Chair, Mayor Cr Cameron McDonald and Councillors Sarah Carter, Michael Clarke and Martin Zakharov, voted FOR the motion.

Councillors Catherine Cumming, Grant Miles and Nam Quach voted AGAINST the motion.

### **9.3. Update on Energy Efficiency Program**

The purpose of this report was to provide an update on the Energy Efficiency Program.

#### **Council Resolution**

*That Council notes the results of the Community Energy Efficiency Program.*

Moved: Cr Michael Clarke  
 Seconded: Cr Catherine Cumming

**CARRIED**

### **9.4. Proposed Lease to Jemena – 47-61 Byron Street, Footscray**

The purpose of this report was present the key terms of the proposed draft lease between Maribyrnong City Council and Jemena Electricity Networks (VIC) Limited and to seek endorsement to commence the public notice period.

#### **Council Resolution**

*That Council:*

1. *Approves in principle that it enters into a lease agreement with Jemena Electricity Networks (VIC) Limited for leasing part of the land contained in unregistered Plan of Subdivision PS 732573S (labelled Substation in Attachment 1) for the purposes of installation, operation and maintenance of a substation.*
2. *Approves public notice being given of Council's intent to enter into a lease agreement and invites submissions in accordance with Sections 190 and 223 of the Local Government Act 1989.*

16 March, 2017

The Hon Richard Wynne MP  
Minister for Planning  
Level 16  
8 Nicholson Street  
East Melbourne 3002

Via Email: [richard.wynne@parliament.vic.gov.au](mailto:richard.wynne@parliament.vic.gov.au)

Dear Minister Wynne

### Western Distributor Environment Effects Statement

I am writing to you in anticipation of the forthcoming exhibition of the Environment Effects Statement (EES) for the Western Distributor Project to address some particular issues that require further engagement with Council.

In a report dated 17 May 2016, Council considered an officer report and resolved to support the Western Distributor Project in principle. In November 2016, Council elections have resulted in a change to the constitution of the Council and its position may change from that outlined in May 2016. A further report will be presented to the newly elected Council when the EES is exhibited, and while it is expected that the Council will continue to support the project in principle, there are number of important issues that Council would like to discuss with Transurban and the State Government before the EES is released.

The purpose of this letter is to:

- request that you clarify whether the government will support additional toll avoidance measures to prevent trucks from using local roads in advance of the release of the EES;
- request that you direct the Western Distributor Authority to ensure that design alternatives identified in this correspondence are addressed in the EES, and ensure that they are not excluded from the terms of reference for the Inquiry under the *Environment Effects Act 1978*; and
- invite you to meet with Council to discuss these issues and the strategic planning implications arising as a result of the project.

### Toll avoidance

The reference design proposal foreshadows that extended truck curfews will apply to Somerville Road and Francis Street. While the extension of curfews is supported, Council is concerned that these curfews will push freight trucks onto other local roads without curfews, including Buckley Street and Moore Street, Footscray; and has requested. Council has requested It has asked for additional curfews in Buckley Street and Moore Street in Footscray.

Council notes that some logistics companies have recently announced an intention to use local roads to avoid altered toll structures for CityLink. It is not desirable to allow toll avoidance to occur in ways that result in adverse community impacts, or to result in additional congestion on local roads during peak periods. Council requests that the government provide the community with greater assurance that it will implement all necessary measures to prevent toll avoidance in advance of the EES Inquiry process.

Council's preference is that such measures be supported by legislation. Council notes that project specific legislation was introduced for the CityLink project, and that the need for project specific legislation has been foreshadowed in a paper prepared for the State Government on proposed tolling structures for the Western Distributor.



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12



In addition to proposed curfews, Council believes that there are tolling arrangements that could be implemented to minimise the risk that trucks use local roads, or to encourage freight movements outside the peak travel periods. In this regard, Council would ask the government to confirm that it will consider:

1. Extending the proposed curfews to include extended controls along Buckley Street and Moore Street;
2. Use of legislation to enshrine toll avoidance measures in law (so as to prevent subsequent governments from modifying the curfews by executive action);
3. Whether the use of the key roads such as Buckley Street and Moore Street should be remotely monitored, as a measure to support the enforcement of the proposed curfews (or as a basis to extend the tolling arrangements for freight vehicles).

If remote monitoring technology is issued, it would be possible to either toll or fine trucks using local roads where curfews apply, without reliance on VicRoads to physically monitor compliance. Such an approach should be explored by government in considering an extension to the existing tolling agreement with Transurban. Council is prepared to work with the government and Transurban to identify the most effective mix of tools to address the risk of toll avoidance and would welcome your support in assuring the community as to how this will be achieved in advance of the EES Inquiry process.

### **Design alternatives**

As the Western Distributor project is a major road project, it is appropriate that design alternatives are not excluded from consideration. The scoping guidelines require the EES to consider design alternatives.

There are several important design issues that are being considered by Council as part of the evolution of the EES, which have been raised as issues through its involvement with the Technical Reference Group. Some of these are beyond the scope of this letter. Of particular importance to Council are the following:

1. the desirability of the proposed ramps across the Maribyrnong River, providing direct access to the Port of Melbourne, and whether better use can be made of Dock Link Road and Appleton Dock Road;
2. a potential modification to facilitate direct access from the Tottenham industrial precinct via the Westgate Freeway via Tottenham Parade, Cemetery Road and Cawley Road (as an alternative to trucks travelling via Buckley Street and Moore Street to access the Port);
3. Council's preference for Option 5 for the Hyde Street connection as noted in its May 2016 report;
4. The interface with Fogarty Avenue and Mclvor Reserve; and
5. The need to provide for compensatory public open space, and to fund a review of strategic planning for the Maribyrnong River interface, if the project proceeds.

### **The McKenzie Road ramps over the Maribyrnong River**

The Port of Melbourne has an extensive orbital road network that provides existing access and egress via Dock Link Road and Appleton Dock Road. It is not clear to Council why alternate access and egress has been proposed via the McKenzie Road ramps as part of the Reference Design. These ramps will have a major impact on the Maribyrnong river environs and will generate noise associated with trucks accelerating and decelerating. There is a risk that these ramps will also create congestion within the port itself.

The reference design does not presently include a direct connection from the signalised intersection at Appleton Dock Road and Footscray Road to the Western Distributor. It is unclear whether this is intentional or an unresolved design issue that may be addressed through the bid process.

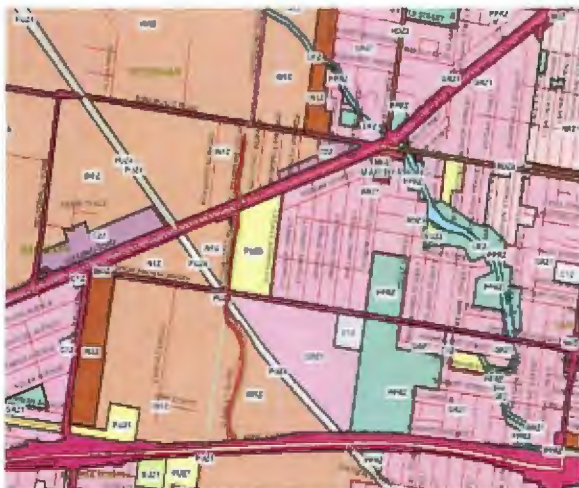
Council believes that greater integration with the project and this intersection has potential to provide adequate service to the Port and also to minimise adverse environmental effects along the Maribyrnong river environs. At Footscray Road, Appleton Dock Road has an elevated signalised intersection providing two lanes and turning lanes in each direction. It has much greater capacity to absorb growth in freight movements than the proposed ramps over the Maribyrnong River.

