

Report to the Future Melbourne (Planning) Committee

Agenda item 6.3

Melbourne Metro Rail Project – City of Melbourne’s submission to the Environmental Effects Statement

5 July 2016

Presenter: Rob Moore, Project Executive Melbourne Metro Rail Project

Purpose and background

1. The purpose of this report is to seek endorsement of the draft submission to the Melbourne Metro Rail Project Environmental Effects Statement and Planning Scheme Amendment (refer Attachment 2).
2. Melbourne Metro Rail Authority (MMRA) released the Environmental Effects Statement (EES) for the Melbourne Metro Rail Project (MMRP) on 25 May 2016. Submissions to the EES are due by 6 July 2016. Following the written submission process, the Department of Environment, Land, Water and Planning (DELWP) will be holding a Public Inquiry in relation to submissions to the EES in late August/September 2016.
3. A Directions Hearing for the EES Inquiry is to be held on Tuesday 26 July 2016.
4. A summary of the Governance Framework pertaining to the MMRP together with the Environmental Management Framework (Fig 23-3 from the EES) are attached (refer Attachment 3).

Key issues

5. City of Melbourne has been working in partnership with MMRA since May 2015 and has been formally represented on MMRA’s Urban Design Reference Group together with representatives of the Office of the Victorian Government Architect, Public Transport Victoria and Heritage Victoria.
6. City of Melbourne actively participated in the Technical Reference Group (TRG), established and chaired by DELWP during the development and preparation of background specialist reports and draft chapters of the EES. Other members of the TRG included: Melbourne Water, Environmental Protection Authority, Heritage Victoria, Office of Aboriginal Affairs Victoria, VicRoads, City of Port Phillip and City of Stonnington. The TRG met formally on 12 occasions.
7. City of Melbourne’s engagement and input into the TRG process has resulted in what is generally considered to be a comprehensive EES that covers most key impacts of the project and sets out Environmental Performance Requirements to avoid (where possible), manage and/or minimise potential adverse impacts and to support the realisation of the opportunities provided by the project.
8. MMRA and the TRG were provided with all relevant City of Melbourne strategies and policies and we note that these have been referenced in the EES documentation.
9. Despite City of Melbourne work with MMRA and with the TRG, the development of a Concept Design for the project has highlighted some deficiencies in the impacts investigated in the EES. Options are presented for some components of the project. Options have been assessed and a preferred option described in City of Melbourne’s submission.

Recommendation from management

10. That the Future Melbourne Committee endorses City of Melbourne’s submission to the Environmental Effects Statement for issue to Department of Environment, Land, Water and Planning on Wednesday 6 July 2016, and authorises the Director City Design and Projects to make any further minor editorial changes to the EES submission prior to issue.

Attachments

1. Supporting Attachment (page 2 of 116)
2. City of Melbourne’s submission to the EES (page 3 of 116)
3. Governance Framework and EMF (page 115 of 116)

Supporting Attachment

Legal

1. Legal advice has been provided as required in the preparation of the submission.

Finance

2. There are no direct financial implications arising from this report.

Conflict of interest

3. No member of Council staff, or other person engaged under a contract, involved in advising on or preparing this report has declared a direct or indirect interest in relation to the matter of the report.

Stakeholder consultation

4. Consultation for this State Government project has been undertaken by MMRA.

Relation to Council policy

5. Relevant Council policies are listed in City of Melbourne's submission.

Environmental sustainability

6. Relevant Council policies have been acknowledged in the EES.



Melbourne Metro Rail Project Environmental Effects Statement

City of Melbourne Submission

July 2016

Contents

List of Abbreviations	10
1. Executive Summary	11
1.1 Introduction.....	11
1.2 Structure of submission.....	11
1.3 Summary of Key Submissions.....	11
1.3.1 Tunnels Precinct.....	11
1.3.2 Western Portal (Kensington)	12
1.3.3 Arden Precinct.....	13
1.3.4 Parkville Precinct.....	14
1.3.5 CBD North Station.....	14
1.3.6 CBD South Station	15
1.3.7 Domain Station Precinct.....	15
1.3.8 Noise and Vibration	16
1.3.9 Planning Scheme Amendment (PSA)	16
1.4 Recommendation	17
2. Introduction.....	18
Purpose of this submission	18
3. Fawkner Park TBM Launch Site.....	20
3.1 Introduction.....	20
3.2 TBM launch site options	20
3.3 Preferred TBM launch site option	22
4. Tunnel alignment options below Domain Parklands	25
4.1 Introduction.....	25
4.2 Preferred tunnel alignment option	26
5. Emergency Access Shafts	29
5.1 Introduction.....	29
5.2 CBD South Station-Domain Station.....	29
5.2.1 Introduction.....	29

5.2.2	Queen Victoria Gardens Domain Parklands.....	30
5.2.3	Tom’s Block, Kings Domain, Domain Parklands	31
5.3	Domain Station – Eastern Portal	32
5.3.1	Introduction.....	32
5.3.2	Fawkner Park Tennis Club	32
5.3.3	North-east between Marne Street and Walsh Street alignment	34
5.4	Fawkner Park Impacts (Concepts 2 to 7)	35
6.	Western Portal (Kensington)	37
6.1	Introduction.....	37
6.2	Western Portal Preferred Option	39
6.3	Bicycle and vehicle access.....	41
6.4	South Kensington Station	42
6.5	Optional location for Electrical Substation	43
7.	Arden Station Precinct.....	45
7.1	Introduction.....	45
7.2	Tree removal within Arden Siding.....	45
7.3	Heritage	46
7.4	Fauna	47
7.5	Construction Traffic Routes	49
7.6	Substation location options.....	50
7.7	Legacy – Land contamination and flooding	52
8.	Parkville Station Precinct.....	54
8.1	Introduction.....	54
8.2	Trees	55
8.3	University Square North	56
8.4	Station entry locations	58
8.5	Royal Parade, temporary closure of Grattan Street and Traffic Impacts.....	59
9.	CBD North Station Precinct.....	60
9.1	Introduction.....	60

9.2	Franklin Street Station Entrance.....	61
9.3	Closure of A'Beckett Street	64
9.4	La Trobe/Swanston Street Emergency Access	66
10.	CBD South Station Precinct	68
10.1	Introduction.....	68
10.2	City Square.....	69
10.3	North-west station entrance.....	71
10.4	Future provision for additional station entrance.....	73
10.5	Location of Federation Square station entrance.....	74
10.6	Social Impacts	76
10.7	Traffic impacts during construction.....	77
10.8	Heritage	79
10.9	Waste Management	83
11.	Domain Precinct.....	85
11.1	Introduction.....	85
11.2	Location of station entrance on north-east corner of St Kilda and Domain Roads 86	
11.3	Edmond Herring Oval.....	87
11.4	Impacts on Trees.....	89
11.5	Traffic Impacts.....	90
12.	Noise and Vibration	93
12.1	Introduction.....	93
12.2	Management of noise and vibration impacts during construction.....	93
12.3	Use of Acoustic Sheds during construction	94
12.4	Impacts on City of Melbourne assets and other buildings	95
13.	Planning Scheme Amendment.....	102
13.1	Introduction.....	102
13.2	Incorporated Document.....	103
13.2.1	Approval of Development Plans	103
13.2.2	Early and Preparatory Works	104

13.2.3 Project Area..... 105

13.3 Over-Site Development..... 107

13.3.1 Introduction..... 107

14. Conclusion..... 112

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Table of Figures

Figure 1 – Fawkner Park TBM Launch Site (Melbourne Metro Rail Project EES – Map Book)	21
Figure 2 - Domain Construction Concept Design (Melbourne Metro Rail Project EES – Map Book)	22
Figure 3 – Map showing Current facilities (ComPASS).....	23
Figure 4 - Tunnel Alignment (EES Map Book)	25
Figure 5 – Construction work near CityLink tunnel alignment (EES Map Book)	26
Figure 6 – CityLink Tunnel alignment (CoMPASS)	27
Figure 7 – Area potentially requiring ground treatment at the CityLink crossing (EES Appendix P – Ground Movement and Land Stability)	28
Figure 8 – Emergency Access Shaft Location (Melbourne Metro Rail Project EES – Map Book)	30
Figure 9 – Aerial image of proposed Emergency Access Shaft Location Queen Victoria Gardens (CoMPASS)	30
Figure 10 – Aerial image of proposed Emergency Access Shaft Location ‘Tom’s Block’ Kings Domain (CoMPASS)	31
Figure 11 – Fawkner Park Emergency Access Shaft Locations (Melbourne Metro Rail Project EES – Map Book)	32
Figure 12 – Proposed location of Emergency Access Shaft at Fawkner Park Tennis Centre (CoMPASS).....	33
Figure 13 – Emergency Access Shaft location between Marne St and Walsh St alignment (CoMPASS).....	34
Figure 14 – City of Melbourne Submission to the Punt Road Investigations, Punt Road Concept Options Report, 24 November 2015	35
Figure 15 – Western Portal Concept Plan (Melbourne Metro Rail Project EES Chapter 6 – Project Description)	37
Figure 16 – Western Portal Alternative Design (Melbourne Metro Rail Project EES Chapter 6 – Project Description)	38
Figure 17 – Heritage Overlay Map showing part extent of Heritage Overlay HO9 (Melbourne Planning Scheme)	40
Figure 18 – Heritage Grading of properties within and adjacent to Western Portal Preinct (CoMPASS).....	40

Figure 19 – Aerial image with business park at 50 Lloyd Street highlighted (CoMPASS)41

Figure 20 – Image of Childers Street looking west towards Kensington Road (Google Streetview)42

Figure 21 – Optional Location for electrical substation at 50 Lloyd Street (Melbourne Metro Rail Project EES – Map Book)44

Figure 22 – Aerial image including Arden Siding (CoMPASS).....46

Figure 23 – Proposed Heritage Overlay under Planning Scheme Amendment C 207 (CoMPASS).....47

Figure 24 – A list of threatened fauna found within 5km of the proposed Arden site (taken from the DELWP Biodiversity Interactive Map). A number of these species, in particular the Great Eastern Egret, Royal Spoonbill and Nankeen Night Heron have been observed within 1km of the site.48

Figure 25 – Proposed construction traffic routes Adren Station Precinct (Chapter 8 Transport EES)49

Figure 26 – Concept Design and alternative location of substation (Melbourne Metro Rail Project EES – Map Book).....51

Figure 27 – Melbourne Planning Scheme Maps Land Subject to Inundation Overlay (Melbourn Planning Scheme).....52

Figure 28 – Parkville Station Precinct (Melbourne Metro Rail Project EES – Map Book)54

Figure 29 – Aerial image of northern portion of University Square (CoMPASS)55

Figure 30 – Concept Design Construction Area for Parkville Station Precinct (Melbourne Metro Rail Project EES – Map Book)57

Figure 31 – 3-D render from University Square Draft Concept Plan57

Figure 32 – Proposed Concept Design Parkville Station including station entrances (Melbourne Metro Rail Project EES – Map Book)58

Figure 33 – Concept Design City North Station (Melbourne Metro Rail Project EES – Map Book)61

Figure 34 – Queen Victoria Market Precinct Renewal - City Grid Plan (Page 29)62

Figure 35 – Franklin Street alternative Concept Design(City of Melbourne)63

Figure 36 – Franklin Street alternative Concept Design (City of Melbourne)64

Figure 37 – City North Station Concept Design (Melbourne Metro Rail Project EES – Map Book)64

Figure 38 – Properties to be acquired as part of City North Station Concept Design (CoMPASS).....65

Figure 39 – Map showing location of new through-block link approved as part of Planning Permit 2014/000770 (CoMPASS)	66
Figure 40 – City South Station Precinct Concept Design (Melbourne Metro Rail Project EES – Map Book)	68
Figure 41 – City South Station Concept Design Construction (Melbourne Metro Rail Project EES – Map Book)	69
Figure 42 – Aerial image showing properties at 65 and 67 Swanston Street highlighted (CoMPASS)	71
Figure 43 – Average hourly pedestrian count at Flinders Street – Swanston Street west (City of Melbourne)	72
Figure 44 – Average hourly pedestrian count at Melbourne Town Hall west (City of Melbourne)	73
Figure 45 – Alternative future City South Station entrance locations (CoMPASS)	74
Figure 46 – Map with aerial imagery showing Federation Square and Swanston Street/Flinders Street intersection (CoMPASS)	75
Figure 47 – City South Station proposed construction routes (Melbourne Metro Rail Project EES – Map Book)	78
Figure 48 – Aerial image showing potential alternative truck standby area highlighted (CoMPASS)	79
Figure 49 – Detail for station entry location City South Station Concept Design (Melbourne Metro Rail Project EES – Map Book)	80
Figure 50 – Heritage Overlay Map (Melbourne Planning Scheme)	81
Figure 51 – City of Melbourne heritage Grading information (CoMPASS)	81
Figure 52 – Domain Station Precinct Concept Design (Melbourne Metro Rail Project EES – Map Book)	85
Figure 53 – Detail for Domain Station Concept Design (Melbourne Metro Rail Project EES – Map Book)	86
Figure 54 – Image of Domain Road/St Kilda Road intersection looking north-east (Google Maps – Streetview)	87
Figure 55 – Aerial image of part of Shrine of Remembrance Reserve and Edmond Herring Oval (CoMPASS)	88
Figure 56 – Construction area for Domain Station Precinct Concept Design (Melbourne Metro Rail Project EES – Map Book)	89
Figure 57 – Aerial image showing existing and proposed diverted No 8 tram route (CoMPASS)	91

Figure 58 – Aerial image showing City Baths (CoMPASS) 95

Figure 59 – CBD North Station Construction Concept Design (Melbourne Metro Rail Project EES – Map Book)..... 96

Figure 60 – Aerial image and map showing Melbourne Town Hall buildings (CoMPASS) 97

Figure 61 – CBD South Station Concept Design and relationship with Melbourne Town Hall (Melbourne Metro Rail Project EES – Map Book) 98

Figure 62 – Tunnel alignment and relationship with Princes Bridge Tunnels Precinct Concept Design (Melbourne Metro Rail Project EES – Map Book)..... 99

Figure 63 - Assessment Process for MMRP (EES Summary Report) 102

Figure 64 – Concept Design Construction Diagram for Western Portal and part Tunnel Precinct EES Map Book..... 106

Figure 65 – Project Area Map for Western Portal and Part Tunnel Precinct Page 2 of 16 Technical Appendix 1 – Planning Scheme Amendment and Associated Document. 107

Figure 66 – CBD North Station Precinct. Site for future over-site development..... 108

Figure 67 – CBD South Station Precinct. Sites for future over-site development 109

List of Abbreviations

MMRA – Melbourne Metro Rail Authority

MMRP – Melbourne Metro Rail Project

EES – Environmental Effects Statement

PSA – Planning Scheme Amendment

CoM – City of Melbourne

MPA – Metropolitan Planning Authority

EMF – Environmental Management Framework

EPR – Environmental Performance Requirement

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1. Executive Summary

1.1 Introduction

The MMRP is supported by the City of Melbourne and is acknowledged as a key piece of infrastructure that supports future growth and planning for the municipality.

