

WRITTEN OUTLINE OF SUBMISSIONS ON BEHALF OF THE

INNER MELBOURNE PLANNING ALLIANCE INC

1. INTRODUCTION

- 1.1 These submissions are made on behalf of the Inner Melbourne Planning Alliance Inc (**IMPA**) and relies upon the written and oral evidence of Professor Peter Graham and Dr Ian Woodcock in addition to the written submission of the IMPA Inc (Submission No. 374).
- 1.2 IMPA Inc is a not for profit citizens group with a membership across Melbourne
- 1.3 IMPA Inc does not receive funding from any parties other than small membership fees
- 1.4 IMPA Inc participates in extensive collaborative work on matters that affect the city
- 1.5 IMPA Inc is an incorporated body and is governed by an elected Executive
- 1.6 IMPA Inc submission is the only submission to IAC EES process that does not limit its range of concerns to geographic boundaries such as LGA boundaries or immediate project proposal boundaries as the impacts will be metropolitan wide and are of national and state significance.

2. BASIC CONTENTIONS

- 2.1 IMPA Inc is opposed to the West Gate Tunnel Project (**Project**)

2.2 IMPA Inc holds that the West Gate Tunnel Project (WGTP) has failed to meet the 'Pub' test

2.2.1 No Mandate under election promises of 2014

2.2.2 No transport plan under obligations under the Transport Integration Act 2010 therefore no policy basis for this proposal

2.2.3 Selective policy basis for the project Business Case excluding important transport policy relevant to a project of this nature and scale

2.2.4 Failed in delivery of a transport programme that the community have endorsed

2.2.5 Failed in meeting, it's mandate outlined by the Department of Treasury and Finance in relation to unsolicited bids

2.3 IMPA Inc holds that the WGTP has failed its obligations under the Environmental Effects Statement (**EES**) and cannot be supported

2.4 IMPA Inc is concerned with the following:

- The WGTP runs contrary to good planning and urban design with significant impacts on the City of Melbourne, other inner city municipalities and on Metropolitan Melbourne.
- The WGTP fails in meeting its own expressed objectives as stated in the set of documents that make up this proposal subject of this Environmental Effects Statement process.
- Failed in reviewing and assessing transport alternatives such as public transport options to service the Western Growth Corridor and therefore

in providing the evidence for the best way forward in meeting Melbourne's undoubted need for transport investment

- The proposal has a myopic brief and should be descoped to delete the most egregious aspects of the proposal
- Public and active transport should be investigated to meet future transport needs.
- The failure to analyse the full spectrum of health impacts as opposed to health end points; in support for the submission by the Lung Health Centre University of Melbourne and Dr Diane Keogh in their Expert Advice.
- The lack of rigorous analysis in the Health Impacts Analysis (HIA).
- The lack of rigorous analysis in the Green House Gas (GHG) emissions

3. EVIDENCE

3.1 IMPA Inc relies upon the evidence of two experts and refers to other submitter's Experts in particular Professors Irving and Anderson, Dr Diane Keogh and Professor Geoffrey London:

3.1.1 Professor Peter Graham to support its submission. Professor Graham has more than 20 years' experience in sustainability research and is the author of many academic papers in addition to holding a number of academic appointments both in Australia and overseas.

3.1.2 Dr Ian Woodcock to support its submission. Dr Woodcock is a lecturer in sustainability and urban planning with over 30 years'

experience in practice and academia in the UK and Australia, and a research focus on relationships between transport and urban design.

3.1.3 Other expert opinion on Health Impact Assessments (HIA) from the Lung Health Centre City of Melbourne, Dr Diane Keogh and key expert on Urban Design, Professor Geoffrey London,

3.2 In summary, Professor Graham is of the view that the performance objectives of international agreements cannot be met by the current proposal

3.3 Professor Graham's opinions are arrived at on the following basis:

- Vehicular traffic contributes to 62% of GHG and in Australia 17% of total emission in 2013-14 (Ref Climate Works Vehicle Emission Discussion Paper, April 2016)
- Australia must engage in an aggressive program of behaviour change, modal shift in transport and urban settlement patterns to meet its international commitment targets. To estimate that the increase in GHG is 0.23% must be understood in the context of an already extremely high base line.
- Australia's performance has been rated as poor on GHG emissions reductions by the UNEP mid-term assessment 2016

3.4 In Summary, Dr Woodcock is of the view that the Project should be reduced by at least 50% of its current scope to remove its most egregious effects (as set out in the statement from the urban design expert witness conclave – this would mean: deleting the Dynon Road connection; reconfiguring the Wurundjeri Way extension as an at-grade boulevard or sub-surface tunnel, or deleting it altogether; deleting the bridge and ramps over the Maribyrnong