It would be a missed opportunity if trucks exiting Appleton Dock Road could not gain direct access to the Western Distributor when turning left from this existing intersection. Similarly, the potential to provide access from Dock Link Road to the new elevated road has not been explored at all to date.

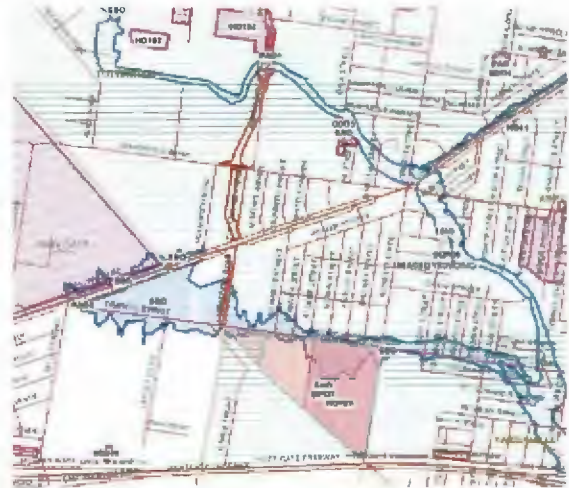
Every effort should be made to make best use of the existing infrastructure along Footscray Road, and the space afforded by the Footscray Road reservation, rather than proposing new ramps over the Maribyrnong River.

#### **Future extension of Paramount Road**

Council is advised that VicRoads has already secured a road reservation for upgrades along the Ashely Street/Paramount Road corridor. Accordingly, it would be appropriate to ensure that the Western Distributor allows for a future connection via this route towards the Westgate Freeway, to accommodate freight movements from the Tottenham industrial precinct, to the port via the Western Distributor.



**Zoning and public acquisition overlay**



If this connection can be provided, this would take pressure off Buckley Street and Moore Street in Footscray. Those roads are already close to capacity and have residential interfaces. These streets will be exposed to higher volumes of freight movements if the project proceeds, as a result of expected toll avoidance. They will not be subject to the same curfews as for Somerville Road and Francis Street. Buckley Street is undergoing a transition from light industry to mixed use with a number of multi-level apartment buildings being planned along the railway frontage, following the recent completion of the Regional Rail Link. Trucks should be diverted away from these roads towards the Western Distributor if the project proceeds. As these roads are already close to capacity, Council believes that the Paramount Road extension will become critical.

#### **Hyde Street connection Option 5**

Council's report of May 2016 identifies a preference for Option 5 for the Hyde Street connection. It notes that if Option 5 is supported, that this will provide substantial mitigation of visual impacts along Stony Creek and the Wester Gate Freeway interface. It is anticipated that the reference design proposal to locate ramps across Stony Creek will be contentious before the Inquiry, given the impacts on the Stony Creek. Whilst Council is conscious that the reference design did not adopt Option 5, and has not formed a conclusive position as to this, Council believes that it is important that the EES includes a robust assessment of alternative design options for the Hyde Street connection, in accordance with the EES scoping guidelines, so that affected stakeholders can make submissions to the Inquiry and present evidence about these options.



### **Fogarty Avenue/McIvor Reserve and the Federation Trail**

The proposal involves relocation of an elevated section of the Federation Trail onto Fogarty Avenue, adjacent to the Westgate Freeway. Council is concerned that the juxtaposition of this arterial bicycle trail onto a small residential street, is not an acceptable outcome. Council encourages the government to explore design alternatives to avoid the need for this, and to ensure that the EES includes a robust assessment of the effects of this on the use of Fogarty Avenue, both from a traffic point of view but also from a residential amenity perspective. This interface requires detailed planning to be included within the exhibited EES. The landscape interface with the extended freeway reservation is particularly challenging.

### **Supplementary public open space and strategic planning**

The reference design option for the Hyde Street connection would involve a greater loss of public open space. Council would like to discuss options for identifying compensatory public open space, as this has not been resolved to date.

If the project proceeds, there will be strategic planning implications for land adjacent to the Maribyrnong River and Yarraville Gardens that may present opportunities to integrate redundant port land within the public realm. Ongoing shipping container storage on the west side of the river should be discouraged if this project proceeds, as this will merely attract freight movements to local roads that the project is designed to avoid. If managed correctly the bridge and exhaust structures could be attractive landscape features that make a positive contribution to the interface between the Port and Yarraville Gardens. If the project proceeds, Council would like to receive financial support to review strategic planning policy to address the project interfaces with the Yarraville Gardens and the Maribyrnong River edge.

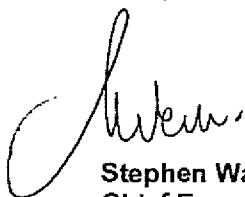
### **Other issues**

This letter is intended to highlight key issues that require engagement prior to the exhibition of the EES. It is not a complete outline of the issues that Council will address through the EES process. For example, issues such as noise mitigation, landscape and urban design issues and environmental performance will be addressed through the EES process.

### **Next steps**

Council is proceeding on the basis that the assessment of design alternatives needs to be the subject of further engagement before the EES is released for public exhibition, so that the Inquiry has a sufficient level of information before it. I would welcome an opportunity to discuss these matters with yourself and the Minister for Major Projects at your earliest convenience. If a suitable time can be arranged for a meeting, Council would be pleased to brief you further on the matters raised above.

Yours faithfully



**Stephen Wall**  
**Chief Executive Officer**

Cc: The Hon Daniel Andrews MP, Premier of Victoria.  
The Hon Wade Noonan MP (State Member for Williamstown)  
The Hon Luke Donnellan MP Minister for Roads & Safety, Minister for Ports  
The Hon Marsha Thomson MP (State Member for Footscray)  
CEOs of Transurban, Western Distributor Authority & Port of Melbourne