The City of Melbourne has entered into a strategic partnership arrangement with the Melbourne Metro Rail Authority (MMRA) to support the successful planning and delivery of the project.

It is acknowledged that the project will have significant and broad impacts on the municipality along the alignment.

The City of Melbourne will continue to work with the Melbourne Metro Rail Authority to minimise and manage these impacts and to identify opportunities created by the project that support the City of Melbourne's strategic objectives.

The City of Melbourne's input into the EES Technical Reference Group and the Urban Design Reference Group has resulted in general CoM support for EES approach.

1.2 Structure of submission

This submission highlights a range of matters for further consideration that generally fall into three categories as outlined in detail throughout the body of the report. These categories are:

1. **Options** – the City of Melbourne has stated clear preferences where options are presented for consideration.
2. **Issues** – Matters of particular concern for the City of Melbourne.
3. **Deficiencies** – Matters where the City of Melbourne consider the EES to be deficient and where additional assessment or EPRs (including modifications to EPRs) are required.

1.3 Summary of Key Submissions

1.3.1 Tunnels Precinct

Options

Two options are presented for launch sites for Tunnel Boring Machine (TBM) for southern tunnels.

- The Concept Design for TBMs to be launched from the Domain Station Precinct is supported.
- The Alternative Design Option for TBMs to be launched in both Domain and Fawkner Park is not supported.

Two options are proposed for the MMRP tunnel alignment where it intersects with the CityLink tunnels.

- The Alternative Design Option for the MMRP tunnels below CityLink tunnels is supported.
- The Concept Design for MMRP tunnels above CityLink tunnels is not supported.

Two Emergency Access Shafts are required: one between the proposed City South and Domain Stations and one between Domain Station and the Eastern Portal (located in the City of Stonnington).

- Support is offered to the Alternative Design Option for the Emergency Access structure to be located in Tom's Block, in the Domain Parklands, subject to revised siting.
- The Concept Design for the Emergency Access structure on site adjacent to Linlithgow Avenue is not supported.
- Both the Concept Design and Alternative Design Option location for the Emergency Access Shaft within Fawkner Park are not supported. The City of Melbourne wishes to work with the MMRA to develop an alternative location for this.

Issues

The use of Fawkner Park as a TBM launch site has major impacts including loss of open space and significant impacts for the community child care facility and senior citizen's club.

The proposed MMRP tunnel over CityLink tunnels will have significant construction and legacy impacts on tree planning within the affected parts of Tom's Block in Domain Park.

The Concept Design to locate an Emergency Access Shaft in the proposed Linlithgow Avenue has significant impacts on Queen Victoria Gardens Precinct and views of Lady Clarke Rotunda that could be avoided if alternative site in the part of the Domain Parklands known as Tom's Block is adopted.

The Alternative Design Option for the siting of an Emergency Access Shaft in Tom's Block is not supported, but the City of Melbourne is negotiating an alternative site within this same area that could be supported and integrated with the Domain Master Plan currently under development.

The City of Melbourne wishes to work with the MMRA to develop an alternative location for the Emergency Access Shaft between Domain Station and the Eastern Portal that does seeks to avoid impacts on established community and recreation facilities and valued park land.

The use of Fawkner Park for the TBM launch site has major impacts including loss of open space and significant impacts for the community child care facility and senior citizen's club that militate against this option.

1.3.2 Western Portal (Kensington)

Options

Two design options are proposed for the construction of the Western Portal.

The Concept Design requires:

- compulsory acquisition 9 residences, 13 businesses
- over-ground rail enters tunnel closer to residents
- extension into Childers Street road reserve resulting in reduced on-street parking
- limited access to business park at 50 Lloyd Street.

The Alternative Design Option requires:

- compulsory acquisition one residence
- over-ground rail enters tunnel further from residents (ie, less noise/amenity issues)

- extension into Childers Street resulted in improved legacy road layout for Childers Street compared to the Concept Design
- improved access to 50 Lloyd business park during construction.

The Alternative Design Option is preferred.

Issues

Access during construction (all modes of transport) requires further consideration to maintain safe access to South Kensington station, bicycle access, management of construction vehicles and vehicular access to the business park.

An Alternative Design Option location for a substation is shown to be located within the business park at 50 Lloyd Street. This location is not supported.

The City of Melbourne has resolved to pursue opportunities for upgrades to South Kensington Station.

The EES includes reference to relocation of the existing shared path in Childers Street to JJ Holland Park. This is not supported as the current configuration of the park would not allow for this. The City of Melbourne wishes to explore alternative design solutions with the MMRA.

1.3.3 Arden Precinct

Issues

The City of Melbourne is concerned about the impacts on the residential amenity of the area particularly from the proposed 24-hour per day construction activities and truck movements.

The Arden Station Precinct is located within an urban renewal area. Concern is expressed about the process for dealing with the site resulting from construction activities associated with existing land uses and the MMRP.

The Arden Station Precinct is located on land that is subject to flooding. The mitigation and compensation measures implemented for the MMRP will also impact on future development within this urban renewal area.

The biodiversity of Moonee Ponds Creek should be protected and enhanced.

The design of the MMRP should seek to ensure that the Moonee Ponds Creek is developed to its full potential.

Ensure development opportunities are optimised through Arden Framework process, led by Metropolitan Planning Authority (MPA) in parallel with EES process.

Tree removals within the Arden Siding area should be minimised.

The proposed demolition of heritage structures is contrary to City of Melbourne adopted position.

Deficiencies

The EPRs and construction routes should be modified to require routes that do not use residential areas (eg. Queensberry Street).

EPRs which relate to Moonee Ponds Creek should be added and existing EPRs strengthened.

1.3.4 Parkville Precinct

Issues

The temporary occupation of the whole northern part of University Square as proposed in the EES is not supported. There is opportunity to reduce the extent of the area to be occupied to facilitate access to the University of Melbourne and delivery of part of the University Square Master Plan when finalised.

The City of Melbourne wishes to work with the MMRA to ensure integration of design and delivery of Metro Rail and the University Square Master Plan is integrated and coordinated between all stakeholders (CoM, MMRA, University of Melbourne). The proposed EPRs generally provide for this, but could be made more explicit.

The location of station infrastructure in Barry Street location of is not supported.

Ensure that the effects of the closure of Grattan Street are mitigated through local network improvements (eg. Queensberry Street).

The changes required to the layout of Royal Parade provide an opportunity for a Royal Parade Master Plan to be developed in collaboration with relevant authorities and stakeholders.

The EPRs seek to avoid tree removals where ever possible. One hundred and six trees are proposed to be removed in this precinct, which includes:

- approximately 74 trees removed within University Square
- 10 elms to be removed in Royal Parade
- 24 mature trees in Grattan Street.

The proposed tree removals in the University Square location would be in line with future City of Melbourne planned works and are of low concern.

Deficiencies

The effects of the closure of Grattan Street are underestimated in EES, particularly when combined with impacts from the Western Distributor project.

1.3.5 CBD North Station

Issues

The permanent closure of Franklin Street is not supported. An alternative design solution is proposed that allows for both continued vehicle access without precluding a future closure if desired.

The proposed location of service infrastructure in the centre of A'Beckett Street is not supported. An alternative design solution is proposed.

Design modification is required to facilitate improved pedestrian amenity and safety at Swanston/La Trobe streets.

The closure of lane CL0112 and the location of Emergency Access Structure along the western end of the precinct is not supported.

1.3.6 CBD South Station

Issues

The following issues relate to the occupation and use of the City Square:

- The loss of the City Square during construction must be mitigated by the provision of a temporary alternative public space.
- The location of the secondary entrance within the City Square must be adjusted to allow events bump-in/bump-out vehicle access.
- The ventilation shafts on Swanston Street are not supported.
- The detailed design of the station and station entry should allow for future provision of additional station entrances on the north side of Collins Street.

The location of part of the station entrance structure between the 'East' and 'West' 'Shards' is not supported. The use of the existing shard structures is preferred.

Concern is expressed about impact from construction on structures of heritage significance.

The location of construction vehicle standby areas is not supported. Alternative and innovative options for construction management should be pursued to minimise impacts on amenity.

Deficiencies

The detailed design should make provision for a future station entrance on the north side of Collins Street.

The requirement for the relocation of the Melbourne Visitor Centre is not satisfactorily addressed.

The EES does not satisfactorily address the social impacts of the project on all sections of the community and the displacement of vulnerable communities.

Additional EPRs and strengthening of proposed EPRs is recommended to more fully address all issues.

1.3.7 Domain Station Precinct

Issues

The siting, design and scale of the proposed entry needs to be modified to reflect projected use and to reduce adverse visual impacts. This might be achieved by co-location of structures and siting the entrance further to the east on Domain Road.

The EPRs should be modified and additional EPRs may be required to ensure appropriate management of impacts of relocation strategy of users of Edmond Herring Oval.

A large number of tree removals are proposed over both the City of Melbourne and the City of Port Philip. The EES proposal appears to be at odds with the EPRs which seek to avoid tree removals wherever possible. The City of Melbourne wishes to work with the MMRA and contractors to reduce number of tree removals in construction area where possible.

The project provides an opportunity to advance a St Kilda Road Master Plan in collaboration with relevant authorities and stakeholders.

Deficiencies

The potential impacts of the Domain Road closure on local traffic movements during construction has not been fully assessed.

The proposed EPR requiring a Travel Demand Strategy is supported but requires modification to require it be prepared with input from relevant authorities and stakeholders

The EES does not satisfactorily address impacts from the diversion of the No 8 tram to Toorak Road West.

1.3.8 Noise and Vibration

Issues

The EPRs provide thresholds for noise and vibration that seek that would meet standards for protection of buildings and amenity, but allow for these to be exceeded.

Concern is expressed about the impacts from vibration and ground-borne noise on the structure of heritage buildings.

The EPRs relating to Noise and Vibration should include a 'Hierarchy' of compliance as follows:

- avoid impacts (best practice)
- minimise exceedance where unavoidable
- proactive planning prior to potential exceedance to minimise impact.

The above approach should be adopted consistently with the EPRs.

Deficiencies

The use of acoustic sheds is referenced and is supported. Given the expectations created about the use of these structures, an EPR should be included to address this. The EPR should include a requirement that the detailed design of the exterior of these structures should be done in consultation with the City of Melbourne and stakeholders.

1.3.9 Planning Scheme Amendment (PSA)

Planning Approval is proposed to be in the form of an Incorporated Document to facilitate construction and delivery of the MMRP.

The PSA seeks to introduce new controls into the Melbourne Planning Scheme in the form of a Design Development Overlay (DDO) to protect the MMRP infrastructure from impacts to the project from the development of adjacent land.

The Minister for Planning will be the Authority for the project.

This approach is broadly supported by the City of Melbourne.

Issues

The conditions of the Incorporated Document require the submission of detailed development plans for stations and public areas only. The Incorporated Document is the planning approval for the whole project and plans should be approved for all aspects of the project approved.

Given that the purpose of the Incorporated Document is to provide planning approval for the works that require a planning approval, the inclusion of reference to Preparatory Works is considered to be unnecessary and potentially confusing.

The Project Area identified in the PSA is more extensive than the Project Area assessed as part of the EES. Clarification is sought regarding the extent of works in the PSA Project Area to be satisfied that the impacts from these works have been assessed as part of the EES.

The PSA does not address over-site development. The EES identifies that the integration of over-site development at Arden, CBD North and CBD South Station Precincts will be critical to the success of these stations.

Deficiencies

The PSA does not include reference to over-site development at Arden, CBD North, CBD South and should be modified to reflect this.

1.4 Recommendation

The Melbourne City Council requests that the Inquiry require the MMRA to revise the EES to take into account the matters raised in this submission and recommend to the Minister for Planning that the project be changed in accordance with this submission.

2. Introduction

This submission is a response to the MMRP EES and Planning Scheme Amendment, GC 45, to facilitate the planning approval for the project and to provide future protection to the rail infrastructure.

The key components of the project are:

- Linking the Sunbury, Cranbourne and Pakenham Lines with two 9 kilometre rail tunnels crossing the municipality from South Kensington near JJ Holland Park to South Yarra.
- Five new stations located Arden, Parkville, CBD North, CBD South and Domain.
- Early work to relocate utilities and services to enable the construction of the tunnels and station structures.

The MMRP is supported by the City of Melbourne and is acknowledged as a key piece of infrastructure that supports future growth and planning for the municipality. The City of Melbourne has entered into a strategic partnership arrangement with the MMRA to support the successful planning and delivery of the project.

It is acknowledged that the project will have significant and broad impacts on the municipality along the alignment. The City of Melbourne will continue to work with the Melbourne Metro Rail Authority to minimise and manage these impacts and to identify opportunities created by the project that support the City of Melbourne's strategic objectives.

City of Melbourne's involvement with the Technical Reference Group for the project has enabled the early incorporation and response to relevant strategies and policies and has led to general support of the Urban Design Strategy, Sustainability Strategy and the early identification of key issues.

The EES is based on a Concept Design for the project and includes multiple design options for a number of components of the project. The EES considers the impacts from early works, impacts during construction and from the completed project. This submission includes an assessment of the impacts of the project on the City of Melbourne, consideration of the design options and recommendations that seek to minimise impacts on the municipality and that maximise benefits.

The Planning Scheme Amendment seeks to include an Incorporated Document into the relevant Planning Schemes to provide the necessary planning approvals under the *Planning and Environment Act* for the project. A Design and Development Overlay is proposed to protect the new infrastructure from future development of private land.

Purpose of this submission

This submission provides a response to the EES, highlighting the potential impacts of the project and proposed variations and the adequacy of the Environmental Performance Framework, including Environmental Performance Requirements to manage potential adverse impacts and to support the realisation of the opportunities provided by the project.

The proposed Planning Scheme Amendment has been addressed separately within this submission.

This submission is informed by City of Melbourne policy documents and strategies. These include:

- Transport Strategy 2012
- Open Space Strategy 2012

- Heritage Strategy 2013
- Road Safety Plan 2013–17
- Walking Plan 2014–17
- Bicycle Plan (draft) 2016–2020
- Urban Forest Strategy 2012
- City of Melbourne Submission to Plan Melbourne Refresh – Discussion Paper October 2015
- Council Plan 2013–17
- Arden Macaulay Structure Plan 2012
- Arts Strategy
- Municipal Strategic Statement within the Melbourne Planning Scheme
- Draft Urban Ecology and Biodiversity Strategy (draft)
- Beyond the Safe City Strategy
- Homelessness Strategy 2014–17
- Aboriginal Heritage Action Plan
- Retail and Hospitality Strategy
- Climate Change Adaptation Strategy
- Places for People
- Public Art Framework
- City North Structure Plan
- Fawkner Park Master Plan
- JJ Holland Master Plan
- Domain Parklands Master Plan (under review)
- Tourism Action Plan 2016–19
- Waste and Resource Recovery Plan 2015–18

This submission is also informed by the requirements of the *Environmental Effects Act*, the *Major Transport Projects Facilitation Act* and the *Planning and Environment Act*.

