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**Request to be heard?:** Yes

**Precinct:** Lorimer

**Full Name:** Stephen Grech

**Organisation:** No

**Affected property:** Yarra's Edge Marina

**Attachment 1:** Submission\_to\_Dr

**Attachment 2:**

**Attachment 3:**

**Comments:** See uploaded attachment

## Submission to Draft Fisherman's Bend Framework

My name is Stephen Grech and I am a Yarra's Edge marina berth lease holder.

I am making this submission as I believe that many Yarra's Edge (YE) residents, apartment owners, business owners and berth owners including myself will be significantly disadvantaged by the Fisherman's Bend Draft Framework and specifically the implementation of a fixed tram bridge over the Yarra, closing off access to the Marina by tall yachts, threatening the viability of the marina and ultimately devaluing business and real estate assets.

The proposed new tram bridge at a 6-meter height will close off access to the Yarra and it's beautiful Yarra's Edge Marina to all yachts both large and small. 149 Berth owners', many visiting boats, 1500 apartment owners and local business will be affected by the current proposal.

YCAC (Yarra's Edge Class Action Committee) and it's 1500 members have notified government of its intention to litigate due to implementation of the tram bridge, threatening the viability of the Marina and ultimately devaluing Berth prices, business and real estate assets.

It is expected that taxpayers will be forced to pay out more than \$300 million dollars in compensation through litigation by Yarra's Edge residents - the largest class action in Victoria's history outside of the bushfires.

The Yarra's Edge community has discussed the draft framework and in particular proposed tram bridge. Our community representatives include building and planning professionals, and it is their understanding there are many alternatives to the fixed tram bridge, including having an opening bridge (already researched by government to be operationally functional) as well as using an alternative option to get trams into Fisherman's Bend accessing Latrobe St rather than Collins St.

I endorse the proposal by Sutherland Property Consulting to government which would;

- \* Relieve the need to add even more trams to Collins St (which is already full);
- \* Relieve the need to pay \$300 million to Yarra's Edge as class action compensation;
- \* Potentially save local MP Martin Foley from electoral defeat;
- \* Connect with Southern Cross Station (from the other end of Etihad Stadium);
- \* Connect with Flagstaff Station, Melbourne Central Station and the new Metro Tunnel CBD North (State Library) station;
- \* Activate New Quay and the urban renewal area of City North; and
- \* Confirm the vision of Victoria Harbour (South Basin) as Melbourne's hub of future water-borne commuter ferries.

I submit the following issues which should be addressed prior to any decision made in respect to the development of a low level tram bridge as documented in the Fisherman's Bend Draft Framework:

- The proposed location of the tram bridge will have a determinant impact on the:
  - financial value of YE properties with a marina view
  - YE Berth owners through the devaluation of their lease
  - longer term impacts on the future viability of the YE Marina

- the flow of visitors to the cafes and local businesses through the loss of boating, visitors and the look of the surrounds
  - beauty and attractiveness of the area
  - heavy and noisy traffic flows which is a significant safety concern; and
  - many other issues which the proposed low level tram bridge will cause.
- Some people buy holiday houses and others may save for an overseas holiday. Marina Berth and boat owner make a choice to enjoy the lifestyle of a marina setting. People choose to live a life style with a boat at a marina. The Fisherman's Bend Draft Framework takes away our choice of life style. It is not appropriate to be able to use something and then take it away. People have the right to access the waterway.
  - I challenge the basis of the statement that only 49 tall boats will be impacted by the development of a low tram bridge. The methodology to determine the number 49 was flawed. The number is more than reported. Data was also not taken into consideration of the volume of tall boat visitors per annum residing on a temporary basis at YE Marina
  - The Draft Framework exposes an absence of an impact statement on the financial loss and trickle down effect to local businesses of the reduction of boat numbers to patronage and their spend
  - I understand that the proposed tram route will include the introduction of a new Level Crossing. This is contrary to Victorian Labour Election commitment aimed at the removal of Level Crossing.
  - The proposed rail bridge possess significant safety concerns
  - The proposed rail bridge threatens the Rufus Knight Heron, more commonly known as the Nankeen Night Heron, which is unique and has found its home in YE Marina area



- The proposed rail bridge removes the only grassed area in YE Marina area
- The IAG Supermarket will financially suffer from the reduction in foot traffic from the reduction in active berths at the YA Marina and customers diverted to Woolworths via the proposed location of the tram according to the Fisherman's Bend Draft Framework.

In the event of a decision being made to proceed with a low level tram bridge, there is an absence of information as to the:

- financial compensation to be paid to YE property owners due to property devaluations. Marina view apartments were sold at a premium on the basis of a marina view. Some apartment owners will have significant valuation loss due to noise and loss of privacy
- financial compensation to be paid to YE lease holders from the devaluation of lease holdings
- financial compensation to be paid to YE retail businesses from the reduction in patronage due to the loss of tall boats or potential longer term closure of the YE Marina due to financial viability constraints
- efforts to be made to relocate tall boats to an alternative marina. Tall boats and not trailer boats can't simply move somewhere else. These boats are too large to easily find an alternative and their value would be severely reduced and many will not be sellable. A precedent exists in Townsville for the authority to fund the relocation of boat impacted by the installation of a bridge

I also understand that the Yarra's Edge community sort legal advice in 2013, when the tram bridge at Yarra's Edge was previously proposed. Advice attained at the time included relevant precedence at law that would support a litigation claim.

A Class Action group has been formed. I wish to inform you that there is intent to proceed with a Class Action for compensation from a number of group types should the tram bridge proceed as proposed.

I welcome the opportunity to meet with you and present my submission in person. If you have any questions please contact Stephen Grech on mobile 0448 40 30 94.

Yours sincerely

Stephen Grech

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