# Maddocks

## Schedule 5 Tottenham and West Footscray Framework Plan

Tract 0313-0039\_R 04 Tottenham & West Footscray\_Precinct Framework Plan



A3 SCALE: 1:10,000

## **4.1. West Gate Tunnel Project Submission Environmental Effects Statement**

### **Council Resolution**

*That Council:*

- 1. Endorses the submission to the West Gate Tunnel Project's Environmental Effects Statement (2017) as included in Attachment 1.*
- 2. Notes the recommendations made in Council's submission, that addresses matters including but not limited to changes to the design, the draft planning scheme amendment, the works approval application and Environmental Performance Requirements (EPRs).*
- 3. Notes that further strategic planning work will be necessary to plan for the effects of the project on current land use planning framework and seeks state government's assistance in undertaking this additional work, which is estimated to cost between \$250,000 and \$500,000.*
- 4. Notes the detrimental visual and amenity impacts of the West Gate Tunnel on the Footscray Wharf environs and seeks state government's assistance towards the improvement of the facilities and amenity on the west side of the Maribyrnong River, which are estimated to cost \$12.47 million.*
- 5. Notes that additional information to support Council's position may be prepared based on expert advice, and delegates to the Chief Executive Officer the power to make any necessary additions to the submission to the West Gate Tunnel Project.*
- 6. Submits the submission to the Inquiry and Advisory Committee (IAC) by the due date of 10 July 2017 and requests to be heard at the Inquiry hearing.*
- 7. Notes that comments on the Environmental Performance Requirements (EPRs) for the West Gate Tunnel Project will be further developed and advanced as part of Council's submission and presentation to the Inquiry Hearing to address and expand the matters raised in the submission to the West Gate Tunnel Project.*
- 8. Authorises Maddocks Lawyers, the technical experts, and Senior Council Officers to represent Council at the Inquiry Hearings and present the West Gate Tunnel Project Submission and any other relevant evidence or matters.*
- 9. Notes the over reliance of freight and commuter traffic on the road network, and writes to the Premier of Victoria to review the Transport Planning Policy for Metropolitan Melbourne with a view to increase rail's share of freight and increased investment in public transport network.*
- 10. Request a meeting with the Minister of Planning, the Honourable Richard Wynne, and Treasurer, Tim Pallas, to discuss Council's Submission.*

Moved: Cr Simon Crawford

Seconded: Cr Cuc Lam

**CARRIED**

Trim Ref: 16/44396

15 March 2016

Impact Assessment Unit (Planning)  
 Department of Environment, Land, Water & Planning  
 GPO Box 2392  
**Melbourne Vic 3001**



Dear Sir/Madam

### Submission to Western Distributor Project – Draft EES Scoping Requirements

Thank you for the opportunity to provide comments on the Draft Scoping Requirements for the Western Distributor Project.

Although Council does not currently have a formal position in regard to the Western Distributor Project, Council fully supports any infrastructure improvements which when implemented address the long standing issue and negative impacts of truck traffic on local roads in the City of Maribyrnong and the west.

In general, Council supports the broad evaluation objectives of the proposed EES for the Western Distributor Project including:

- Transport capacity, connectivity and traffic management
- Built environment
- Amenity and environment quality
- Social, business, land use, public safety and infrastructure
- Landscape, visual and recreational values
- Land stability
- Hydrology and water quality
- Biodiversity
- Cultural Heritage
- Waste management
- Environmental Management Framework

I also provide the following specific comments for possible inclusion in the scoping document:

#### 1. Transport capacity, connectivity and traffic management

This objective should be expanded to include – *'To remove unnecessary truck traffic from local roads in the City of Maribyrnong and the west.'*

Council is concerned about the prospect of toll avoidance by truck traffic at the completion of this project and presently this issue is not addressed within the scoping requirements.

Council seeks a commitment to implement full time and complete truck restrictions on residential streets, including Francis Street and Somerville Road where currently local truck traffic (including placard loads) is exempt from curfews.

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### Priorities for characterising the existing environment

The priorities for characterising the existing environment require the proponent to undertake predictive modelling of network traffic flows in the absence of the project.

This requirement is strongly supported as one of the key limitations of the Western Distributor Business Case modelling (December 2015), in that it is an unconstrained model applying a growth factor to current usage without incorporating capacity limitations created by the existing road network.

### Assessment of likely effects during construction (section 5.2 p.15)

The assessment of likely effects should be expanded to consider the redistribution of traffic, including freight, on roads within the inner west. Currently changes to local and arterial traffic distribution, including in relation to the west of Melbourne, and effects of the redistribution of heavy vehicle traffic on the local and broader traffic network are identified as key issues. However, at present the consideration of likely effects are limited to accessibility and travel times which does not capture all the potential impacts that may be created by significant redistribution of traffic throughout the municipality.

### Induced demand – Auditor General's recommendations for traffic modelling

Specific consideration should be given to traffic created through induced demand to give a more accurate assessment of the project's impact. This should include all aspects of induced demand identified by the Victorian Auditor-General's Office recommendations for traffic modelling (Victorian Auditor General's Report (June 2011), Management of Major Road Projects). The Western Distributor Business Case (December 2015) incorporates some but not all the recommendations from the Auditor-General's report and the EES scope is silent on whether this is acceptable or not.

## 2. Built Environment

Council is concerned that the new location and alignment of the proposed elevated sections of the project will be visually polluting and that this along with the closer proximity of the off ramps will also cause considerable devaluing of house and land prices.

Whilst the community sees the improvement to amenity through the removal of the overhead high voltage powerlines as a benefit, the visual impact of the overhead off ramps remains a cause for serious concern.

The built form of the elevated sections should include high quality, visually interesting structures to enhance the urban environment.

Council also notes the shadowing, dark spaces and lack of amenity that will be caused by a flyover which may lead to antisocial behaviour and requires consideration of Crime Prevention through Environmental Design (CPTED) principles.

## 3. Amenity and environmental quality

This objective should be expanded to include – *'To improve the existing air quality, and reduce existing noise and vibration effects on the health and amenity of nearby residents.'*

In the interests of improving health outcomes and amenity in the inner west, the community is unreasonably subjected to very high concentrations of truck diesel emissions, a focus on air quality is paramount. The Environmental Justice Australia report "Clearing the Air" in 2014 identified Yarraville as the 7th worst hotspot for poor air quality in Australia. The effects of increased exposure to diesel emissions are of ongoing concern to the local community who will be effected by increased truck traffic flow due to the closer alignment of the off ramps and the newly proposed connection to Hyde street for placard loads.

Increased traffic noise will potentially cause adverse health effects for those living closer to considerably increased traffic flows. Dwelling owners who will be in closer proximity to the off ramps, according to this proposal, are also concerned for the effects of vibration during the tunnelling phase of the construction. Considerably greater detail is also required as to the potential design, location and effectiveness of noise barriers.

#### 4. Landscape, visual and recreational values

This objective should be expanded to include – *'To improve landscape, visual amenity and recreational and open space assets for the communities affected by the works through identification and development of alternative facilities.'*

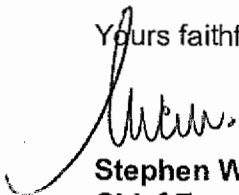
As the most densely populated local government area in metropolitan Melbourne, the City of Maribyrnong is challenged for access to usable and easily accessible open space. Two major sections of green open space currently available to Yarraville residents could potentially be severely compromised by the proposal, namely Hyde Street/ Stony Creek Reserve and the Westgate Golf Club. These two green spaces represent the majority of open space available to this sub-precinct of the municipality.

#### **Previous concerns raised by Council on behalf of key Maribyrnong stakeholder groups**

Maribyrnong City Council has previously outlined a number of key concerns including, the affect on access to and usability of public space; noise, air and visual pollution emanating from both the construction phase and the finished project; and the resulting truck traffic flow through local streets, toll avoidance and the need for complete truck bans on key residential streets in Yarraville and Footscray. I have attached a copy of the submission (Attachment 1) sent to Transurban in November 2015 as an initial response to the proposal.

