5. Assessment of environmental effects

On balance, it is my assessment that the project can meet its objectives, and that its environmental effects will be acceptable, provided the recommendations of this assessment are adopted and implemented.

The IAC made several findings and recommendations in respect of the project. My response to its key findings and recommendations, along with my assessment of the main environmental effects of the project, are detailed in the sections below.

The IAC commented that the EES “has correctly focussed on the consideration of alternatives for the project, rather than alternatives to the project”. This is an overly narrow interpretation of the Ministerial Guidelines; the nature of the project is accepted but the EES process does not preclude other possible ways of addressing the underlying challenges. Hence, the project should be considered in the context of the traffic network of the area and its limitations, which the project was conceived to address, not as a discrete infrastructure project that provides “a missing link.”

Some submitters argued that the project represents a poor allocation of government resources which might better be used, for example, to fund public transport upgrades. However, the EES process examines the potential impacts of projects and their relevant alternatives; it is not designed for strategic evaluation of policies or drivers for infrastructure provision. Such policy and strategic considerations occur at a higher level under the Transport Integration Act 2010 and through strategic planning at a metropolitan or regional scale (e.g. Plan Melbourne). As the transport network issues in the Mordialloc vicinity have been recognised at a strategic level for some time, the EES examined the proponent’s preferred approach to addressing those issues.

It is essential that this assessment deals robustly with the acceptability of the environmental effects of the project, having regard to the EE Act and the Ministerial guidelines, as well as the EPBC Act. However, it is not a function of the EES process to interrogate the established policy setting and rationale for the project. Nevertheless, the fact the project corridor has been provided for through land use planning prescriptions over time does not detract from the need for an objective assessment of its environmental effects now, against current environmental policy objectives and criteria.

It is not necessary that all adverse impacts (including risks) of an infrastructure project such as Mordialloc Bypass be eliminated or avoided. Rather, impacts should be mitigated as far as practicable and a judgment made about whether the residual impacts are acceptable, having regard to the nature of the affected environmental values. In both assessing impacts and choosing and applying mitigation measures, it is essential that a systems approach is taken, so that actions to mitigate certain impacts do not exacerbate other impacts to unacceptably or unnecessary degree. For example, structures to reduce noise or to protect birds from vehicle collisions might have adverse visual impacts. Vegetation planted to mitigate visual impacts might compromise the integrity of threatened ecological communities. Management of stormwater to avoid flooding impacts might change the inflow regimes or water quality of sensitive wetlands.

My recommendations and assessment need to be consistent with public policy. Despite recommending that VicRoads complete its review of the Victorian Traffic Noise Reduction Policy (TNRP) in my assessment of the West Gate Tunnel project, the TNRP remains unchanged. Consequently, there is no clear policy basis that supports the assessment of noise on habitable levels above the ground floor. In absence of an updated TNRP, I agree with the IAC that strict application of VicRoads’ TNRP only requires ground level receivers to be considered, but recommend consideration also be given to the noise levels for multi-storey residences.

For this project, key impacts discussed in the following sections affect values including biodiversity, water, landscape and amenity. Some of the impacts such as fragmentation of habitat are difficult to quantify. Some are risk-related – that is, they arise with respect to events or impacts that are uncertain or indirect. My assessment is based on an integrated approach that acknowledges connections between impacts and values.