3. Fawkner Park TBM Launch Site

3.1 Introduction

Fawkner Park is categorised as a regional open space in the City of Melbourne Open Space Strategy and offers a wide range of recreational facilities and informal opportunities. The Fawkner Park Master Plan describes the land ownership and tenure of the park as:

The area is also subject to a Restricted Crown Grant for Public Park Purposes granted jointly to the Minister for Planning and the City of Melbourne. Melbourne City Council manages Fawkner Park as a Committee of Management, guided by the Melbourne Parks and Gardens (Joint Trustee Reserves) Regulations (1994).

The Park is within a Public Park and Recreation Zone and is affected by the Heritage Overlay, HO 5, for the South Yarra Precinct. The site has been nominated for inclusion on the Victorian Heritage Register.

The City of Melbourne commissioned IOSS to carry out a Fawkner Park User Study to examine and document a clear picture of all recreational use of Fawkner Park. The study and findings were detailed in a report dated May 2016. Investigation of the use of Fawkner Park found that it is very well used for both passive and active recreational uses, with 9109 people using the park on weekdays, with notable peak use times the early morning, lunch time and after work hours. The report found 5606 people used the park on a weekend day. In terms of overall usage the report states:

*Fawkner Park receives **just under 3 million visits a year** – in comparison, the MCG receives 3.25 million attendances a year for sporting events.*

3.2 TBM launch site options

The construction of the tunnels is to be carried out using two methods including the use of Tunnel Boring Machines (TBMs). Several machines are required to construct the tunnels. The machine components need to be lowered into the ground to be put together. The machines cut through the ground with spoil coming from the site as a slurry, which is removed from worksites by truck.

The construction of tunnels from the new Domain Station Precinct requires that a TBM be sent in each direction. The EES describes two options for the launching of the TBM machines. Both options require the use of St Kilda Road and the reserve within the City of Port Phillip adjacent to Albert Road partly occupied by the Boer War Memorial. Both also require the use of Edmond Herring Oval located on the north side of Domain Road for a construction lay-down area. The additional use of a portion of Fawkner Park as an additional option for a TBM site is also proposed (EES 6-45). The proposed area is currently primarily occupied by the Fawkner Park Tennis Courts at the northern end and is a major allocated passive recreation space for the balance of the proposed area.

The diagram below shows the area of Fawkner Park proposed to be used for the potential TBM launch site. The next diagram shows the Domain Station Precinct including Edmond Herring Oval.

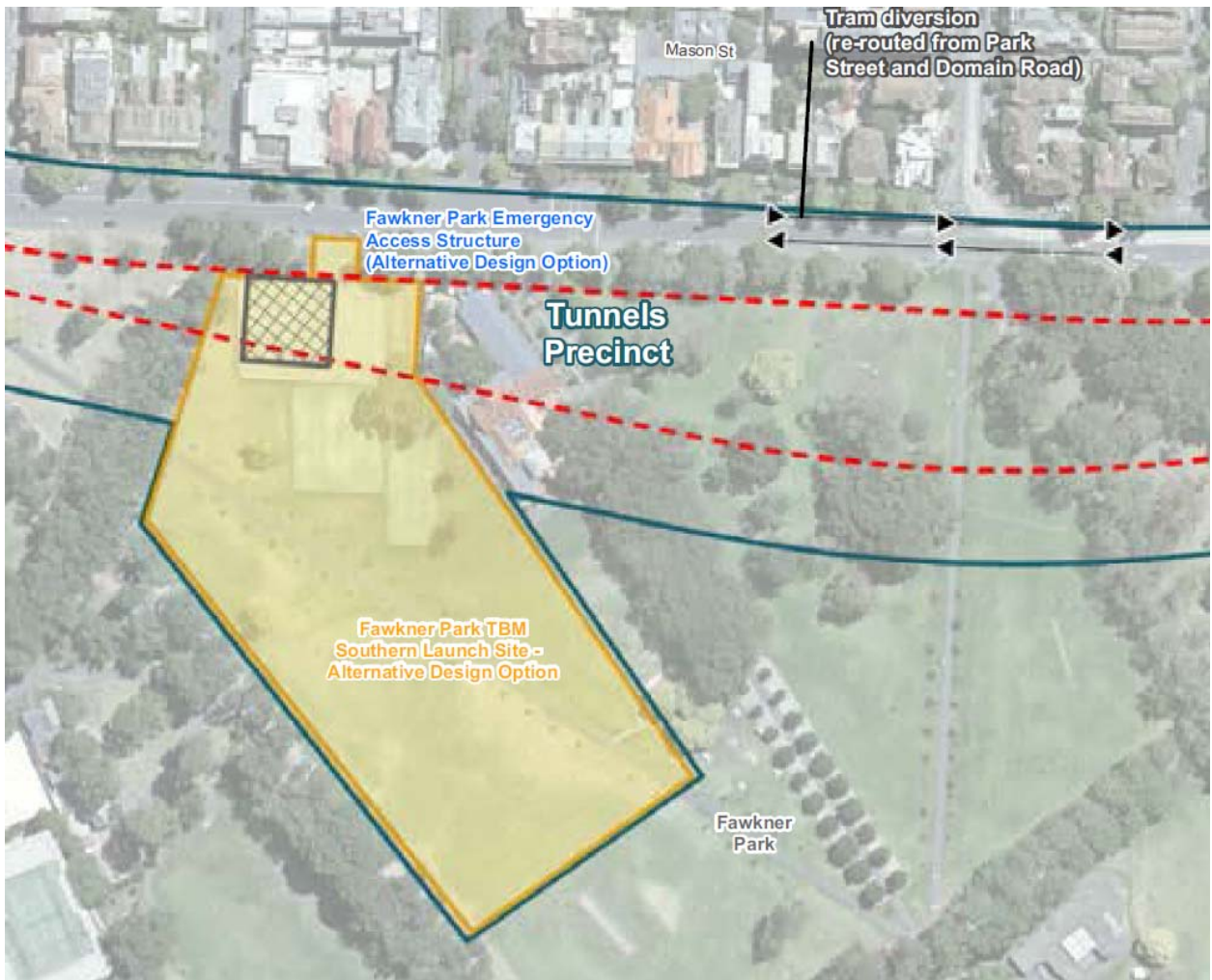
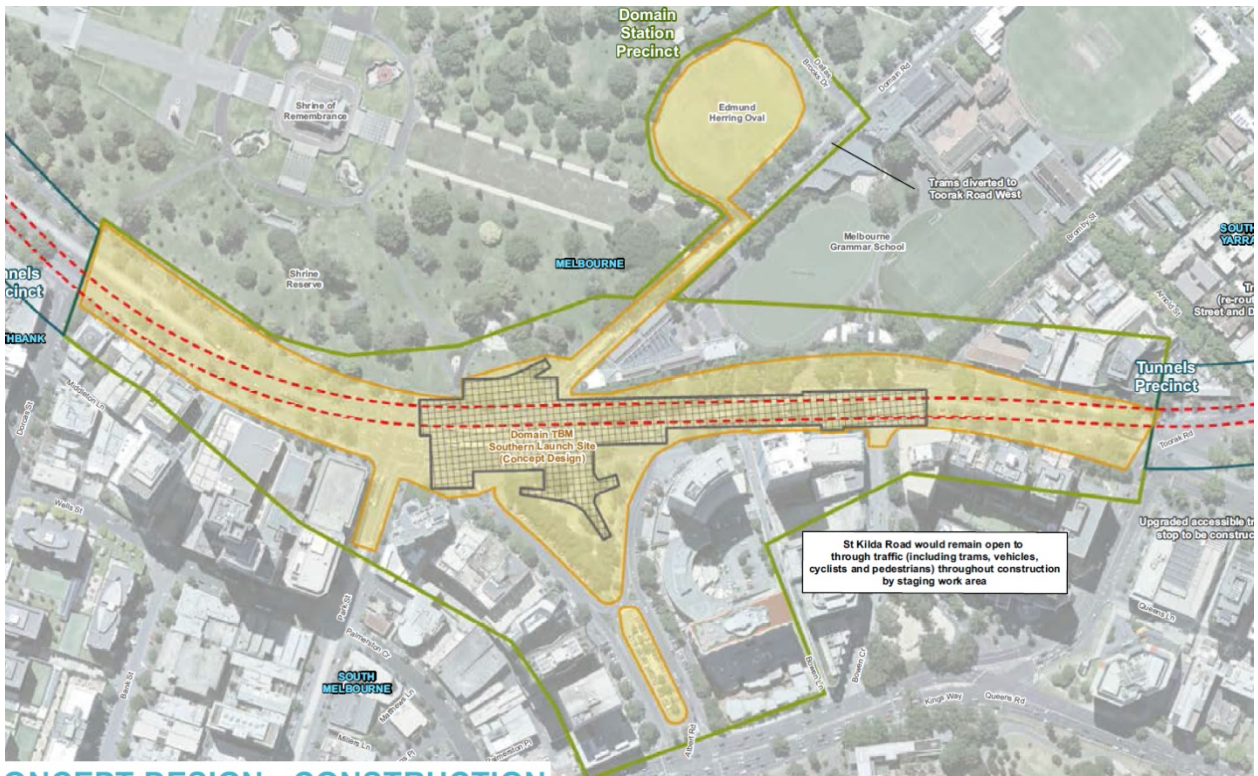


Figure 1 – Fawkner Park TBM Launch Site (Melbourne Metro Rail Project EES – Map Book)



Legend

- | | | |
|-------------------------|---------------------|---|
| Proposed Concept Design | Precinct Boundaries | Proposed temporary construction work site |
| Proposed rail alignment | Tunnels Precinct | Proposed excavation area - from surface |
| Tram Diversion | Station Precinct | |
| ▶▶▶▶ | | |
| ▲▲▲▲ | | |

Figure 2 - Domain Construction Concept Design (Melbourne Metro Rail Project EES – Map Book)

3.3 Preferred TBM launch site option

The use of part of Fawcner Park for the Fawcner Park Tennis Centre is facilitated by a Crown lease. The six tennis courts that form part of the centre would all be occupied as part of the construction site. The area of the construction site extends southwards into the park on an area that is used for passive and active recreation as shown annotated in the diagram below.



Figure 3 – Map showing Current facilities (ComPASS)

The use of Fawkner Park for construction purposes would impact on the use and enjoyment of all of the facilities highlighted above. In addition to these facilities, the lawn areas west of the tennis courts are designated personal training and event lawns. The area between the two blue lines shown above indicates the designated informal passive recreation area in the Park. This area was designated for this purpose as an outcome of the Fawkner Park Master Plan (2006) when it was recognised that there was insufficient area available in the park for passive recreation opportunities.

Most of Fawkner Park is designated, and used to capacity, as playing fields. The proposed construction area would have an unacceptable impact on the Toddlers(0-3) Play Area and adjacent barbecue area, which would be either in or right next to the proposed works area. These facilities cannot be relocated within the park so would be lost for use during construction.

The multi-purpose pitch would also be significantly impacted. Playing fields are in high demand and short supply within Fawkner Park and other city of Melbourne managed facilities. Relocation of the users of the pitch for soccer and baseball is possible, however, relocation of the turf wicket is problematic. There are limited alternative turf wickets available for use and it is unlikely that there are

alternative locations available to establish a new alternative wicket area. Even where alternatives are possible there would be significant impacts on other users. Occupation of Fawkner Park does not allow for growth and limits variation in use during construction.

Of particular concern is the impact of the use of Fawkner Park for a TBM launch site on the Fawkner Park Tennis Centre, the Fawkner Park Children's Centre Cooperative and the Senior Citizen's Centre. The MMRA assessment of these impacts in Chapter 10 – Social and Community (pg 17) states:

The TBM launch site in Fawkner Park would impact on recreational activities in Fawkner Park through the loss of the tennis centre and have amenity impacts on the Fawkner Park Children's Centre, Kindergarten and South Yarra Senior Citizens Centre. Even with the implementation of appropriate mitigation measures, users of these facilities would likely have ongoing concerns about the safety and amenity impacts associated with construction. Parts of the local community would be concerned about a construction work site within this park and the impact this could have on trees, existing access paths and general amenity during construction. This impact could be reduced by appropriate proposed mitigation treatments and engagement with the community.

It is agreed that there is ongoing concern about the safety and amenity impacts from construction activities on the operation of the Fawkner Park Children's Centre Cooperative and Senior Citizen's Centre. The proposed construction site would be located directly to the west of these facilities. The childcare centre's outdoor play area faces the proposed TBM launch site.

Truck movements associated with activities at the TBM launch sites are described in Chapter 8, Section 8.8.1, page 8-19 as being all day, every day for up to 24 months with an average of 140 truck movements per day.

It is submitted that these facilities could not continue to effectively operate should this part of Fawkner Park be used. The relocation of the childcare centre is highly problematic given the social impacts of this on the centre's community and that there are very few comparable facilities in existence. There are currently no Environmental Performance Requirements relating to the relocation of these facilities.

The extent of activities and extent of works required for use of the identified land for the TBM launch is unclear. The use of the site would have significant impacts on the users of Fawkner Park as the construction site would dissect one of the main paths leading from the northwest corner of the park to its centre. The landscape setting and historic significance would be impacted by the construction activity.

The extent of this impact would be partly dependant on the types of activities and works required, but even at a minimum would be unacceptable. This is particularly so when the cumulative impact of construction activities in this precinct is considered. The City of Melbourne accepts that some use of public open space will be required for construction and the launching of the TBMs and construction activities. The City of Melbourne accepts, that despite the impacts and subject to appropriate Environmental Performance Requirements and mitigations, the use of Edmond Herring Oval. The City of Melbourne wishes to work with the MMRA to facilitate a construction management plan that does not require the occupation of Fawkner Park. It is acknowledged that the EES identifies that the occupation of Fawkner Park for construction activities associated with the TBM launch is not the preferred option. This position is supported.

4. Tunnel alignment options below Domain Parklands

4.1 Introduction

Two options are assessed as part of the EES for where the tunnel alignment intersects with CityLink. One is for the MMRP tunnel to go above the CityLink tunnels and one below. The diagram below shows an indicative vertical alignment of the tunnels.