Should you require any further information, please feel free to contact me on 9688 0212 or email: [stephen.wall@maribyrnong.vic.gov.au](mailto:stephen.wall@maribyrnong.vic.gov.au).

Yours faithfully



**Stephen Wall**  
**Chief Executive Officer**

*Attach. Letter to Transurban Vic - Comments on Proposed Western Distributor*



19 November 2015

Mr Gary West  
General Manager Transurban Victoria  
Level 23, 727 Collins Street  
MELBOURNE VIC 3008

**COPY**



**Maribyrnong**  
CITY COUNCIL  
ABN 86 517 839 961

Dear Mr. West,

### Comments on Proposed Western Distributor

Maribyrnong City Council takes this opportunity to provide an initial submission and feedback on the most recent changes to the Western Distributor design proposal and to seek clarification on several points.

### Introduction

Transurban has recently released for public consultation a new Western Distributor design proposal for discussion. This proposal shows significant departure from the previously released proposal namely through the significant shortening of the tunnel, relocation of the tunnel portals and the addition of a direct truck link to Hyde Street for the use of placard loads. These modifications will impact considerably on local dwellings and residents, traffic flow and users of the local amenities including park land and sporting facilities.

In response to the latest design Maribyrnong City Council has recently undertaken a community consultation with local interest groups and stakeholders affected by this proposal. The consultation was by invitation of Maribyrnong City Council. The views and concerns collected through this consultation process have formed the basis of this submission as has the advice of key council officers. Maribyrnong City Council in particular seeks further clarification on how council will be formally involved in the consultation process, assessment of the project, and design and construction decision processes into the future.

Key concerns from our community were:

1. The affect on access to and usability of public space
2. Noise, air and visual pollution emanating from both the construction phase and the finished project
3. The resulting truck traffic flow through local streets, toll avoidance and the need for complete truck bans on key residential streets in Yarraville and Footscray

### Environmental Impact

Maribyrnong City Council seeks further detail regarding the potential impact on open space, parks, waterways, street scapes, landscapes along with natural and built heritage sites. Further clarification is also required as to the ongoing responsibility for managing/ maintaining surplus land and land below structures at the conclusion of the construction phase.

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Incorporating the suburbs of

BRAYBROOK, FOOTSCRAY, MAIDSTONE, MARIBYRNONG, KINGSVILLE,  
SEDDON, TOTTENHAM, WEST FOOTSCRAY & YARRAVILLE

Page 1



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As the most densely populated local government area in metropolitan Melbourne, the City of Maribyrnong is challenged for access to usable and easily accessible open space. Two major sections of green open space currently available to Yarraville residents will be severely compromised by this design, namely Hyde Street/ Stony Creek Reserve and the Westgate Golf Club. These two open green spaces, moreover, represent the majority of open green space available to this sub-precinct of the municipality.

Council's Open Space Strategy has identified as a priority the need to establish continuous open space corridors along the Maribyrnong River and Stony Creek. The corridors are to protect and expand habitat and biodiversity values and include compatible and safe recreational use and access, including shared trails. The proposal to fragment this section of open space through the relocated broad elevated section of road, and the resulting overshadowing, along with the direct connection to Hyde Street for placard loads, significantly challenges the usability and accessibility of this open space.

The rehabilitation of the Stony Creek reserve has been a 15 year community driven effort that has provided enhanced opportunities for community building and social cohesion. The potential for impact on indigenous flora and fauna in this reserve is significant particularly in relation to plants indigenous to the Yarra Delta Region and the destruction of a significant wildlife corridor. The Maribyrnong Natural Heritage Study of 1999 identified Stony Creek as an existing biodiversity corridor of Regional Significance and the Stony Creek backwash as containing flora and fauna of regional significance. The lower section of Stony Creek near Hyde Street holds regional significance due to the presence of saltmarsh vegetation. White Mangroves *Avicennia marina* are present and recolonising in the Stony Creek Backwash, immediately downstream of the municipal boundary in Hobsons Bay and where Stony Creek meets the Yarra River. The impact of pollution both through the construction phase and with an increased concentration of placard truck traffic at this location is of real concern as is the potential negative impact of the overshadowing from the elevated road on the flow of aquatic life through the river system.

Disturbance of contaminated land presents considerable risk to local residents and Council seeks to confirm both the control arrangements proposed for such a process and the ultimate location of contaminated materials. Council also notes the location of major sewerage channels aligned with the current proposal and the potential for risk to public health during the construction phase.

### **Amenity**

Local residents have expressed concern that the new location and alignment of the proposed elevated section of the project will be visually polluting and that this along with the closer proximity of the off ramps will also cause considerable devaluing of house and land prices. Maribyrnong City Council, therefore, seeks to clarify the process and timing for the development of urban design guidelines, and their monitoring and adherence, should the project proceed.

Council also seek to clarify what measures would be taken to assess heritage classification of dwellings and community infrastructure that may be affected during the construction phase, what protective measures might be required during the construction phase and the authority that will be tasked with the implementation of these measures.

Council also notes the shadowing, dark spaces and lack of amenity that will be caused by a flyover may lead to antisocial behaviour and requires consideration of Crime Prevention through Environmental Design (CPTED) principles.

Recreational use of land during the construction phase will be dramatically lessened. The uncertainty of the exact location of the overhead off ramps across the Westgate Golf Course also causes uncertainty regarding the course's usability in the long term.

Whilst the community sees the improvement to amenity through the removal of the overhead high voltage powerlines as a benefit, the visual impact of the overhead off ramps remains a cause for serious concern.

Increased traffic noise will potentially cause adverse health effects for those living closer to considerably increased traffic flows. Dwelling owners who will be in closer proximity to the off ramps according to this proposal are also concerned for the effects of vibration during the tunnelling phase of the construction. Considerably greater detail is also required as to the potential design, location and effectiveness of noise barriers. In particular the community seeks clarification on how the effectiveness of noise barriers will be measured and reported on and whether funding will be made available for soundproofing for residents most affected by noise.

In the interests of improving health outcomes and amenity in the inner west, where our community is unreasonably subjected to very high concentrations of truck diesel emissions, a focus on air quality is paramount. The Environmental Justice Australia report "Clearing the Air" in 2014 identified Yarraville as the 7th worst hotspot for poor air quality in Australia.

The effects of increased exposure to diesel emissions are of ongoing concern to the local community who will be effected by increased truck traffic flow due to the closer alignment of the off ramps and the newly proposed connection to Hyde street for placard loads.

Residences in close proximity to the tunnel portals and off ramps will be exposed to levels of diesel emissions that they have previously not experienced.

## **Traffic**

The construction phase of the project will potentially cause significant disruption and inconvenience to local residents, businesses and visitors to the City of Maribyrnong. Council seeks clarification of the commitment to work with council to develop appropriate traffic management measures both during the construction phase and post construction in order to mitigate toll avoidance impacts on the local road network. Council seeks advice on what traffic modelling has taken place so far and what expected impacts have been identified to date.