River and extending the tunnel eastwards far enough to minimise the impact on Footscray Road to focus on providing freight access to the docks)

4. SUBMISSIONS

The Proposed project fails to meet EES requirements as set out in the reference documents to assess impacts across

4.1 Transport

4.1.1 No alternatives presented or assessed by proponent; Public Transport (PT) options (Melbourne Metro 2, Bus networks, Tram/Light Rail options) & Freight on Rail options (despite being a relatively cheap and funded option (\$58m Federal Funds allocated for Port Rail Shuttles), as required under the terms of an EES assessment – we support City of Melbourne submission in this regard

4.1.2 This proposal is a retrograde step for Melbourne, akin to professional thinking of the 1960's and the Metropolitan Transport Plan, 1969. This proposal is out of step with contemporary understandings of the challenges facing modern cities with population growth, climate change and the contemporary nature of cities as creative cities that are the engines of the new economy. Cities that prosper are those that successfully transition to sustainable and liveable cities systems thinking with fully functioning public transport systems, walkable neighbourhoods, dispersed employment centres with connected hubs and sustainable energy generation. This project has none of these features, nor does it promote or facilitate such urban development. The proponent argues that the WGT will connect the job centres of the city with the growth areas of Melbourne's west. However, this view fails to understand how growth in jobs in the northern quarter of the CBD has primarily been driven by the City Loop and associated improvements in PT connections coupled with the City of

Melbourne's urban renewal programs over the last 30 years that have delivered highly desirable urban amenity in the central city. A substantial element of this trajectory is an emphasis on people not cars (refer Jan Gehl, Danish UD advisor to City of Melbourne for the last 30 years). WDA also fails to recognise that desirable employment centres for the western side of the city are in the Geelong corridor, the Werribee employment centre, Sunshine NEIC and to the north of the city. Pouring an additional 9,000 vehicles into the north and west of Melbourne wipes out decades of good urban policy and development work and in our view is a cynical effort to create demand for a further Tollway project to manage this inevitable induced car congestion further entrenching an out of date traffic model for the city.

- 4.1.3 Policy Framework referred to in this proposal has been highly selective in the Business Case – we have identified a number of policies that are particularly relevant to freight on rails and integrated transport that has not been referred to in the proposal. There is a high emphasis on road policy to the exclusion of public transport and freight on rail consistent with sustainability objectives (refer to submission). The TIA is required to develop an integrated LUTI. WDA argument that the decision making process should be guided by cases such as VCAT decision precedents in relation to single sites and questions of overshadowing fails to recognise the status and nature of a state wide policy such as the TIA which establishes core set of principles that establish guiding values not tradable variables.
- 4.1.4 Australia has one of the lowest regulatory requirements for vehicle emissions in the world (refer Climate Works Report 2016). In this context-induced road, based traffic is a risk to a sustainable future for Melbourne
- 4.1.5 This project will reach saturation congestion within 5 years of completion (WDA Technical Report Part A) and will only shave 3 minutes off the travel

journey (refer to Technical Report Part A (GHD) page 331). We consider this is not a sustainable and long term solution for Melbourne Transport needs and certainly not value for public money. This project is a 'gold plated road based infrastructure project' which will exhaust its usefulness as measured by congestion within an unacceptably short period and 'lock in' Melbourne to a car based network operated by a private company taking the city in precisely the wrong direction in finding a solution to transport for Metropolitan Melbourne facing population growth to 8 million within 30 years.

- 4.1.6 The 'gold plated' infrastructure funded by the public of Victoria – We support City of Maribyrnong's argument that the off /on ramps to McKenzie Road access to the Port (Swanson Dock) is not something the Port of Melbourne is arguing for and in fact Port of Melbourne's new operators are not represented at the Hearings at all. The Port of Melbourne policy work also do not support the excessive connections across the Maribyrnong river
- 4.1.7 This project does nothing to change the status of congestion on the Westgate as argued Eric Keys (for City of Melb) – it is currently at capacity and will remain at capacity indefinitely (urban saturation) with or without the project therefore it fails in one of its key assessment criteria. A substantial proportion of the car traffic is commuter traffic because quite literally there is no choice because of the long entrenched poor public transport (see Dr Jan Scheurer's accessibility mapping 2014) evidenced when the Tarneit station opened it was the second busiest station in metropolitan Melbourne. This line is not a metropolitan train it is a Regional Rail Train however the pent up demand for reliable public transport which has existed for decades has swamped this station and is reflective of the failure of the public transport department now fragmented and operations privatised which has left the western growth areas disproportionately disadvantaged. This is something that will not be alleviated

by this project. The Metro Rail 2 project will provide the vital link to achieve plugging the gaps in the network in public transport.