Figure 6-1 Melbourne Metro indicative tunnels vertical alignment

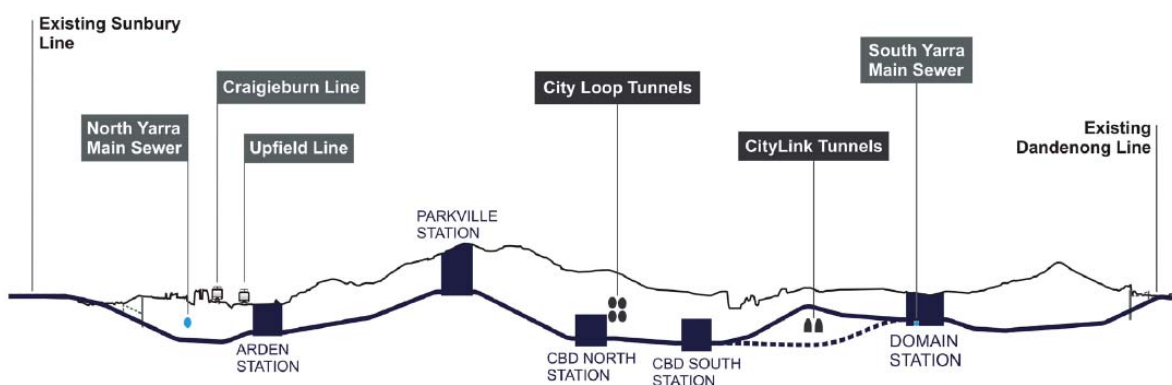


Figure 4 - Tunnel Alignment (EES Map Book)

The Domain Parklands are identified in the City of Melbourne Open Space Strategy as having a Capital City and State level role. Such open spaces are 'iconic and synonymous with the character and identity of Melbourne and often used to stage activities and events of international, national, state and metropolitan importance'. The Domain Parklands is zoned Public Park and Recreation Zone in the Melbourne Planning Scheme and is within the heritage Overlay 398 which applies specifically to these parklands. The Domain Parklands are also included on the Victorian Heritage Register, (VHR H2304) The CityLink tunnel alignment transects the Domain Parklands from east to west. Due to the permanent stabilisation works were 55 trees were removed, this site would be problematic to replant effectively creating a dead zone in Kings Domain.

A Landscape Master Plan for the Domain Parklands was prepared in 1997 which has guided planning and management of the area for the last 20 years. A new master plan is currently being written, and will be complete in 2017. The outcomes of this plan will be what should inform the above ground solutions within Domain Parklands. Part of the vision for this is to bring the individual parts of the park together to recognise the magnificent parklands as one Domain, while also celebrating the individual places within it.

Preliminary public consultation has confirmed that the key major purposes for the new master plan should include:

- making one park of many
- landscape character
- environmental sustainability

- activities and access
- vehicles in the park
- cultural and historical significance.

4.2 Preferred tunnel alignment option

A tunnel alignment above the CityLink tunnels would have a greater impact at ground level than the lower alignment. The former would require permanent ground stabilising works in Tom's Block. The EES Map Book shows the following information regarding construction work in the vicinity of the CityLink tunnels.

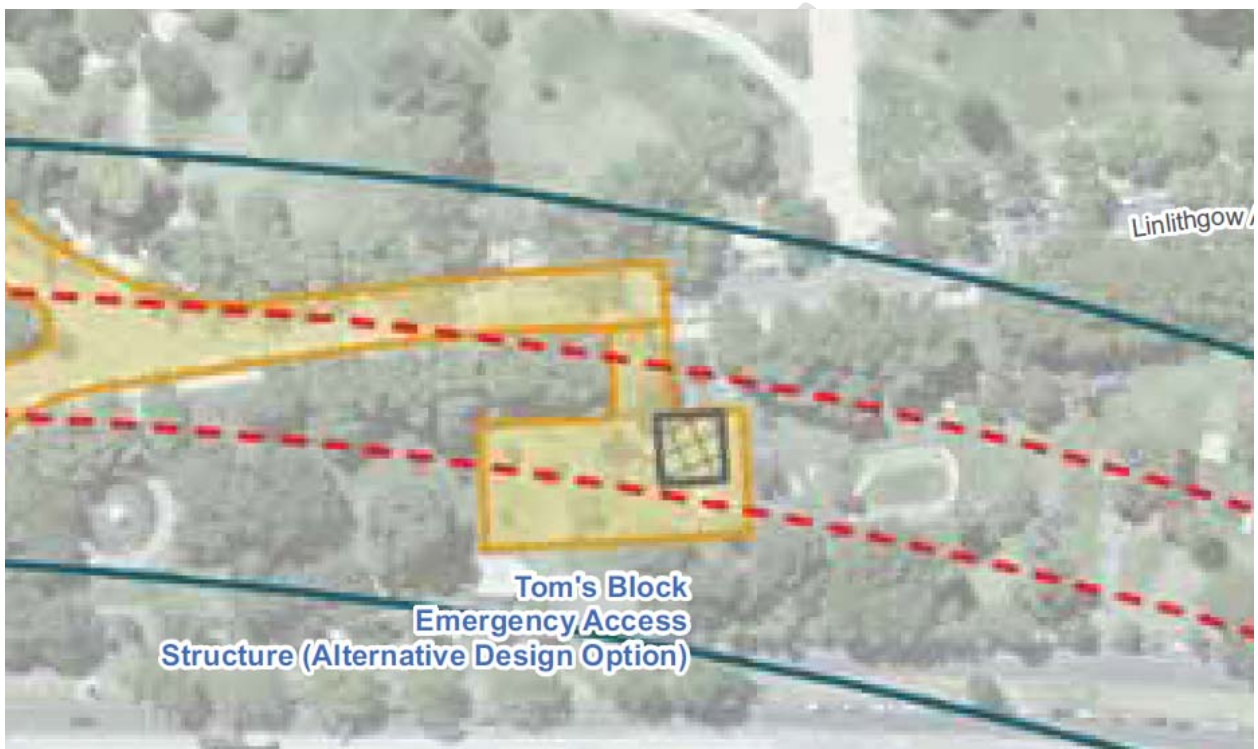


Figure 5 – Construction work near CityLink tunnel alignment (EES Map Book)

According to City of Melbourne GIS information the CityLink tunnel alignment is located to south of the proposed location of the Emergency Access Shaft and associated construction area. The location of the CityLink tunnel alignment is shown below.



Figure 6 – CityLink Tunnel alignment (CoMPASS)

The alignment includes a buffer area to either side of the actual tunnels. The EES describes the impact of the option to cross over the CityLink tunnels as:

The number of trees requiring removal at Tom's Block would be confirmed at the detailed design phase of Melbourne Metro. A total of 55 trees (including up to 30 mature trees) could potentially require removal due to the ground stabilisation works at the shallow tunnelled section above the CityLink tunnel. There may be some difficulties in planting new trees in this locality as there would be a need to provide a hard stand permanent access to the shaft site from Linlithgow Avenue.

This option would have a high landscape and visual impact during construction. At operation, Melbourne Metro would have a low residual landscape and visual impact, as replanted trees, paths, grass and recreational assets would be returned to pre-construction condition. (Chapter 16 Landscape and Visual Pgs 22-23)

However this same assertion is not made in the Ground Movement and Land Stability (Appendix P).

The historic values described in the Victorian Heritage Registration of the Domain Parklands include the visual presentation of a contrasting and diverse landscape of high landscape and aesthetic value and an outstanding collection of trees and plants. The dominant character of the parklands today are open grassy lawns framed by trees, networks of paths, garden beds and horticultural displays with interspersed water features, art works and statues,

The following diagram is provided in Appendix P - Ground Movement and Land Stability (page 89) showing the area of land potentially requiring stabilisation works.

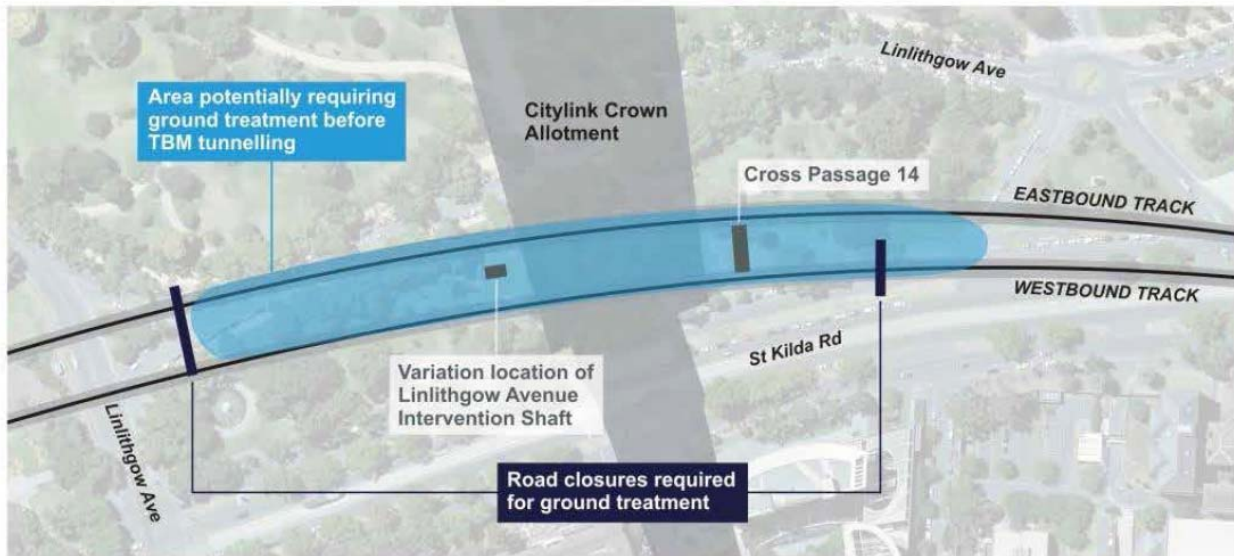


Figure 7 – Area potentially requiring ground treatment at the CityLink crossing (EES Appendix P – Ground Movement and Land Stability)

The impact of the works required for ground stabilisation is significant and from the information supplied suggests will lead to a permanent change to the current landscape presentation. The severity of this impact is acknowledged in the EES Chapter 19 (Ground Movement and Land Stability) Table 19-7 subheading Parklands and Waterways, page 28 where it is also detailed that this site could only be remediated, not reinstated if this option were pursued. The assessment does not state if this would also be the case were the tunnels under CityLink, so within sufficient information provided to be able to fully assess the full extent of these impacts.

The ground stabilisation works include the use of concrete grouting to stabilise the soil. It is likely that a remediation measures would not allow for tree replanting and landscaping to a level of reinstatement commensurate with the existing conditions and would result in permanent impacts to the visual quality and heritage significance of the landscape. This is further exacerbated when the cumulative impact of these works, and the works associated with the creation of an Emergency Access Shaft in Tom's Block, are considered. It is also noted at page 88 (Appendix P) that a worse case impact during construction may involve the need to monitor or support the existing Monuments ground treatment and the installation of sinkholes to manage impacts. The area impacted (from Linlithgow Avenue to Government House Drive) is larger than the construction area shown in the Map book.

While the impacts of ground movement and land stability is listed for VHR listed buildings (see page 75 Table 8.3) a similar exercise has not been undertaken for VHR listed places. These would include Domain Parklands, and both St Kilda Road and Fawkner Park were the current recommendations for listing approved. It is submitted that an EPR should be included to address this.

At E-17 of the EES a commitment is made that "all parkland impacted by construction activities would be returned to a condition that is equal to or better than its existing condition..." This commitment needs to be factored into the decision on which way to take the tunnel and would argue for an alignment with least impacts.

5. Emergency Access Shafts

5.1 Introduction

The Tunnels Precinct includes the tunnels and two Emergency Access Shafts. The purpose of these shafts is to provide emergency access for fire services and emergency egress from the tunnels between the CBD South and Domain Stations and between the Domain Station and the Eastern Portal (in South Yarra and the City of Stonnington). Two options are shown for each of these shafts. The above ground structure associated would occupy a footprint of approximately 144 square metres (12m x 12m) with a height of 4.6m. The walls would include louvers for ventilation and an access door.

Environmental Performance Requirement LU 1 describes outcomes that:

- 'limit the permanent change of use within existing public open space'
- minimise 'footprints of construction sites and permanent infrastructure on public land'
- minimise 'impacts to existing public open spaces and recreational facilities and the users of these facilities....'

It is also stated at Table 1-1 in the EES that the "final location and requirement for emergency access shafts would be determined in consultation with the Metropolitan Fire Brigade."

It is recommended that the relevant land manager also be included in the determination of location (in all cases this would be CoM). Given all proposed locations are in parkland our interest is in avoiding or minimising impacts on landscape and current recreational values, views, trees and other vegetation.

In addition, the heritage assessment emphasises that design refinements are important to preserving existing heritage values in all locations. The City of Melbourne agrees with this, particularly in relation to the Emergency Access Shafts.

5.2 CBD South Station-Domain Station

5.2.1 Introduction

The Emergency Access Shaft between the CBD South and Domain Stations is located within the Domain Parklands. The tunnel alignment between these two stations generally runs along St Kilda Road.

The two proposed locations for the Emergency Access Shaft considered as part of the EES are shown in the diagram below.

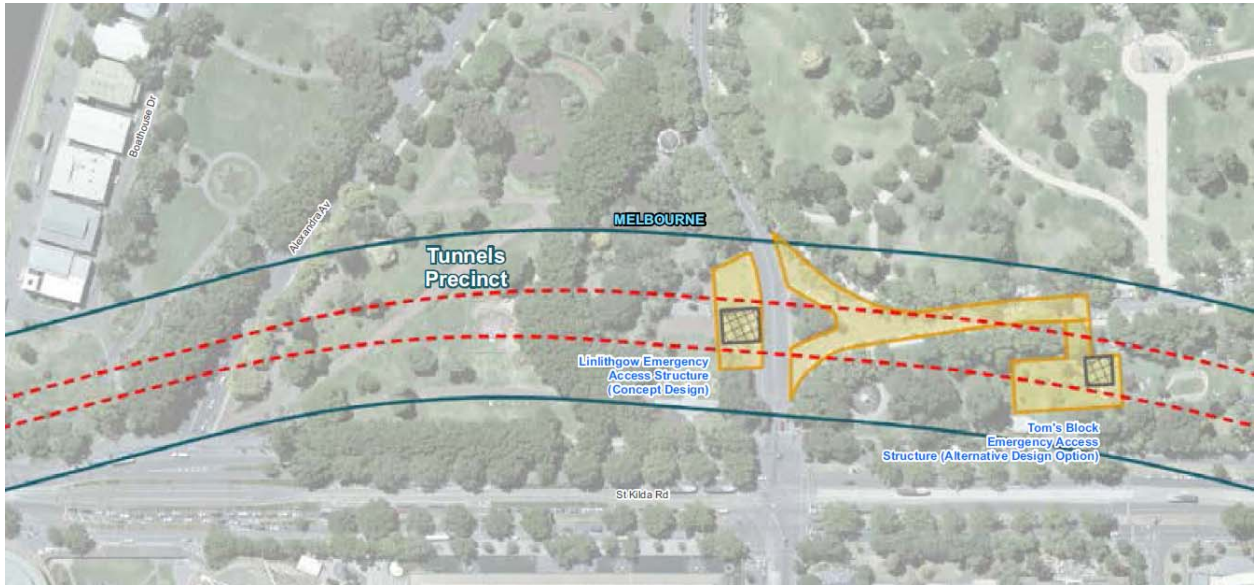


Figure 8 – Emergency Access Shaft Location (Melbourne Metro Rail Project EES – Map Book)

5.2.2 Queen Victoria Gardens Domain Parklands

The Linlithgow Emergency Access Structure is shown to be located on the northern side of Linlithgow Avenue in the current location of a 'bullet' public toilet facility to the south of the Floral Clock and the King Edward V11 Memorial Statue that are within the Queen Victoria Gardens.