Council notes that there is presently no guarantee that truck traffic under this proposal would not increase as a result of toll avoidance. Maribyrnong City Council seeks clarification on what consideration will be given towards VicRoads enabling fulltime and complete truck restrictions on Francis Street and Somerville Road where currently local truck traffic (including placard loads) is exempt from curfews, simultaneous to the delivery of the Western Distributor project, should it proceed. The project also opens the possibility of truck bans on residential streets through the Footscray precinct.

Council suggests that any additional capacity created in a cross-town link should be focused on the movement of people and goods not only for the private motor vehicle. This could include the creation of truck-only and bus-only lanes within the tunnel, providing efficient movement of people and goods.

Maribyrnong City Council seeks to clarify both the potential locations of vent stacks associated with the tunnel and the emission standards that will apply to vent stacks. Separate to the issue of emissions relating to vent stacks Council also seeks advice on what modelling will occur on the level of emissions concentrated at the tunnel entry and exit points.

At present no detail has been made available as to the nature of the intersection onto Hyde street for placard loads. The intersection's proximity to fuel terminals presents considerable risk/ safety concerns as well as uncertainty around ongoing impact to traffic flows along Hyde and Whitehall streets. A further point requiring clarification is the nature of intersections that sees truck traffic flow between Hyde Street and Whitehall Streets. It should also be noted that both Hyde Street and Whitehall Streets are dedicated bike paths. Council advocates for sustainable modes of transport such as walking, cycling and public transport to be actively integrated through the design process and seeks clarification on the impacts on the shared paths of Hyde and Whitehall streets. The proposal to extend the Federation Trail From Williamstown Road to Hyde Street has been received positively by the community.

Council notes the Victorian State Government has recently suspended the port rail project pending the finalisation of new lessee arrangements for the Port of Melbourne. Council therefore seeks clarification of the government's ongoing commitment to the delivery of this project which was projected to replace 3,500 container trucks a day. In particular Council seeks clarification of the interplay between the Westgate Distributor project and the Western Interstate Freight Terminal/ Port Rail Shuttle Project in terms of timing and responsibility for its delivery.

Council has long held the position that when planning for any new east-west road transport corridor that Government work closely with the City of Maribyrnong on further feasibility, social, economic, traffic and environmental impact studies for road project options prior to choosing a preferred route and that measures be adopted to ameliorate or offset adverse impacts on the City of Maribyrnong community.

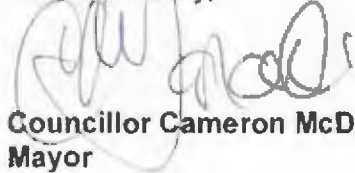
### **Points requiring clarification**

1. Definition of Tunnel – Is the intention currently to have twin tunnels (reverse direction) where it is currently labelled "tunnel" in Transurban consultation materials and what will be the overall width and number of lanes?
2. Reference has been made to representations made by industry and state government in response to the previous design proposal and its resulting redesign. Are these representations publicly available in detail?
3. What will be the impact of the current plan on the Port Rail Shuttle proposal in terms of its timing and responsibility for its delivery?
4. Will the State Government commit to working with Maribyrnong City Council to develop appropriate urban design guidelines prior to the design process? Could you also clarify the process for ongoing monitoring and adherence to agreed urban design guidelines should the project proceed.

5. Will the state government commit to full truck bans on residential streets through Yarraville as well as Buckley Street and Moore Street in Footscray to prevent toll avoidance and fully divert local placard load traffic?
6. How will the effectiveness of noise barriers be measured and reported on and will funding be made available for soundproofing for residents most affected by noise?
7. Can the State government give an assurance to the residents in close proximity to the tunnel portals and off ramps that they will not be adversely affected by the additional noise and air pollution generated by the introduced traffic at these locations?
8. Will the State government produce modelling of both the air and noise pollution levels within the City of Maribyrnong that will be generated by the Western Distributor?
9. How will Maribyrnong City Council be formally involved in the consultation process, assessment of the project, and design and construction decision processes into the future.
10. Can the State Government provide projected impact on open space, parks, waterways, street scapes and landscapes along with natural and built heritage sites as well as clarify the responsibility for managing and maintaining surplus land and land below structures post construction phase.
11. How will traffic management strategies be developed to minimise disruption and inconvenience to local residents and businesses during the construction phase.

Thank you in advance for your consideration of these matters. I look forward to receiving your response and any clarification you are able to provide on the points listed above.

Yours sincerely,



**Councillor Cameron McDonald**  
**Mayor**



21 March 2016

Dr Christopher Gribbin  
 Secretary, Economy and Infrastructure Committee  
 Parliament of Victoria  
 Parliament House  
 Spring Street  
 East Melbourne Vic 3002

Dear Dr Gribbin

**Economy and Infrastructure Committee's Inquiry  
 Into Infrastructure Projects – Public Hearing**

Thank you for your invitation to appear at a public hearing on 22 March, 2016 for the Economy and Infrastructure Committee's Inquiry into Infrastructure Projects, focussing on the Western Distributor project.

In response to your specific questions regarding Council's view and position in relation to the Western Distributor I advise the following:

• **What benefits do you expect the Western Distributor to bring your municipality?**

If complemented by appropriate truck curfews and bans, the Western Distributor has the potential to relieve significant ongoing issues with freight on residential arterial roads in the inner west.

Pending final alignment, it has the potential to deliver:

- Quieter and less polluted arterial roads in what are predominantly residential environments.
- Better pedestrian connections and safer access to neighbouring open space.
- Ability to plant more trees along arterial roads (currently heavy vehicles restrict planting large canopy trees).

As announced, the project will also deliver the missing section of the Federation Trail, which is one of the key off-road bicycle routes for western Melbourne and will be an important route for our residents.

• **What disadvantages do you expect the Western Distributor to bring your municipality?**

If not managed appropriately, introduced tolls may have a negative impact on our municipality through increased car and truck traffic, resulting from toll avoidance.

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The proposed Hyde Street ramps may also significantly increase traffic on Hyde Street, Whitehall Street, Footscray Road and surrounds. However the introduction of truck restrictions, road space reallocation and operational changes may discourage through traffic from using alternate roads.

Partially dealing with these problems, for example putting truck bans on Francis Street and Somerville Road but not on Buckley Street and Moore Street, is likely to relocate and intensify issues, eroding the potential benefits of the project. A holistic solution is required to minimise any potential disadvantages.

Elevated sections of road through open space, while perhaps not technically reducing area at the ground level will have detrimental visual and environmental impacts on open space and waterways (Moonee Ponds Creek as an example under CityLink tollway).

There is the potential for design quality to be secondary to the engineering outcome. Main features such as portals and bridges (gateways) should deliver high quality design outcomes as viewed and experienced from multiple locations. (near/far) Innovative and long lived architectural and urban design outcomes should be mandatory.

The bridge crossing the Maribyrnong River will impact on the appeal and function of the river edge environment in Footscray and may remove opportunities to extend public access along the River from Lyons St to Francis St in the long term.

