



IMAGINE
THE YARRA

DRAFT YARRA STRATEGIC PLAN

PUBLIC CONSULTATION

SUBMISSION COVER SHEET

Submission Number:	YSP36
Name (Individual/Organisation):	Major Transport Infrastructure Authority (MTIA)
Attachments:	Attachment 1 – Written submission

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Submission on Yarra Strategic Plan

1. The Major Transport Infrastructure Authority (**MTIA**) is an administrative office in relation to the Department of Transport (**DOT**) established to oversee Victoria's major transport infrastructure projects. It comprises the following project offices:
 - (a) Level Crossing Removal Project (LXRP)
 - (b) North East Link Project (NELP)
 - (c) West Gate Tunnel Project (WGTP)
 - (d) Major Road Projects Victoria (MRPV)
 - (e) Rail Projects Victoria (RPV)
2. The Suburban Rail Loop Authority (**SRLA**) is an administrative office in relation to the DOT established to oversee delivery of Suburban Rail Loop (**SRL**), a city and State-shaping infrastructure program that will transform Victoria's public transport system and deliver urban renewal outcomes for Melbourne.
3. MTIA and SRLA work closely with DOT in relation to the planning and delivery of major transport projects. This includes working to ensure that major construction activities and disruptions are coordinated across the transport network, including plans to keep people moving through major works periods.
4. MTIA and SRLA welcome the opportunity to make a submission on the draft Yarra Strategic Plan (**YSP**). MTIA seeks to be heard and make further submissions at any hearing conducted by the Yarra River Strategic Plan Panel (**Panel**) appointed by the Minister for Water under the *Yarra River Protection (Wilip-gin Birrarung murron) Act 2017 (the Act)*.
5. At this stage SRLA does not seek to be heard and make further submissions to the Panel. It is noted that in accordance with section 24(3)(b) of the Act, Melbourne Water is required to refer to the Panel any submissions that are not fully accepted on the draft YSP relevant to Part 2 - Land Use Framework.

6. This submission provides a high-level summary of the key issues relevant to MTIA and SRLA as well as discussion of specific issues relevant to project offices within MTIA and to SRLA.

Issues raised by MTIA and SRLA

Exemption for declared projects

7. The draft YSP is inconsistent in its treatment of declared projects under the *Major Transport Projects Facilitation Act 2009 (MTPF Act)*. The way in which the YSP treats declared projects under the MTPF Act should be clear and consistent throughout the document, and should accurately reflect the treatment of declared projects under the Act. This is particularly important given the public nature of the YSP and the intention that it be referenced in the Victorian Planning Provisions (VPPs).
8. Under the Act, the exemption for declared projects applies to the obligations on responsible public entities performing functions or duties or exercising powers under specific legislation. This is not clearly articulated within the draft YSP.

Binding elements of the YSP

9. It is a requirement under section 20(2) of the Act that the YSP:

(h) state the parts of a Yarra Strategic Plan that are intended to be binding on responsible public entities and the parts that are in the nature of recommendations to which responsible public entities are only required to have regard;
10. Page 43 of the YSP states that:

There are no binding elements in this draft Plan. Elements of the Land Use Framework will be made binding by updating the Victorian Planning Provisions once the final Yarra Strategic Plan is endorsed and approved
11. There is no further identification in the YSP of the specific elements that will be made binding through incorporation into the VPPs. The YSP should be amended to clearly identify the parts intended to be binding, including those parts intended to be binding through updates to the VPPs.
12. Identification of the binding elements of the YSP is also crucial to MTIA and SRLA's understanding and ability to comment on other aspects of the YSP. For instance, some aspects of the YSP, if incorporated into the VPPs, may interact with existing requirements under the VPPs and it will be important to understand how that is to occur and to avoid inconsistencies. MTIA and SRLA seek to be able to comment further on the proposed amendments to the VPPs.
13. Binding and non-binding elements of the YSP are also important to the obligations imposed under the Act, which requires responsible public entities to:
 - (a) not act inconsistently with *binding* elements of the YSP; and
 - (b) have regard to the Yarra protection principles and non-binding parts of the YSP.
14. The clear distinction between binding and non-binding elements of the YSP in the Act highlights the importance of distinguishing these elements. Further, while, as noted above, several of MTIA's projects fall within the exemption for projects declared under the MTPF Act, not all of MTIA's projects will necessarily be within that category and may require approval from responsible public



entities. Therefore, a clear identification of binding and non-binding elements is an important issue for MTIA.

15. When identifying any binding elements of the YSP in relation to interface bodies under the *Transport Integration Act 2010 (TI Act)*, regard should also be had to the obligations of those entities to consider the transport system objectives and decision-making principles under the TI Act.