Figure 9 – Aerial image of proposed Emergency Access Shaft Location Queen Victoria Gardens (CoMPASS)

5.2.3 Tom's Block, Kings Domain, Domain Parklands

The second proposed location is within an area of the Domain Parklands known as 'Tom's Block' and is actually part of Kings Domain



Figure 10 – Aerial image of proposed Emergency Access Shaft Location 'Tom's Block' Kings Domain (CoMPASS)

The construction of the shafts would require excavation. The construction site area for the shafts extends well beyond the shaft footprint. Both of the proposed shaft locations would result in a significant visual, landscape and heritage intrusion into a highly significant area to an extent that is deemed to be unacceptable by the City of Melbourne.

The location on the north side of Linlithgow Avenue would require the relocation of the public toilet and the removal of five trees. The public toilet is 4.1m long, 2.3m wide and 2.45m high having a footprint of 9.43 sqm. This contrasts with the 144 sqm footprint of the Emergency Access Shaft. It is suggested that the public toilet could be incorporated into the design of the shaft. This would significantly increase the footprint of what is already a large structure and would only exacerbate the visual impact of these foreign structures within the landscape setting. An Emergency Access Shaft would represent the only surface level structure into Tom's Block that is not consistent with park infrastructure. This is an unacceptable precedent.

Given that the structures are to be used for emergency access, it is assumed that they will require vehicle access. If this assumption is correct, the proposed location in Tom's Block would require vehicle access to be created from Linlithgow Avenue which would further impact on the area of open space. This would also necessitate the creation of crossover impacting on the footpath and on-street parking in this location.

Neither of the two locations as proposed in the EES are supported by the City of Melbourne and it is likely a better resolution can be found. Although the Environmental Performance Requirements include requirements that would lead to the development and implementation of mitigation measures to try to manage these impacts, it is submitted that, in the first instance, alternative locations should be investigated. Locations adjacent or in existing roads are preferred as they reduce the need for hardstand areas thereby minimising impacts. Options might include a location in Tom's Block adjacent to Linlithgow Avenue, rather than in the centre of the park, or within the road reserve itself.

Given this section of Linlithgow Avenue may have to close were ground treatment activities required, it would make sense to limit the entirety of the Metro works here to the same general area.

5.3 Domain Station – Eastern Portal

5.3.1 Introduction

The second Emergency Access Shaft is proposed to be located between the Domain Station and Eastern Portal. This section of the tunnel alignment generally follows Toorak Road West. The two options for the shaft are both shown to be within Fawkner Park.

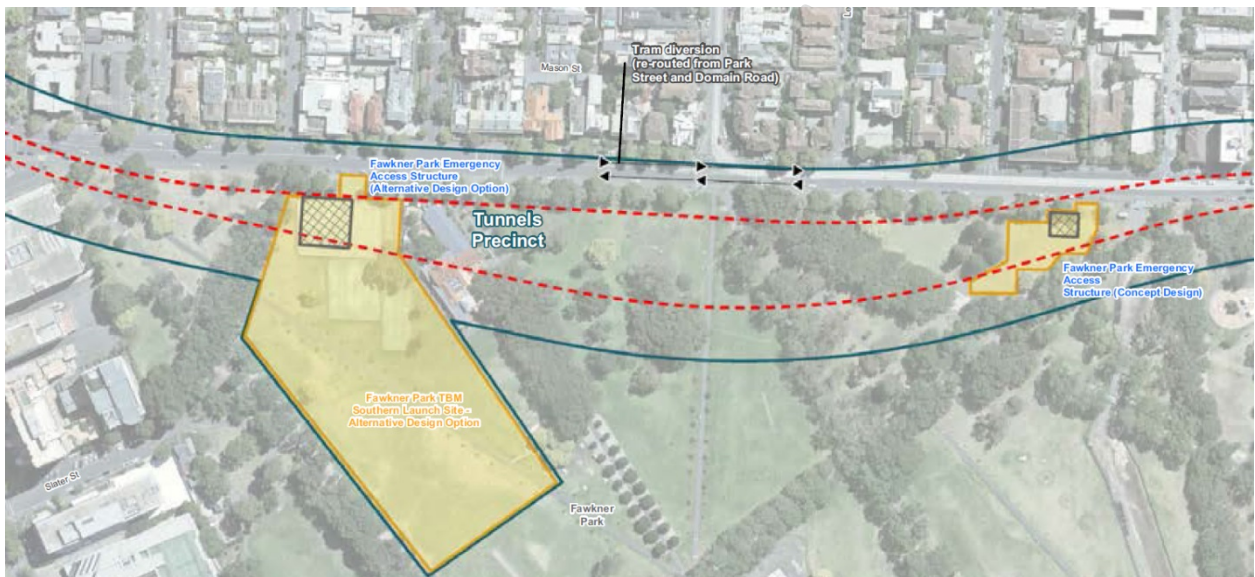


Figure 11 – Fawkner Park Emergency Access Shaft Locations (Melbourne Metro Rail Project EES – Map Book)

5.3.2 Fawkner Park Tennis Club

One option for the location of the Emergency Access Shaft is within the existing Fawkner Park Tennis Centre. This location is also proposed to be used as TBM launch site with a large area of the park proposed to be occupied as a lay-down area during construction. (See earlier part of submission Chapter 2 for further details of this.)

If this area is not used for the TBM launch site, then there is no apparent justification for using the tennis court to site the Emergency Access Shaft, and we submit that this proposal should not be considered of merit if the TBM site is not in the Park.



Figure 12 – Proposed location of Emergency Access Shaft at Fawkner Park Tennis Centre (CoMPASS)

Fawkner Park is Crown Land. The Fawkner Park Tennis Centre operates through a Crown Lease. The Tennis Centre comprises six tennis courts and has its rooms to the east of the courts. The tennis courts are each approximately 11m in width and 24m in length. The area around the courts is approximately 5.5m at each end and 3m to each side. An area 3.5m in width is required where there are two courts next to each other. The three northern courts would be impacted by the proposed Emergency Access Shaft. These courts would not be able to be used during construction of the shaft and the number and layout of the courts would be impacted by the structures. The EES documents do not include sufficient detail to determine the detail of the operational footprint of the Emergency Access Shaft structure. The use of this site for the Emergency Access Shaft would also require the creation of vehicle access onto Toorak Road West. This would impact on trees and on-street parking.

If this site is not used for a TBM launch site, but is used to locate an Emergency Access Shaft, there would still be significant impacts that would need to be managed. During construction, the number of courts that could be used by the centre would be halved to three. The use of the remaining courts as well as the operations of the Fawkner Park Children's Centre Cooperative and the Elderly Citizen's Centre would be significantly impacted during construction.

The City of Melbourne would expect that post-construction, identical or enhanced recreation opportunities in Fawkner Park would be provided. These should be consistent with operational requirements at the time of completion of the project and with relevant Master Plans.

The outdoor area of the Children's Centre and the centre itself would potentially be impacted by the proposed construction works. Discussions with the centre indicate that the impacts from the use of the adjacent land as part of the project area would require the closure of the centre and the relocation of these facilities during construction. The MMRA submits that impacts on the centre can be managed

through noise, dust and vibration impact mitigations. The City of Melbourne believes that these requirements would not adequately address impacts on safety and amenity to an extent that would allow for the centre to continue to operate.

5.3.3 North-east between Marne Street and Walsh Street alignment



Figure 13 – Emergency Access Shaft location between Marne St and Walsh St alignment (CoMPASS)

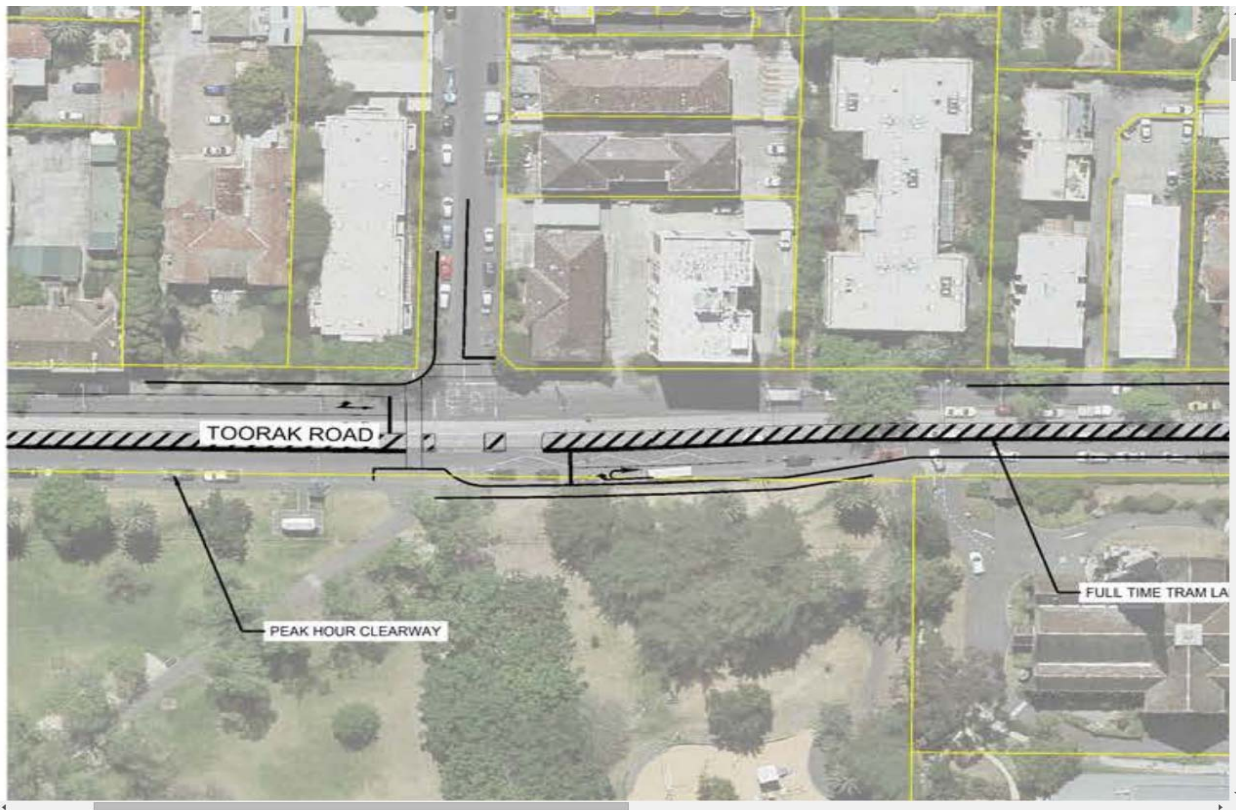
The other option for the location for the Emergency Access Shaft described in the EES is to the west of an existing public toilet in the north western part of Fawcner Park in what is mostly an existing grassed area used for passive recreation.

The MMRP concept plan shows the construction area associated with the creation of the shaft to be located adjacent to a circular stand of trees. This is a historic stand of National trust registered trees of regional significance that were planted when the area was used for cattle grazing. The planting of the circle of trees allowed for them to be fenced so they would not be eaten by cattle. The construction area appears to be within the tree protection zone of these trees that should be protected from any such activities. The use of this site would also necessitate the creation of a crossover for use by emergency vehicles. This would further impact on the visual and landscape amenity of Fawcner Park.

In addition to the Melbourne Metro Rail Project, Fawcner Park has been identified as potentially being impacted by some of the concepts put forward as part of Vic Roads investigations of the implications of removing, or retaining the Public Acquisition Overlay (PAO) along Punt Road. The options that were put forward were not committed plans from Vic Roads, rather they were options assessed to inform the Punt Road PAO advisory committee as to whether or not the PAO should remain in force.

Below is an excerpt from the City of Melbourne's submission in response to the Options Paper This includes a plan showing the impacts on Toorak Road West and Fawcner Park as part of six of the options investigated.

5.4 Fawkner Park Impacts (Concepts 2 to 7)



Concepts 2 to 7 all impact on Fawkner Park by proposing acquisition of an area of approximately 60 metres long and 4 metres wide. Acquisition of any part of Fawkner Park is of concern to the City of Melbourne. Any loss should be considered in the context of the cumulative effects on Fawkner Park open space with other potential infrastructure projects e.g. Melbourne Metro Rail.

Figure 14 – City of Melbourne Submission to the Punt Road Investigations, Punt Road Concept Options Report, 24 November 2015

The draft submission was considered by Council at the meeting held on 24 November 2015 where it was resolved that:

That Council endorses the City of Melbourne's draft submission to the Punt Road Public Acquisition Overlay Advisory Committee and formally requests Vic Roads to involve City of Melbourne officers in the detailed assessments of the current and alternate concepts relating to the future of the Punt Road Public Acquisition Overlay, noting however that the Council has a firm view in relation to options 2 to 7, being the opposition to the loss of any existing public park land.

The Advisory Committee hearings were in February. The Committee is now preparing a report to the Minister that will become public after the Minister makes a decision.

The part of the resolution relating to the impacts on Fawkner Park was added by Councillors as part of an alternative motion that was carried unanimously.

The proposed location of the Melbourne Metro Rail Emergency Access Shaft should be considered and assessed in the context of the cumulative effects from the Metro Rail, and other potential projects. The cumulative use of parkland for transport infrastructure is unacceptable. Such land is not vacant development land, but a valued open space asset in its own right.

Whether or not the Punt Road concepts proceed, it is submitted that the loss of parkland should be avoided wherever possible. The City of Melbourne wishes to continue to work with the MMRA to explore alternative locations for the Emergency Access Shaft that does not impact on the recreational and open space values of Fawkner Park. There are other potential locations which could be investigated along the alignment beyond the park boundaries.

It is submitted that the relevant Environmental Performance Requirements should seek to avoid the use of public open space during construction and for installing permanent structures -given the extent and incompatibility in purpose of potential impacts on these spaces and the difficulties associated with managing them. This is partly addressed in EPR LU 1 which seeks to minimise these impacts. It is submitted that, in the case of public open space areas, the priority should be to avoid impacts in the first instance.

DRAFT

6. Western Portal (Kensington)

6.1 Introduction

Two options are proposed for the location of the tunnel entrance as shown below.