- **Does the council have any preference between the current two options put out by Transurban (the “Hyde option” and “West Gate option” – see <http://consult.transurban.com/western-distributor-join-the-conversation/documents/30192/download>)?**

Council does not have an official position, at this stage. Based on the sketch diagram linked above I would recommend the West Gate option however it is difficult to obtain a clear appreciation of this option's impact since all detailed modelling and design work is based on the Hyde option.

The West Gate option appears to address several of the local residents' concerns around the impact of the Hyde Street ramps on Stony Creek reserve and the other land uses in the area. It seems to also have a lesser impact on cycling connections. I strongly recommend that the West Gate option be further explored to allow for a more equitable comparison.

- **Does the Council have any key concerns about the project that will need to be addressed in the design?**

The community in the inner west is subjected to unreasonably high concentrations of truck diesel emissions, noise and vibration. The Environmental Justice Australia report "Clearing the Air" in 2014 identified Yarraville as the 7th worst hotspot for poor air quality in Australia. The emphasis should not be just on mitigating the effects of proposed new works on amenity (noise, pollution, vibration), safety, recreation values, open space, built form, etc, but to enhance them.

From a transport perspective, the main concerns would be ensuring that the Hyde Street ramps are designed for truck usage, and minimise the impact of the new infrastructure on the north-south movement of pedestrians, cyclists and public transport. Council would also like to be consulted in the design of the Federation Trail, as the on-road option used in the Business Case was not acceptable.

Design quality should influence all aspects of the project. Minimal impact or no impact on open space should be applied, e.g, any impact on Yarraville Gardens must be avoided.

- **Does the Council consider that any secondary infrastructure or regulation (such as truck bans) will be needed to accompany the Western Distributor?**

Council needs access to the detailed traffic modelling for the project to determine the extent of secondary infrastructure and regulation required.

As a minimum, consideration should be given to the following:

- Truck bans on Francis Street, Somerville Road, Buckley Street and Moore Street.
- Federation Trail to be provided as a continuous off-road shared path.
- A grade-separated cycling connection across Moreland Road to safely manage the increased cycling and vehicular traffic at this location.
- Review of traffic signals throughout the municipality to deter toll avoidance and through traffic and to promote public transport, walking and cycling.
- Road space redesign and reallocation on major roads in the south-eastern part of the municipality (i.e. east of Geelong Rd) to deter toll avoidance and through traffic and to promote public transport, walking and cycling.
- Making the Hyde Street ramps available for placarded trucks only. Although desirable from a transport point of view, this may not be deemed feasible from an economic perspective.
- Ensure the toll structure is set so that cars exiting at Hyde St pay the same toll as those exiting at the city, to prevent the Hyde Street exit being used for toll minimisation.
- The State government introduce a Clean Truck Program at the Port of Melbourne to offset additional pollution, generated by the increasing freight traffic. The State of California introduced a Clean Truck Program in the port areas of Long Beach and Los Angeles in 2008. Diesel particulate pollution in the port environs was reduced by more than 80%.

I look forward to the opportunity to appear at this Inquiry, please feel free to contact me should you have any enquiries on 9688 0212 or email: [Stephen.wall@maribyrnong.vic.gov.au](mailto:Stephen.wall@maribyrnong.vic.gov.au).

Yours faithfully



**Stephen Wall**  
Chief Executive Officer



# WesternDISTRIBUTOR

DESIGN UPDATE APRIL 2016

## West Gate Freeway connection and Hyde Street access

During 2015 we spoke to the community about where and how the Western Distributor tunnel could connect with the West Gate Freeway. We're continuing these discussions through April and May 2016 and looking in more detail at the different options available.

Each option has different community impacts and engineering challenges. These will be explored in detail through the Environment Effects Statement (EES) process, in consultation with communities, councils and industry.

### What is the Western Distributor?

The Western Distributor will provide a much-needed alternative to the West Gate Bridge by providing a vital second river crossing, enhancing freight connections and helping get trucks out of local streets in Melbourne's inner west.

The project includes extra lanes on the West Gate Freeway, between the M80 and Williamstown Road; a tunnel under Yarraville; a bridge over the Maribyrnong River; and an elevated road above Footscray Road connecting to the Port of Melbourne, CityLink and the city.

The objectives of the project are to:

- reduce congestion in the M1 corridor
- reduce reliance on the West Gate Bridge
- improve freight access to the Port of Melbourne and greater Melbourne
- take trucks off local streets and improve community amenity on local streets in the inner west

### About the tunnel and Hyde Street connections

A tunnel under Yarraville is a key part of the project's design. It will provide:

- an efficient transport connection below ground while protecting land, homes and amenity above ground
- a direct freight route to the Port of Melbourne to help take trucks off of local streets

A connection to Hyde Street is needed to:

- get petrol tankers from the local refineries straight onto the freeway and off residential streets
- provide an alternative route for dangerous goods and other trucks that cannot use the tunnels
- support truck curfews and bans on residential streets in the inner west

# West Gate Freeway connection

Two options are being considered to connect the West Gate Freeway and the Western Distributor tunnels. A connection to Hyde Street will also be built and options for that connection are shown separately over the page.

## Long tunnel option



In response to feedback that new road infrastructure should be kept close to the existing freeway, we have been working to identify a solution that can deliver both the Hyde Street connection and a tunnel portal very close to the existing freeway area.

This option is different to the initial proposal in early 2015 because it 'splits' the tunnel portals – placing one near Williamstown Road and the other further west – making best use of the limited space and enabling a connection to Hyde Street.

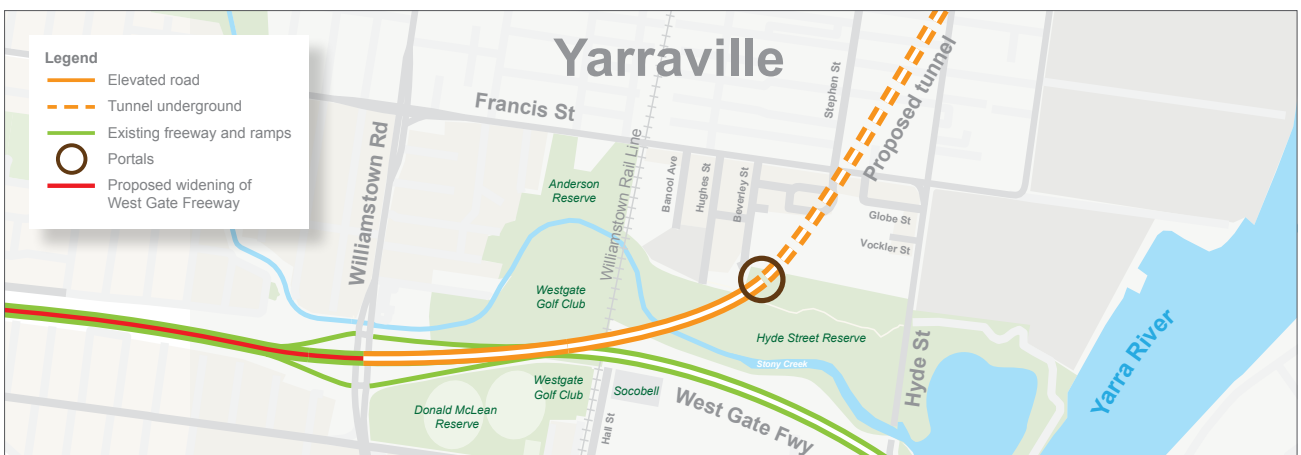
Key advantages:

- Avoids impacting open space
- Keeps new road within or close to existing freeway
- Minimises visual and amenity impacts

Key disadvantages:

- Construction close to residents living next to the freeway
- Additional traffic disruption during construction
- More expensive

## Short tunnel option




This option was released to the public in September 2015. It places the tunnel portal in Hyde Street Reserve north of the West Gate Freeway with flyovers connecting the freeway and the tunnel portal. Industrial land to the north of the portal will be returned as new public open space.