References to DoT

16. Pages 22 and 23 of the YSP set out the members of the Yarra Collaboration Committee. On page 23, this includes the "Department of Transport (including VicRoads), and VicTrack".
17. This is not consistent with the definition of the Yarra Collaboration Committee on page 126 of the YSP. The Department of Transport (DOT) is a broad entity and encompasses other agencies, such as MTIA and SRLA, in addition to Transport for Victoria and VicTrack therefore it is important to distinguish between the Department of Transport and Transport for Victoria.
18. To achieve consistency across the YSP, the members of the Committee should be consistently referred to.
19. Further, the YSP reads as though it applies to both the members of the Committee and the responsible public entities specified under the Act. MTIA and SRLA seek clarity on the role of the Yarra Collaboration Committee compared to, and as distinguished from, the role of the responsible public entities. Responsible public entities are identified in the Act and have their own responsibilities as introduced by the Act, whilst the Committee is not referenced in the Act and was commissioned to develop the YSP.

Consistency with the Act

20. Page 43 of the YSP discusses the ratification process required under the Act. This is not consistent with the wording of the Act and, in MTIA and SRLA's view, should either be amended so that the YSP replicates the wording of the Act or removed altogether as it is the wording of the Act that is determinative.

Decision-making framework

21. Page 45 of the YSP refers to a draft decision-making framework that is not exhibited alongside the draft YSP, and states that:

The decision-making framework is still in draft and will be tested within the Yarra Collaboration Committee before its inclusion into the final Yarra Strategic Plan.
22. MTIA and SRLA request to be consulted on the development of the decision-making framework before it is finalised, as it may have relevance to projects being delivered by MTIA and its various offices within the Yarra Strategic Plan area.
23. MTIA and SRLA would also like clarification on whether the decision-making framework will be a "binding" element of YSP.



References to projects

24. The YSP does not consistently refer to each of the identified projects and does not reflect all projects in its maps. The YSP should be amended so that references to the projects referred to in this submission are consistent and clear and to ensure that the projects are labelled appropriately. For example, SRL should be referenced as per Plan Melbourne (discussed further below), Metro Tunnel should be named when it is indicated on the map at pages 112-113, and North East Link and Fitzsimons Lane should be referenced as "indicative" alignments on the relevant maps. Any mapping that shows project alignments should also be updated to ensure it is consistent and correct.

Issues raised by specific MTIA projects

Level Crossing Removal Project

25. LXRP is responsible for delivering the Victorian Government's commitment to remove 75 of Melbourne's level crossings as part of a broader Victorian Government initiative to establish a metro style rail network with grade separated, end-to-end rail lines. The removal of level crossings will help improve train, pedestrian and motor vehicle safety, reduce traffic congestion and support an increase in passenger rail services.
26. LXRP may have projects affected by the Land Use Framework in the future and would similarly seek to ensure that its projects are considered in the decision-making framework as finalised and included in the YSP.

North East Link Project

27. The North East Link Project (**NELP**) is responsible for delivering the North East Link project (**NEL project**). The NEL project will provide a new road connection between the M80 Ring Road and an upgraded Eastern Freeway, completing the missing link in Melbourne's metropolitan ring road. It will give the city a completed orbital connection for the first time. The project includes Victoria's longest twin road tunnel and also delivers Melbourne's first dedicated high-speed busway, new public open space and extensive walking and cycling links.
28. The NEL is a declared project under the MTPF Act and is therefore covered by the exemptions under the Act. However, the planning approvals for the NEL project require NELP to have regard to the approved YSP and demonstrate a response to the YSP as part of its Urban Design Strategy. It is important therefore that the YSP accurately reflect the NEL project and its various components.
29. Issues identified by NELP are:
 - (a) Mapping - several maps included in the Land Use Framework do not accurately reflect the alignment of the NEL project, and in some instances, do not show the NEL project alignment at all. NELP will provide a shapefile to Melbourne Water that accurately reflects the alignment of the NEL project. NELP requests that the YSP mapping, including on pages 96, 97, 100 and 101, be updated in accordance with that shapefile. Other maps, such as those on pages 107 and 111 do not currently show the NEL project. This should be amended so that the alignment is shown.
 - (b) Project description - the land use framework refers to the "proposed North East Link - a major infrastructure project which crosses Yarra River Land to provide connection between the M80 Ring Road and an updated Eastern Freeway" (see page 94). There is no further detail of the NEL project works in the YSP. The YSP should accurately represent the current state of approved projects. Specifically:



- (i) references to the Eastern Freeway should refer to the NEL project upgrades. There are currently no references to the Eastern Freeway upgrades and the alignment of the NEL project shown on several maps and figures does not cover the Eastern Freeway works (see e.g. pages 111, 113);
 - (ii) references to open space and sport and recreation along the Yarra River should, where appropriate, reference the NEL project works. This should include references to sport and recreation upgrade that will be implemented by NELP (see e.g. discussion of the parklands in the Suburban Reach on pages 94 and 99 and references to recreational trails and improving access, e.g. pages 107 and 111);
 - (iii) the description of the "Bulleen Precinct" should include a description of the NEL project (see page 108), in addition to the description of the NEL project within the "Suburban Reach" section on page 94;
 - (iv) references to shared use path facilities that are proposed to be provided as part of the NEL project should be expressly identified as attributable to the NEL project (see e.g. page 99, page 100, page 107). Relevant upgrades offered by the NEL project that are not currently identified in the draft Plan should be included (see e.g. page 100);
- (c) pages 75, 87, 101 and 117 in the Land Use Framework refer to a direction to "apply" the Yarra Protection Principles set out in the Act to all development on Yarra River land. This is not a specific direction for land use and development. Further, it is not consistent with the Act, which introduced an obligation on responsible public entities to have "regard" to the principles when performing functions or duties or exercising powers under specific legislation. NELP suggests that this be amended to be clear and consistent with the Act;
- (d) page 102 includes a direction for buildings to be setback from the Yarra River, parklands and conservation areas. However, the extent of the setback is unclear. An objective to achieve a setback already exists in Schedule 1 to Clause 42.03 in local planning schemes. NELP suggests this reference on page 102 be amended to be consistent with the current objective in the local planning schemes;
- (e) page 102 includes a direction to ensure that buildings are designed to sit below the height of a tree canopy. In NELP's view, this direction is unclear - for example, tree canopy height would change with replanting. Further, there is already an objective to ensure that all buildings are subordinate to existing vegetation in Schedule 1 to Clause 42.03 in local planning schemes. NELP suggests this reference on page 102 be amended to be consistent with the current objective in the local planning schemes.

West Gate Tunnel Project

30. The West Gate Tunnel Project Major Transport Project Authority (**WGTP MTIA**) is responsible for the management of the West Gate Tunnel project (**WGT project**). The WGT project is a major new freeway project designed to relieve traffic pressure on the Monash/CityLink/West Gate Freeway (the M1 corridor – the main connecting route between Melbourne's east and west), reduce the city's reliance on the West Gate Bridge, provide a direct freight link to the Port of Melbourne and remove significant volumes of trucks from residential areas in the inner west. Construction is well underway on the WGT project.



31. The WGT project affects land in the inner west including the West Gate Freeway, Spotswood, Yarraville, the Port of Melbourne, Citylink and the Docklands. The mapping on page 112 should be amended to include the WGT project alignment in these areas.

Issue raised by SRLA

Reference to SRL

32. SRLA requests that references to SRL reflect language in Map 1 of the *Plan Melbourne Addendum 2019* that entered the Victoria Planning Provisions via Amendment VC168. On the maps for both Current land use analysis (pp. 96-97) and Directions for future land use and development (pp. 100-101) please replace the label "Proposed Rail Loop (Indicative Only) between Heidelberg and Doncaster" with "Suburban Rail Loop Concept Route".

Issues raised by MRPV

Major Road Projects Victoria

33. Major Road Projects Victoria (**MRPV**) is a dedicated government body charged with planning and delivering major road projects for Victoria. MRPV is responsible for the delivery of major road projects around metropolitan Melbourne and regional Victoria. Our projects include new roads, road widenings, new bridges and major freeway upgrades.
34. MRPV may have projects affected by the Land Use Framework in the future and would similarly seek to ensure that its projects are considered in the decision-making framework as finalised and included in the YSP.
35. The Fitzsimons Lane Upgrade is currently listed as an existing project within the text on page 94 and shown on the Suburban Reach maps on pages 97 and 100, however the project is not present on a subordinate map on page 107. This should be amended so that the alignment is shown.

Issues raised by Rail Projects Victoria

Rail Projects Victoria

36. Rail Projects Victoria (**RPV**) is a dedicated government body charged with planning and delivering major rail projects for Victoria. RPV is responsible for the delivery of major rail projects around metropolitan Melbourne and regional Victoria.
37. RPV may have projects affected by the Land Use Framework in the future and would similarly seek to ensure that its projects are considered in the decision-making framework as finalised and included in the YSP. Changes to the Victoria Planning Provisions would need to be reviewed to understand their impacts on major project delivery.
38. The YSP labels the Metro Tunnel project as 'Transport Project' on the map at p.113. This should be corrected to name the project consistent with other projects referred to in the plan.
39. The transport project shown connecting the CBD to Fishermans Bend (both the Turner St and Plummer St alignments) is shown as "Proposed Tram Route" on the map at p.112-113. This should be clarified to ensure major transport projects are consistently described within the YSP.