Precinct 2 – Western portal (Kensington) (Concept Design)

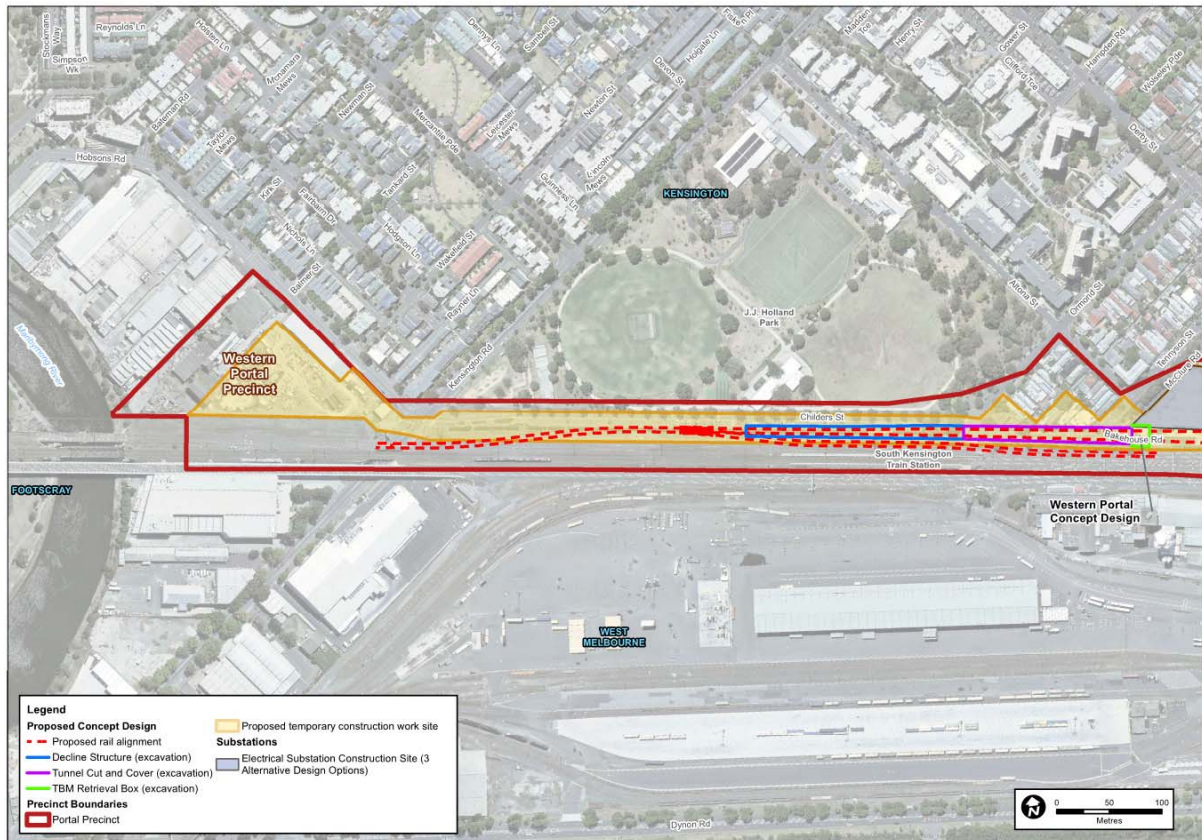


Figure 15 – Western Portal Concept Plan (Melbourne Metro Rail Project EES Chapter 6 – Project Description)

Precinct 2 – Western portal (Kensington) (alternative design option)

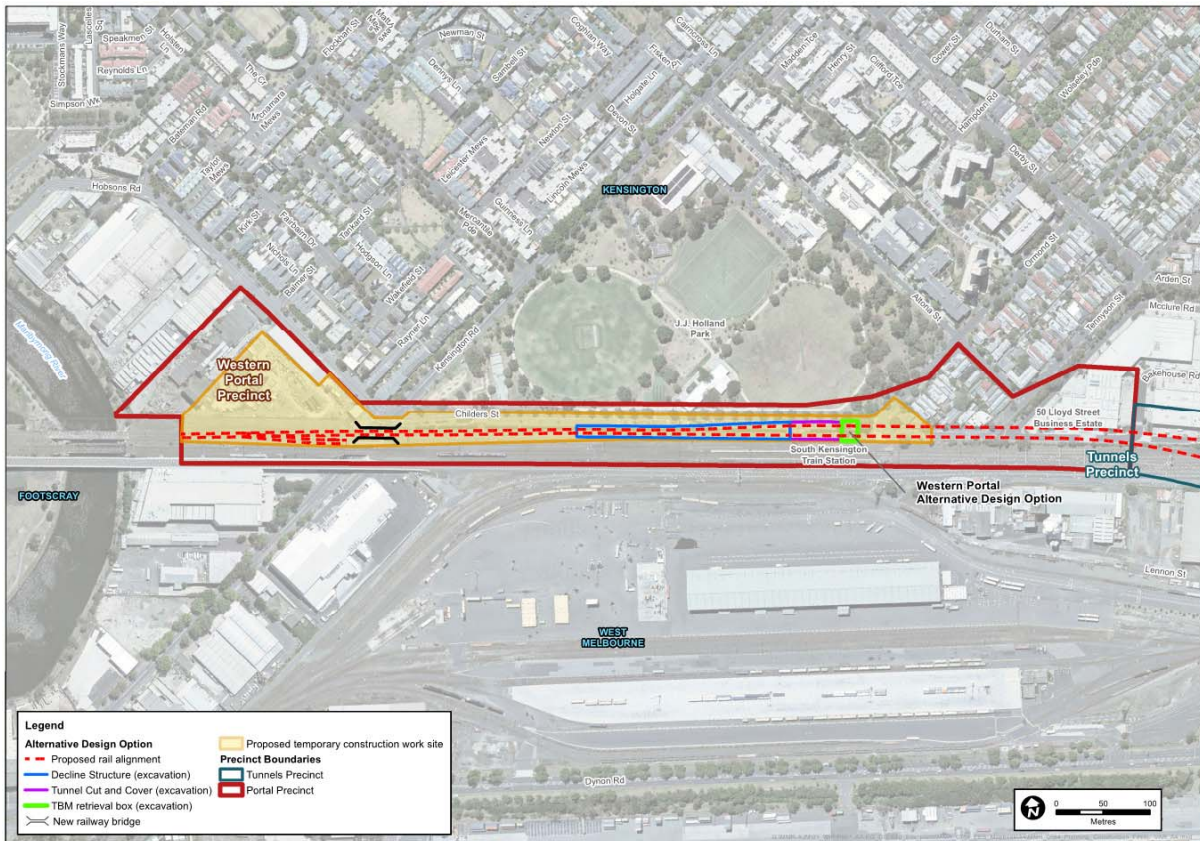


Figure 16 – Western Portal Alternative Design (Melbourne Metro Rail Project EES Chapter 6 – Project Description)

Both options require:

- the relocation of services including the high-voltage pylons adjacent to Childers Street
- the removal of trees (approximately 50) and vegetation on the southern side Childers Street
- acquisition of the City of Melbourne land along adjacent to the rail reserve on the south side of Childers Street
- the temporary closure of Childers Street including the shared path on the south side of Childers Street and the on-street bicycle lanes and associated loss of on-street parking
- opening of Ormond Street and Tennyson Street at Childers Street during construction to allow access to 50 Lloyd Street for trucks that are unable to clear the rial bridges on Lloyd Street
- realignment of rail lines and increasing the area of the existing embankment
- use of land at 1-39 Hobsons Road during construction
- TBM retrieval box.

The Concept Design proposes the tunnel entrance/exit to be located close to the South Kensington Station entrance. It requires the acquisition of residential properties at 135 Ormond Street, 1-13 Childers Street (five properties) and at 124-126 Tennyson Street (two properties). The TBM retrieval box would be located adjacent to 50 Childers Street. The operational road network changes are described as:

- Childers Street would be a two-way, two-lane road with speed control devices and a roundabout near Ormond Street.
- Childers Street would have parallel parking along the northern side of the road and a small number of right angle parking spaces at the western end of Childers Street and between Tennyson and Ormond Streets.
- The existing closures of Tennyson Street and Ormond Street would be reinstated once the construction works no longer occupy the eastern section of Childers Street.
- A shared use path along the northern side of Childers Street (within the park) between Kensington Road and Ormond Street and bicycle lanes on both sides of the road between Ormond Street and Tennyson Street.

The location of the tunnel entrance/exit for the second option is approximately 100m to the west of the entry to Sotuh Kensington Station. This option would require land acquisition, but would affect only one residential property located at 135 Ormond Street. The operational road network changes are described as:

- Childers Street is proposed to be a two-way, two-lane road with speed control devices.
- Childers Street is proposed to have 90 degree parking along the southern side of the road with a net reduction of around 34 parking spaces between Ormond Street and Kensington Road.
- The existing closures of Tennyson Street and Ormond Street are proposed to be reinstated once the construction works no longer require the eastern section of Childers Street.
- There is proposed to be a shared use path along the northern side of Childers Street (within the park) between Kensington Road and Ormond Street and bicycle lanes on both sides of the road between Ormond Street and Tennyson Street.
- The existing shared use path on the south side of Childers Street is proposed to be converted to a footpath.
- Landscaping would be provided on the south side of Childers Street as part of the reinstatement works.

6.2 Western Portal Preferred Option

The City of Melbourne accepts that both options will require the acquisition of freehold land owned by the City of Melbourne along the south side of Childers Street, subject to an appropriate level of compensation to be determined.

A Heritage Overlay, HO 9, for the Kensington Precinct applies to the properties bounded by Ormond, Childers and Tennyson Streets (see Figure 17 below). A group of three single storey cottages facing Childers Street (1-5 Childers Street) are D graded under the City of Melbourne's Heritage Places Inventory June 2015 (see Figure 18 below). These properties are within a General Residential Zone under the Melbourne Planning Scheme.

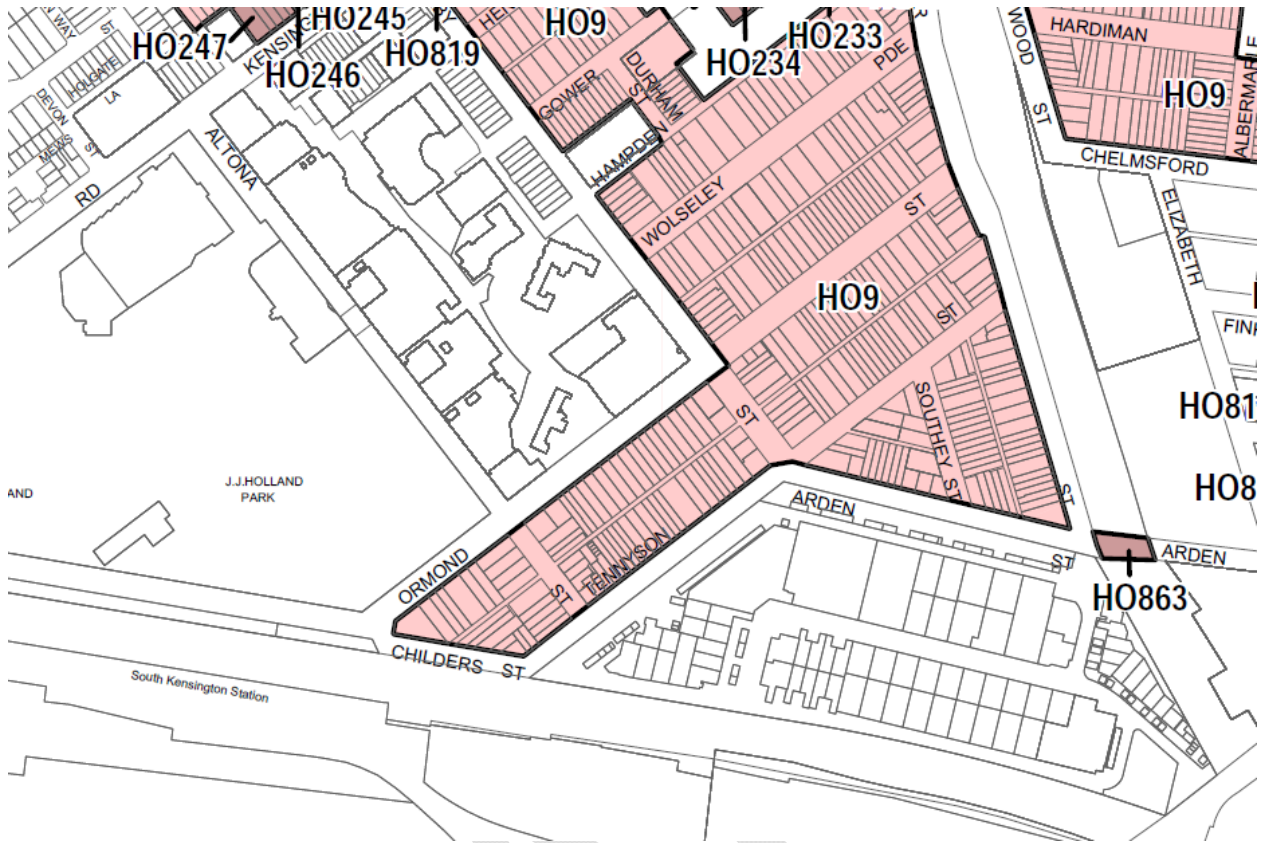


Figure 17 – Heritage Overlay Map showing part extent of Heritage Overlay HO9 (Melbourne Planning Scheme)

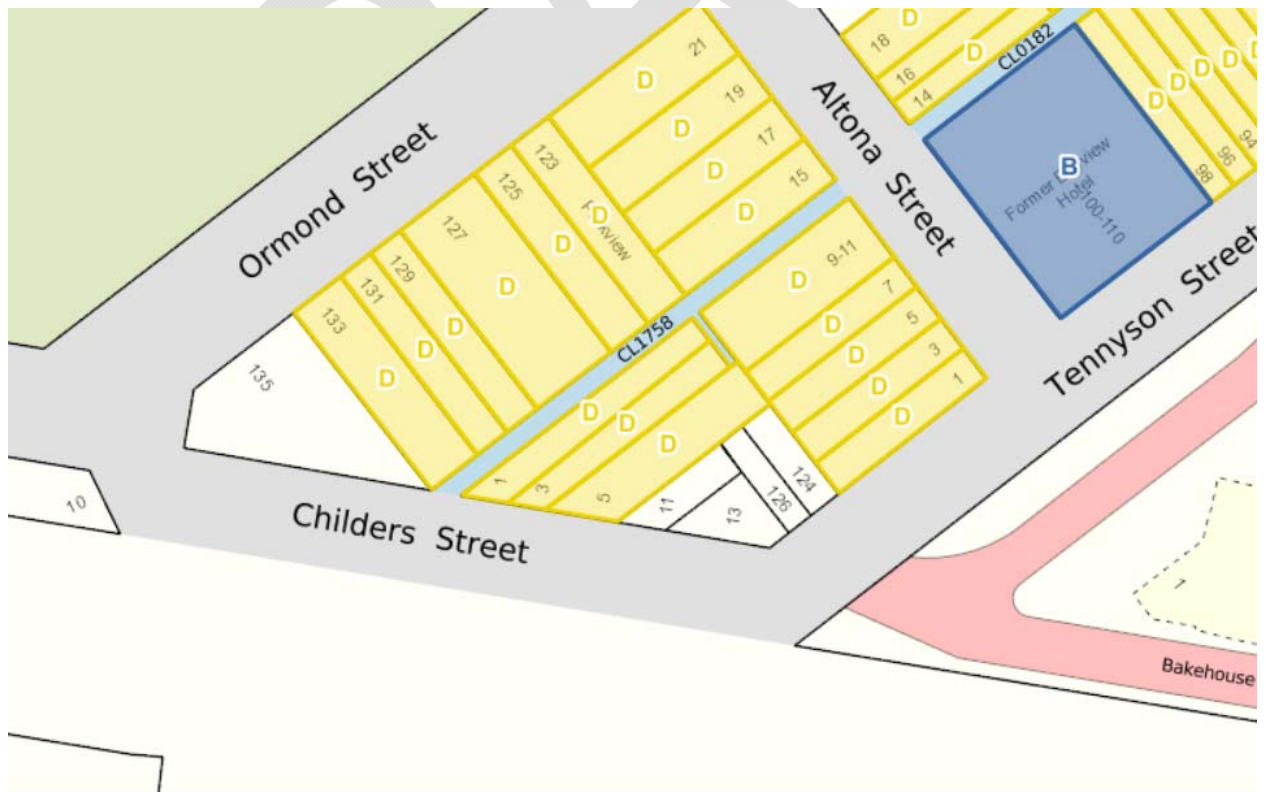


Figure 18 – Heritage Grading of properties within and adjacent to Western Portal Precinct (CoPASS)

The business park at 50 Lloyd Street is located to the north of the rail reserve and is located within an Industrial 1 Zone. Access to this property is via an entrance to a private internal road network from Childers Street with another access to Lloyd Street. Access via Lloyd Street for some trucks is limited by rail bridges with height limitations (see Figure 19 below.)