Key advantages:

- Construction is simpler and overall construction time shorter
- Less traffic disruption during construction

Key disadvantages:

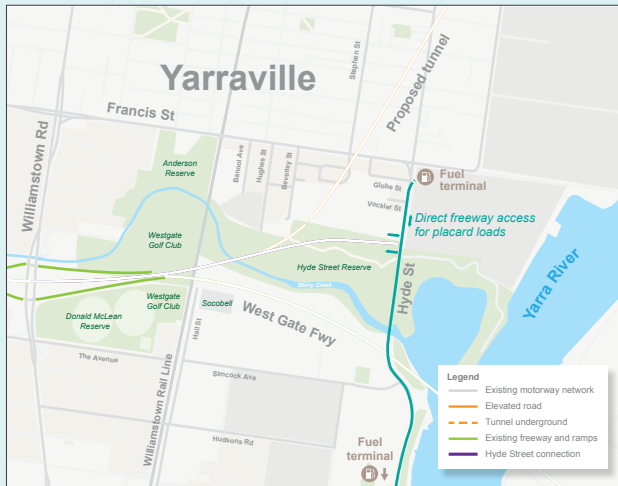
- Impacts on open space
- Visual and amenity impact
- Construction close to residents living near the portal location

 In your opinion, what other advantages or disadvantages does each option offer?

# Hyde Street access

Options to connect the West Gate Freeway/Western Distributor with Hyde Street are being developed. There are many factors to be considered in designing this connection. There is little available space, surrounding land is of high community value and used for sport and recreation. There is existing rail, road and utility infrastructure in place, and designs must consider Stony Creek and potential for flooding.

A number of possible options are presented here, for further discussion with the community, councils and industry. We want to hear from people so that we can continue working to find the most suitable connection.



## Option 1 Hyde Street Reserve

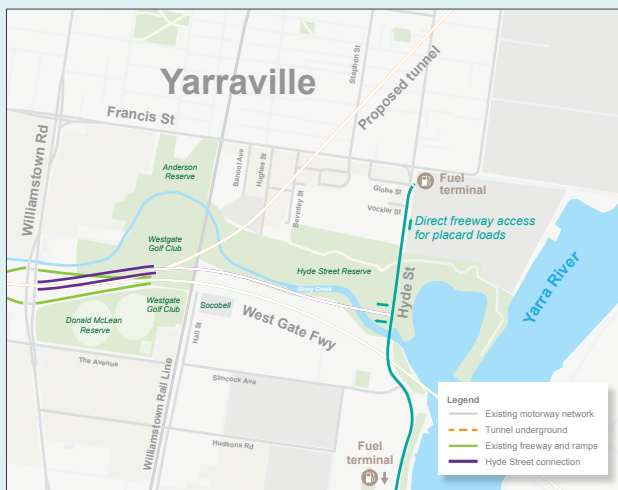
**Designed for short tunnel, connects next to AusNet site**

Key advantages:

- provides a safe, high-quality traffic connection
- minimises impact to Stony Creek (single crossing)
- no land required on south side of freeway

Key disadvantages

- impacts Hyde Street Reserve
- elevated ramp needs to cross above existing West Gate Freeway



## Option 2 North

**Designed for long<sup>1</sup> tunnel, connects next to Stony Creek**

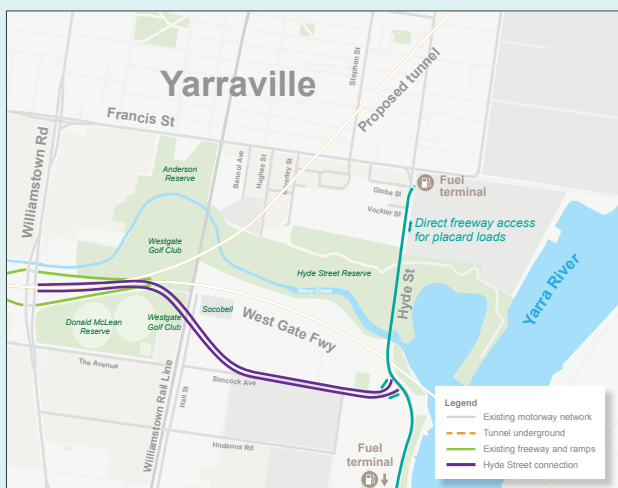
Key advantages

- provides a direct and efficient traffic connection
- no land required on south side of freeway

Key disadvantages

- impacts Hyde Street Reserve and Stony Creek
- impacts sporting facilities north of the West Gate Freeway\*

1. Could be adapted for short tunnel, further design work required



## Option 3 South

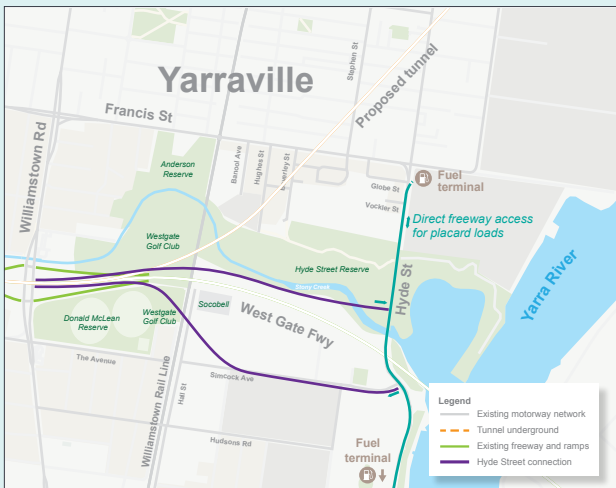
**Designed for long tunnel, connects via Simcock Avenue**

Key advantages

- provides a direct and efficient traffic connection
- no impact to Hyde Street Reserve or Stony Creek

Key disadvantages

- impacts sporting facilities south of the West Gate Freeway\*
- elevated ramp needs to cross above existing West Gate Freeway