4.1.7 The forecasted Veitch Lister traffic modelling cannot be relied on. It is contested by Mr William MacDougall (Senate Enquiry July 2017), Mr Doug Harley and as reported by the media of Mr MacDougall's account of his colleague, independent reviewer, Mr Allard's critical review of the Zenith model for this project. Further, the 'unusual' cost benefit analysis method by Price Waterhouse, through an untried until this project (Ref Mr MacDougal Submission to the Senate Enquiry July 2017) is also of concern. The IAC's decision not to avail itself of Mr Allard review report that is reportedly critical of the proprietary VLC Zenith model is disappointing. This seriously undermines confidence in the model as the basis of all of the assessment calculations in GHG, Business Case BRCs and need for many of the most contentious aspects of the proposal such as the city connections, hinge on the reliability of the traffic model.

4.1.8 The 'Zenith' propriety model is a 30/40 year old traffic model better suited to a time when cars dominated transport thinking. More contemporary thinking and research is on an integrated modelling that takes in land use and transport (SIMCity etc) to assist planning processes with a greater level of sophistication and detail to inform future city shaping transport investment decisions. Eric Keys, Civil Engineer (for City of Melbourne) stated in his response to questioning by WDA that it was industry standard to use a model like 'Zentih'. This is true of a Business as Usual (BAU) approach from a baseline acceptance of car dominance which was established post World war II when oil was plentiful and climate change was less obvious as a global concern in the civil engineering stream. Contemporary challenges facing cities such as Melbourne require world's best practice.

4.1.9 We support the scientific expert opinion on HIA as presented by the Lung Health Research Centre, Melbourne University (Ref Submission by Theresa Bisucci).

Australian air quality compares favorably to other countries, and therefore the issue of air pollution is often overlooked. There is a general lack of awareness that even with relatively low levels, there are significant health impacts. Importantly, 3430 annual Australian deaths are attributed to ambient pollutants, PM's and ground level ozone with associated costs estimated to be up to \$A17.8 Billion. Road vehicles contribute the largest proportion of air pollutants. In 2015, vehicle emissions were estimated to be responsible for more deaths (1715) than our national road toll (1205).

- *The HIA does not address the most current understanding of mechanisms of pollution induced disease including both acute and long-term adverse health effects and outcomes and thus is an inappropriate baseline;*
- *The failure to identify any safe lower limit of exposure for air pollutants;*
and

Reducing exposure is the key to producing air pollution related health outcomes

4.2 Physical Environment –

4.2.1 'Gold plated road based infrastructure' which will exhaust its usefulness as measured by congestion and unnecessary connection to the Port (as argued by City of Maribyrnong civil engineering expert Mr Symons, Ratio Consulting) will blight water/open space, creeks and rivers and important urban renewal areas

such as E Gate linkages to Dockland blighted by unnecessary elevated crossings

4.2.2 Port of Melbourne operators, significant by their absence in this process; their policy work certainly does not argue for the elaborate on/off ramp configurations that will blight the gateway to Footscray forever.

4.2.3 An elevated Tollway creating direct connection to the CityLink Tollway is probably the most audacious aspect of this project in its proposal to link the established tolling business interests of TransUrban with new business opportunities thereby controlling essentially the western and northern corridors of the city and its supply links to the Port.

4.3 *Human Health & Amenity* -

4.3.1 'Kicking down the road' trucks on local and arterial roads from Yarraville with a 'gold plated' tunnel option to Millers Road and to the Brooklyn and Altona Community is an inherently flawed and discriminatory option.

4.3.2 We support the Lung Health Research Centre, (LHRC) Melbourne University and Dr Diane Keogh and others position that Health Impact Assessment (HIA) is inadequate and that the health impacts are of a scale that is utterly unacceptable – Air Quality risks / Human Health impacts are irrefutable and unacceptable. A public project that generate such risks is not a sustainable option for the future of Melbourne

4.3.4 The noise implication for residual open space will be intolerable and unusable for active open space. Open space is a front line necessary for a healthy community and to not protect these space will have generational social impacts

4.3 *Community* –

- 4.3.1 Failure to properly consult – We support member group, SSKRA and other groups claims that they were misled, misrepresented and that expressed concerns were never addressed.
- 4.3.2 Failure to allow sufficient time to conduct this EES process. This process is arguable the most fast tracked process for a project of this scale and significance.
- 4.3.3 Impacts of the unfair tolling regime (supported by publicly funded Civic Compliance) – refer to Denis Nelthorpe, Justice West Report which outlines the human misery due to the ‘unintended consequences’ of TransUrban Tolling operations.
- 4.3.4 The questionable value to the broader community of permitting the transport planning function lead by a multi national company motivated by profit and not the good principles of integrated land use and transport planning as required under the Transport Integration Act 2010.
- 4.3.5 The appropriateness of public money part funding a private companies business interests – this project has been funded \$1.6b to date and as part of the negotiation a demand for a further continuance of the CityLink Deed of 2045 years to TransUrban. What is the community benefit of funding a private company to peruse their business interests – the conventional logic is that Toll road operators fund roads for the rights to toll. In this instance, the public purse pays for the development of the proposal over a three-year period, to transfer to a private, transnational company rights to major infrastructure that is city shaping and controlling. TransUrban are a company known for aggressively protecting their business interests, with increasing toll costs to the Freight and Bus sectors (Ref Herald Sun 5 April 2017). The benefit is and will remain entirely TransUrban in our assessment. The deal is just not worth it and fails the public interest test.
- 4.3.6 This project will entrench transport disadvantage by consigning the Western growth corridor communities to a car-based future in the absence of any chance of a