Figure 19 – Aerial image with business park at 50 Lloyd Street highlighted (CoMPASS)

Whilst the detailed design of both of these options is yet to be finalised, the alternative option as currently presented will require less acquisition of residential properties and appears to provide best opportunities for an optimal road layout for Childers Street. While the existing D graded buildings at 1-5 Childers Street are not of high individual heritage significance, collectively they form an important edge to the Kensington Heritage Overlay Precinct and as such their retention is preferred.

The alternative location for the TBM retrieval also appears to provide opportunities to consolidate construction activities in the closed section of Childers Street provided that access to the station is maintained. The western access to the business park at 50 Lloyd Street can also be more easily retained. It is acknowledged that the construction of the additional portion of rail bridge over Kensington Road may cause impacts to residences within the Kensington Banks estate. The Environmental Performance Requirements must be sufficiently robust to ensure that potential construction impacts and impacts from operational noise and vibration are adequately addressed.

6.3 Bicycle and vehicle access

The closure of Childers Street to traffic during construction and the removal of the Ormond Street and Tennyson Street road closures during this time may result in additional through traffic to these streets. These local roads would also be temporarily impacted by trucks needing to access 50 Lloyd Street for vehicles are unable to clear the Lloyd Street rail bridges. Through traffic currently uses Childers Street and the private road network in 50 Lloyd Street as a 'rat-run' to access Lloyd Street particularly during peak times. While the use of the altered local road network during construction will not be as convenient, there is a risk that the current traffic using Childers Street would use such an alternative

route. Traffic management measures will be required to monitor traffic movements and minimise any adverse impacts. There are proposed Environmental Performance Requirements requiring the preparation of Traffic Management Plans for each precinct during construction. These could be made more specific to address this matter.

A shared path is currently located on the southern side of Childers Street. Childers Street also has some bicycle markings. During a site visit at the morning peak a large number of cyclists were observed using Childers Street heading in an easterly direction. All but one cyclist was using Childers Street, rather than the shared path (see Figure 20 below).



Figure 20 – Image of Childers Street looking west towards Kensington Road (Google Streetview)

The EES documents make numerous reference to then need to relocate the shared path. It is agreed that pedestrian and bicycle access needs to be maintained both during and post construction. On page 20 of the Summary Report, it states that the existing path within the park would be upgraded to a shared use path. While this would allow for continued access for bicycles during construction of the MMRP, it is submitted that this very specific solution is not appropriate and that the City of Melbourne wishes to work with the MMRA to develop an alternative way to maintain access.

There is insufficient area to construct a new shared path without impinging on existing tree planting, playing fields, the BMX track, walking paths and the pavillion. Concern is expressed with potential safety issues should commuter cyclists be riding through an area where they may conflict with other path users. The existing granitic sand path should be maintained as it provides an optimal surface for joggers and walkers. There is insufficient area to reconstruct this path and provide a new shared path. An alternative cycling route may already exist, in part around north of the park via Kensington Road and Altona Street. The existing road closure and pedestrian/cyclist rail crossing at Arden Street could be modified to allow cyclist to use this route without conflicting with pedestrians.

6.4 South Kensington Station

At the Future Melbourne Committee Meeting meeting on 1 December 2015, Cr Leppart tabled the following Notice of Motion:

1. *That the Future Melbourne Committee:*

- 1.1 *Resolves that the City of Melbourne supports in principle the moving of the South Kensington Station westward, from its present location to above Kensington Road: and*
- 1.2 *Notes that a full list of legacy projects associated with the Melbourne Metro Rail project are being considered by management and will be publicly canvassed in 2016.*

The Notice of Motion was accompanied by the following background information, in part:

The State Government contemplated moving South Kensington Station westward during the planning for Kensington Banks urban renewal, but did not progress with any plans. It has the opportunity to revisit this during Melbourne Metro Rail works. Even if the station is not moved westward as part of the project, there would be scope to ensure that the new Metro Rail works are designed in a way which anticipates the potential future construction of a Station above Kensington Road.

Future populations will also benefit from a station above Kensington Road: land adjacent to the Maribyrnong River north and south of the railway and along Kensington and Hobsons Roads is currently undergoing or is earmarked for urban renewal (see for example agenda item 6.2 on the 1 December 2015 agenda).

The City of Melbourne frequently and formally engages with the Melbourne Metro Rail Authority and the subject of South Kensington Station has been discussed. This motion prompts a public discussion.

The motion was carried unanimously.

The Concept Design for the project does not include any changes to South Kensington Station. Trains on the Sunbury line currently travel to the north of station platforms and do not stop at South Kensington Station. Station access is via an underpass from Childers Street only. The southern section of the underpass is gated. The EES states that the MMRP will enable further upgrades to the Williamstown and Werribee train lines in the future. It is unclear from the EES documents whether there will be construction impacts on the operation of South Kensington Station from the MMRP. Given the proximity of the works to South Kensington Station and the subway entrance to the station, it is submitted that should construction activities affect the operation of the station, this should be used as an opportunity to upgrade the existing station and its access. This would be consistent with the EES evaluation objective 'to enable a significant increase in the capacity of the metropolitan rail network and provide multimodal connections, while adequately managing effects of the works on the broader transport network, both during and after the construction of the project'.

6.5 Optional location for Electrical Substation

The Map Book identifies the south-west portion of the business park 50 Lloyd Street being a potential location for an electrical substation construction site (see Figure 21 below). The substation is in the currently location of 13 business park units. It is assumed that the substation would be an above ground structure. There is insufficient detail about the substation to be able to fully determine the impacts of this structure, however a location that is further from existing residential properties and does not require private property acquisition is preferred.

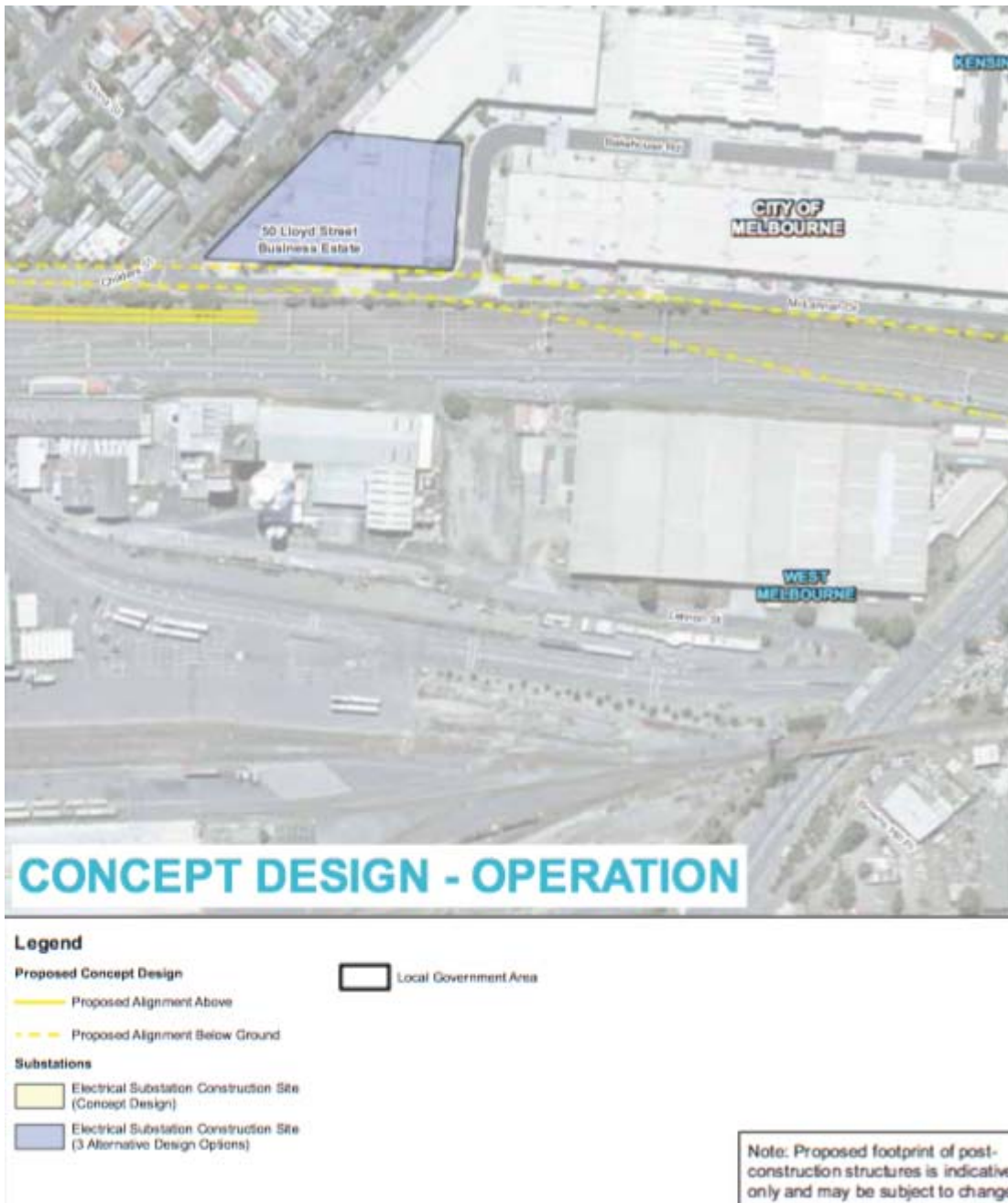


Figure 21 – Optional Location for electrical substation at 50 Lloyd Street (Melbourne Metro Rail Project EES – Map Book)

7. Arden Station Precinct

7.1 Introduction

The proposed Arden Station Precinct, also known as the Arden Siding, is proposed to be the main construction site for the project as well as accommodating the Arden Station. The land is zoned as a Public Use Zone for railway purposes. The majority of the site is affected by the Land Subject to Inundation Overlay. The site is part of the area identified in the Municipal Strategic Statement and the Arden Macaulay Structure Plan 2012 as the Arden Macaulay urban renewal area. The EES acknowledges this and includes the following relevant Environmental Performance Requirement:

LU3 - Design and construction of Arden station must consider the ongoing strategic planning of the Arden-Macaulay Urban Renewal Area and include consultation with the Metropolitan Planning Authority, City of Melbourne and any other relevant agencies.

The land is historically and currently used for a range of industrial uses including concrete batching plants.

7.2 Tree removal within Arden Siding

The Arden Siding site currently contains a number of trees at various states of maturity. The City of Melbourne does not have its own detailed information about trees planted on this land. The image below is an aerial image of the site where tree canopies can be seen (see Figure 22). These trees have been retained over time despite existing industrial activities being carried out on the land and substantial truck movements through the site. The Arboriculture Technical Appendix documents indicate approximately 115 trees being removed from this site. The reason for their removal is unclear. EPR AR 1 states in part:

During detailed design, review potential tree impacts and provide for maximum tree retention where possible.

This area is largely Vic Track land and therefore the City of Melbourne has no jurisdiction over this area. However this area has been earmarked for future urban renewal. This area will be developed in the future and it will be desirable to retain as many trees as possible to allow mature trees to be present for the future redeveloped area. It is submitted that this EPR should apply equally to trees on public and private land, such as the Arden Siding. The retention of trees on this land would contribute to the urban ecology and visual landscape of this urban renewal area.

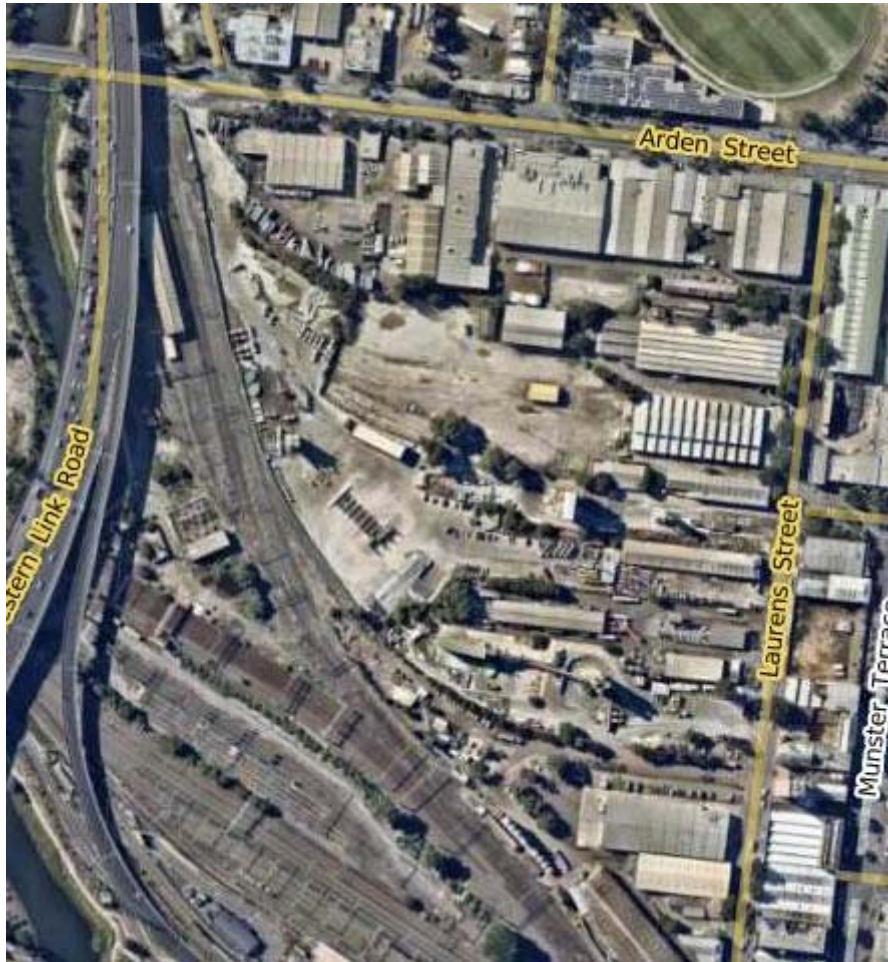


Figure 22 – Aerial image including Arden Siding (CoMPASS)

7.3 Heritage

The Explanatory Report accompanying Planning Scheme Amendment C 207 states:

The Arden Macaulay Structure Plan 2012 (“the Structure Plan”) includes a strategy to integrate the heritage of Arden Macaulay with the redevelopment potential of the precinct. The Structure Plan includes an action to undertake a review of the existing heritage overlay and grading controls to ensure that the heritage qualities of Arden Macaulay are identified and protected.