### Option 4 North-South

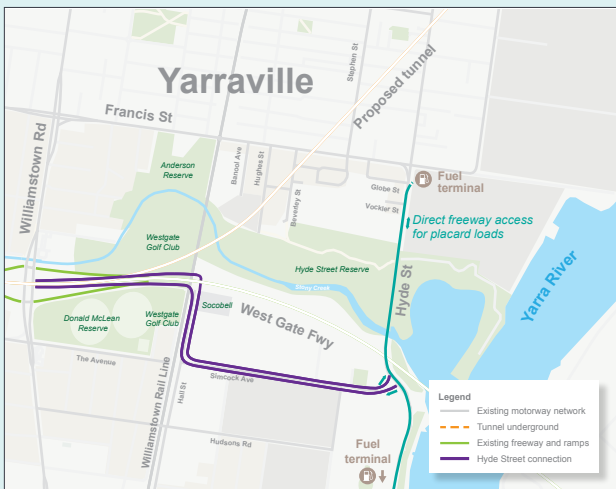
**Designed for long tunnel, ramps run either side of the freeway**

Key advantages:

- provides a direct and efficient traffic connection
- no elevated ramps above existing West Gate Freeway

Key disadvantages

- impacts sporting facilities\*
- impacts Hyde Street Reserve and Stony Creek



### Option 5 Hall Street

**Designed for long tunnel, connects via Hall Street and Simcock Avenue**

Key advantages

- no elevated ramps above existing West Gate Freeway
- no impact to Hyde Street Reserve or Stony Creek

Key disadvantages

- impacts sporting facilities\*
- more expensive
- subject to full safety assessment for heavy vehicle movements

\* Should the final design impact on the Westgate Golf Club or on the cricket and football facilities at Donald McLean Reserve, we will work with the affected sporting clubs and council to find alternative land for these facilities.

## Your questions answered

### Will you acquire any homes?

We think that all options can be built without acquiring homes, although there may be some impacts during construction which we are looking at in more detail. It will be necessary to use all available space in the existing freeway reserve. Avoiding acquiring homes has been, and continues to be, a key consideration of our designs.

### Why are we discussing different options for this location?

It is important that everyone has an opportunity to understand the options being considered and to provide input to inform decisions. All infrastructure projects have local impacts that affect people – some are positive and others are negative. This is particularly true for projects in built-up urban areas where we are trying to balance a number of objectives in a highly developed environment.

### What is the final design?

We're not there yet – at this stage the project is still evolving and we are looking at a range of options for key aspects of the project. We won't move forward with any one option for the West Gate Freeway connection and Hyde Street access until we've explored all the technical considerations and heard from communities, councils and industry.

A 'reference design' will be issued to the construction market later this year. Bidders will use this as a basis for their own 'tender design'. You will be able to comment on further designs through the formal planning process.

### Will one of the options shown here be chosen as the final?

Work by the project team has identified these as feasible options. However the option/s we move forward with could be a variation or combination of these designs.

## The design is evolving in response to feedback

The Western Distributor is being developed through a consultative process. Consultation with councils, communities and industry has played a key part in this process and will continue to do so. The table below provides a summary of how the design has evolved in response to feedback.

Early 2015 Proposal design	Mid 2015 Proposal design update	Now Concept design
<p>The initial project design placed the southern tunnel portals (entry and exit points) in the centre of the West Gate Freeway, just west of Williamstown Road, and did not include a Hyde Street connection.</p> <p>Through an extensive consultation process, it emerged that developing a long term solution to get trucks off local roads and enable improved efficiency for the heavy vehicle industry were key priorities.</p>	<p>A design update released for discussion in September 2015 addressed these priorities by moving the tunnel portals into industrial land north of the West Gate Freeway in the vicinity of Hyde Street Reserve, with flyovers connecting the freeway with the tunnel portal and Hyde Street.</p> <p>The revised design involved new impacts on Hyde Street Reserve and surrounding areas.</p>	<p>In response to community concerns about the impact on open space and a desire to see new infrastructure kept as close as possible to existing freeway areas, a second southern portal design that integrates the freeway-tunnel connections within the existing West Gate Freeway area has been developed.</p> <p>As a result, two tunnel options (the 'long' and the 'short' tunnel option) and several different options for the Hyde Street connection are being considered.</p>

See the [Design discussion paper](#) for more detail about how the project design is being developed.

## Key design considerations

There are a number of challenges and constraints to consider in locating and designing the tunnel portal and Hyde Street connection:

- Amenity – what are the visual, noise and air quality impacts on residential and recreation areas?
- Connectivity – does this option provide the right connections to the West Gate Freeway, Western Distributor and Hyde Street?
- Construction cost – what will this option cost?
- Construction disruption – what impact will construction have on local residents and road users?
- Environment – what are the impacts on open space and ecological values?
- Emergency services requirements – does this provide safe access in the event of an emergency?
- Safety, security and restrictions – what are the existing road, rail and utility infrastructure?
- Freight – how to move freight safely and efficiently while managing community impacts?
- Flood levels – would this option be affected by flooding?
- Functionality – how would this option function, taking into account geometry, height restrictions, gradients and design speed?
- Space constraints and land requirements – what space is required during construction and permanently? What is the current and future land use?
- Traffic performance and safety – does it cater for all necessary movements, improve traffic flow and safety
- Tunnel safety and operation – does this option deliver a safe and secure tunnel?



Thinking about the southern tunnel portal and Hyde Street connection, which considerations are the most and least important to you?

Companies bidding for the project may identify an innovative construction method or new technology that would allow them to improve the design or build it in a different way, as long as it meets the project objectives and all necessary requirements.

We will be challenging bidders to put their specialist expertise to work in developing their designs and planning construction to realise benefits and minimise negative impacts as much as possible.

### How will you decide on a preferred option?

It's important to use robust, tested assessment methods which take account of all considerations. Some of the criteria used to assess different options will be technical (such as tunnel safety requirements) and others will be influenced by stakeholder and community feedback (such as social impacts).

Read more about how designs are developed and assessed in the **Design discussion paper**.

### How will all the impacts be considered before approval is given to start work?

Major infrastructure projects usually have both positive and negative impacts – this is true for roads, rail lines, hospitals and the many other pieces of major infrastructure that we all rely on every day.

The advantages and disadvantages need to be clearly understood and carefully weighed up when deciding how to proceed. Many decisions require trade-offs: what looks like a good outcome to one person may be viewed differently by another. Technical considerations will decide many key issues.

Right now, we are discussing design options and possible impacts with local communities, council and industry, to ensure that we understand and consider different points of view. What we learn through these discussions will help inform the next design – the 'reference design'.

A final decision to grant planning approvals is made by Government. This decision is informed by evidence collected and presented through the EES planning processes and by recommendations made by an independent planning inquiry whose job it is to understand all the potential impacts and make informed and objective recommendations.

## Further reading

If you're interested in the West Gate Freeway Connection and Hyde Street access, you might also like to read:

- **Design discussion paper** – for information about how we develop and assess designs
- **Tunnel design and construction discussion paper** – for information about the construction of major projects and how tunnels are designed, built and operated
- **Engagement and project development fact sheet** – next steps and how to be involved in developing the project until construction.



## Get involved

Consultation has played an important role in developing the Western Distributor proposal, and will continue to do so throughout the project planning and development phase.

We are providing this design update to encourage discussion about key elements of the project's design, as well as other aspects of the project's construction that are important to people.

We encourage you to get involved at this important stage of the project's development and have your say about Melbourne's Western Distributor.

### Contact us

You can keep in touch with the project team and be informed of the latest news by subscribing to updates via:

**PHONE** 1300 280 939





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