properly developed public transport network. The false proposition that the RRL and MM1 (as represented by WDA, distorted diagram) can be counted, as an investment in public transport for the west cannot be supported. The West is coming from such a low base of disadvantage in terms of Public Transport accessibility – reflected in Dr Scheurer research (ref SNUMAT)

4.4 *Heritage –*

4.4.1 We question the authenticity of the design references to indigenous peoples and question if any cultural and community groups have been involved in the development in any of these ideas. Many have remarked that these references are superficial at best and could be construed as ‘lip stick’ on the pig insensitively appropriating cultural references to mask an inherently overpowering series of structures that will destroy river connection and real place heritage links with a very old part of Melbourne

4.5 *This project fails to meet the Department of Treasury & Finance requirements for unsolicited bids*

4.5.1 Fails to meet Department of Treasury requirements in assessment of unsolicited bid of meeting a standard of **genuinely unique** benefit

Victorian Government Department of Treasury and Finance’s (DTF) procedures for assessing private sector proposals (unsolicited bids):

Preliminary assessment of ideas and proposals

1. Strategic assessment and recommendation

The Government conducting a strategic assessment of the merits of the proposal to determine whether the proposal should proceed, and if so whether this should be through a competitive tender process or through an exclusive negotiation

2. Detailed due diligence, investment case and procurement preparation

3. Negotiation and assessment of final offer

4. Award contract

“Government will only pursue proposals that offer something genuinely unique, deliver on Government priorities, provide benefits to the community and provide value to Victorians” (DTF website)

5 CONCLUSION

5.3 The material before the Advisory Committee can be summarised as follows:

- This proposed project fails good planning, is ill conceived and follows out of date thinking that accepts car travel as the dominant transport mode
- This proposal project serves a ‘traffic’ plan not a ‘transport’ plan for the future of Melbourne
- The proposal fails to meet contemporary needs of the city to reverse trends in dangerous GHG emissions, move to a denser settlement pattern and sustainable transport options consistent with Transport Integration Act 2010 policy objectives

5.4 The Health risks are significant and without intervention such as filtration to the ventilation structures, it cannot be said that the Project **minimises** adverse air quality impacts. We rely on the LHRC and Dr Diane Keogh submission on the HIA failure in the project proposal

5.5 On that basis, how can it be said that the following EES Evaluation objectives are achieved:

- *Health, amenity and environmental quality – to **minimise** adverse air quality....effects on the health and amenity of nearby residents, local communities and road users...*

- *EES Evaluation Objective: To minimise adverse effects on landscape, visual amenity and recreational and open space values and to maximise the enhancement of these values where opportunities exist.*

In addition, nor are planning and transport policy objectives met:

- *To secure a pleasant, efficient and safe working, living and recreational environment for all Victorians and visitors to Victoria (Planning and Environment Act 1987; s4(1)(c))*
- *The transport system should provide a means by which persons can access social and economic opportunities to support individual and community wellbeing including by (a) minimising barriers to access so that so far as is possible the transport system is available to as many persons as wish to use it (Transport Integration Act 2010, s8); and*
- *The transport system should actively contribute to environmental sustainability by (b) avoiding, minimising and offsetting harm to the local and global environment, including through transport-related emissions and pollutants and the loss of biodiversity (Transport Integration Act 2010; s10).*
- *As delegated legislation, the State Planning Policy Framework seeks to ensure that planning policies and practices:*
 - ...integrate relevant environmental, social and economic factors in the interests of net community benefit and sustainable development. (SPPF; Clause 10.02)*

5.6 In conclusion, the proposal is simply deficient and does not achieve the EES Evaluation objectives in the area of good planning and urban design, health

impacts and managing GHG risks. The EES does not adequately demonstrate that these objectives are achieved through the project as proposed.

11 September 2017

Inner Melbourne Planning Alliance Inc

Gerry McLoughlin, Secretary

MA Plan&Des Melb, B. Arch (Hon) RMIT, Registered Architect arbv No 14809

On behalf of the membership