The Review identifies sites and precincts in the Structure Plan area that have heritage significance.

This amendment seeks to implement the recommendations of the Review, inclusion of additional individual places and precincts into the Heritage Overlay, along with boundary changes to some existing precincts and updating information in the Schedule to the Heritage Overlay. The Amendment is currently with the Minister for Planning for approval and gazettal. Amongst other things, the amendment proposes to include land at 173-199 Laurens Street in the Heritage Overlay HO 1093 (see Figure 23 below). The buildings on this land are cited as being significant as early examples of railway buildings.

These buildings are in the location of the Arden Station box and are shown to be demolished as part of the MMRP. Given the heritage significance of these buildings, it would be preferable to incorporate them into any station infrastructure, or to explore options for removing and reusing them elsewhere

within the Arden Siding rail land. The City of Melbourne would welcome the opportunity to explore options to retain or reuse these buildings.

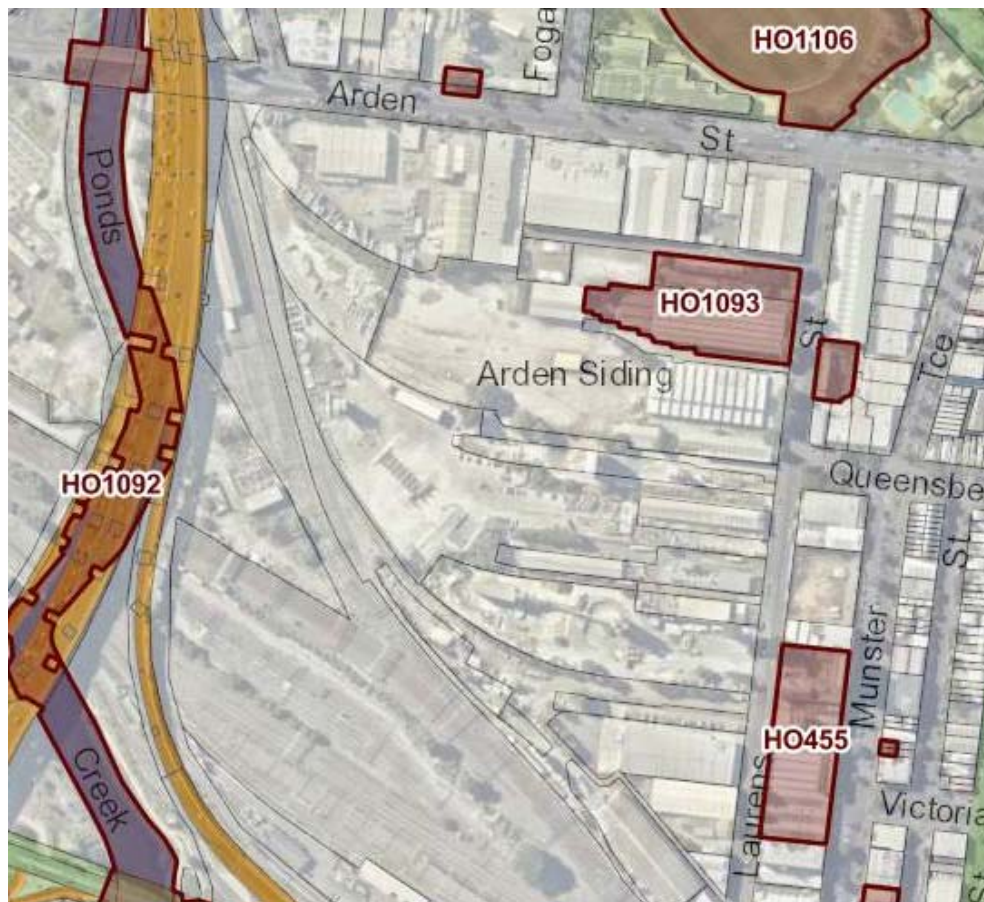


Figure 23 – Proposed Heritage Overlay under Planning Scheme Amendment C 207 (CoPASS)

7.4 Fauna

The potential impact of the development on the fauna at the Arden site may need to be reassessed. There are a number of threatened and vulnerable species that have been recorded within 5km of the proposed Arden site that do not seem to have been considered in the report. These include: Royal Spoonbill, Eastern Great Egret, Common Sandpiper, Nankeen Night Heron, Hardhead, Powerful Owl, and Australasian Shoveler. EPBC listed species such as Australasian Bittern, Swift Parrot and Australian Painted Snipe have also been recorded in the vicinity and may occasionally occur in suitable habitat along Moonee Ponds Creek. Disturbance and negative change in water quality at the site may impact these species. As highlighted in the report, the riparian habitat provided by Moonee Ponds Creek is very rare within the City of Melbourne. Whilst it is degraded, it still provides an important habitat for these species. Maintaining a mosaic of exposed mud flats, reeds, salt bush and wetland plants will be important in maintaining the diversity of birds at the site. Additional EPRs to specifically investigate these impacted species and develop management plans, if necessary, would be welcomed.

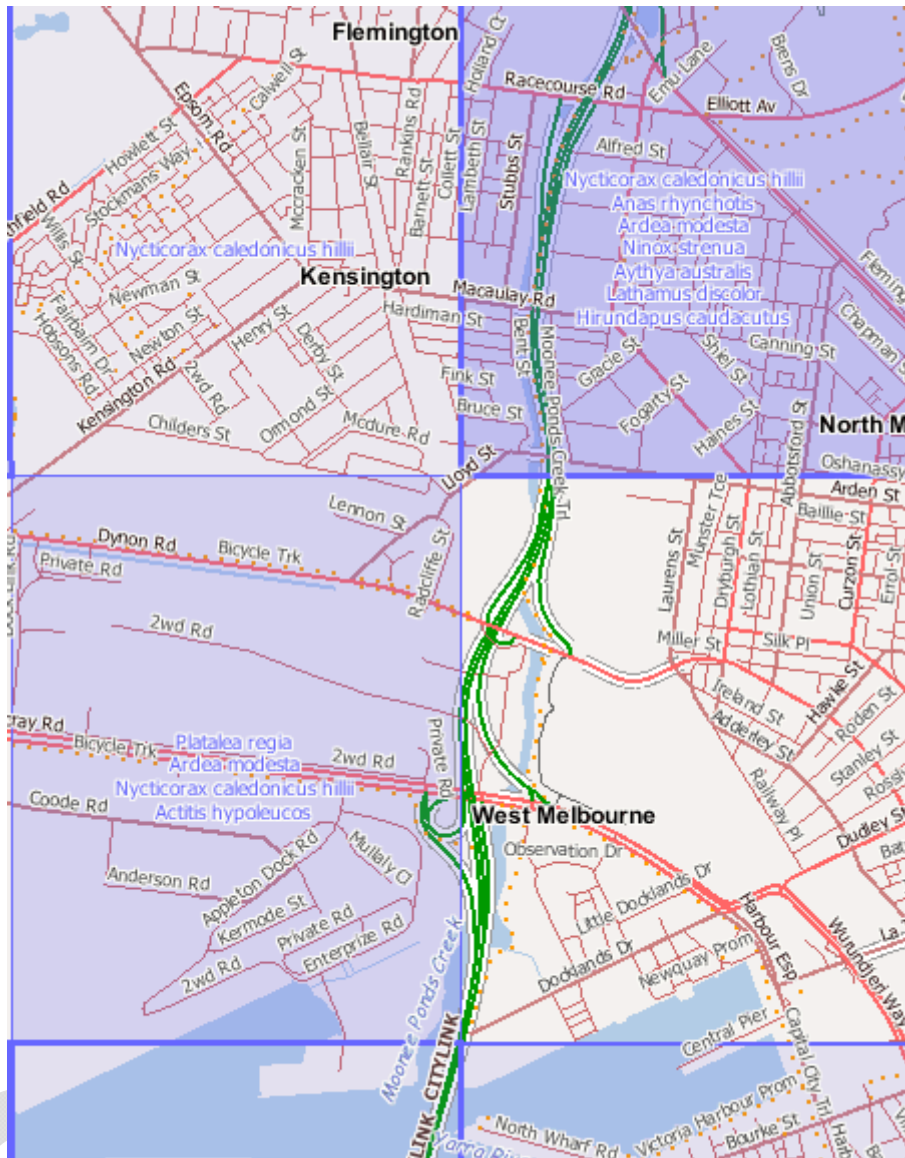


Figure 24 – A list of threatened fauna found within 5km of the proposed Arden site (taken from the DELWP Biodiversity Interactive Map). A number of these species, in particular the Great Eastern Egret, Royal Spoonbill and Nankeen Night Heron have been observed within 1km of the site.

The City of Melbourne recently developed an Urban Ecology and Biodiversity Strategy. It outlines targets and actions relevant to biodiversity, understory planting and planting choices. Reference to meeting the requirements of this strategy would be welcomed. This Strategy additionally highlights the surprising level of current biodiversity in the City of Melbourne. Whilst there has been a lot of habitat loss and degradation, a significant level of biodiversity remains including over 150 species of birds, 1500 insects, at least 11 mammals, 4 amphibians, 9 reptiles and 20 fish. Many of these species are very low in density and therefore vulnerable to future change. As Melbourne grows and habitat is increasingly lost at the city fringes, the value of these populations will increase. Greater acknowledgement of the significance of existing biodiversity would be welcomed. This should be reflected in additional Environmental Performance Requirements that require further investigation and management of impacts on Fauna in the Arden Precinct.

7.5 Construction Traffic Routes

The Arden Siding site is proposed to be the main construction site for the delivery of the project. Chapter 8 – Transport describes up to 360 truck movements per day at this site at peak times. The site is proposed to be used 24 hours per day, seven days per week. The following is a diagrammatic representation of proposed truck routes from the Transport Chapter of the EES:

Figure 8-4 Precinct 3: Proposed construction vehicle access routes

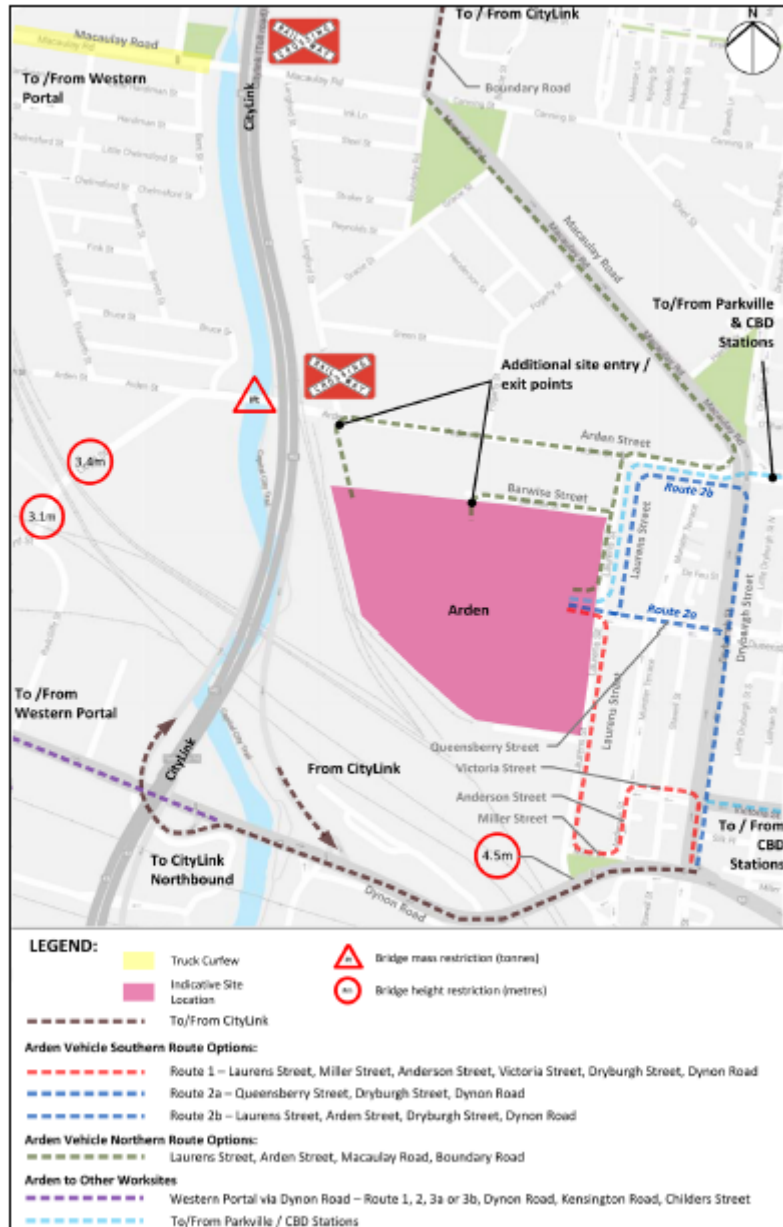


Figure 25 – Proposed construction traffic routes Adren Station Precinct (Chapter 8 Transport EES)

The proposed truck routes include Queensberry Street and the southern section of Launess Street, Miller Street and Victoria Street. Other routes rely on the portion of Launess Street to the north of Queensberry Street.

There is an existing high volume of truck movements in this area. The Arden Street, Lauren Street intersection is signalised. There is direct access from Arden Street into the north-west corner of the Arden Siding. The north-west Arden access is currently heavily utilised for trucks accessing the concrete batching facilities.

Truck Routes 1 and 2a both use local roads with residences. Alternative routes using roads with less sensitive land uses can and should be used. The Environmental Performance Requirements and the Environmental Management Framework require the preparation of Construction Traffic Management Plans in consultation with relevant authorities. The City of Melbourne supports this approach and recommends that an Environmental Performance Requirement be included to state that construction traffic accessing the Arden Precinct not rely on the use of the local road network.

7.6 Substation location options

The EES shows one Concept Design location and three additional alternative locations for the substation that is to provide power to the new rail line. One of the alternative locations is discussed in the previous Chapter to this submission and is within the business park at 50 Lloyd Street. The other locations are within the Arden Precinct and are shown on the plan from the EES Map Book below.

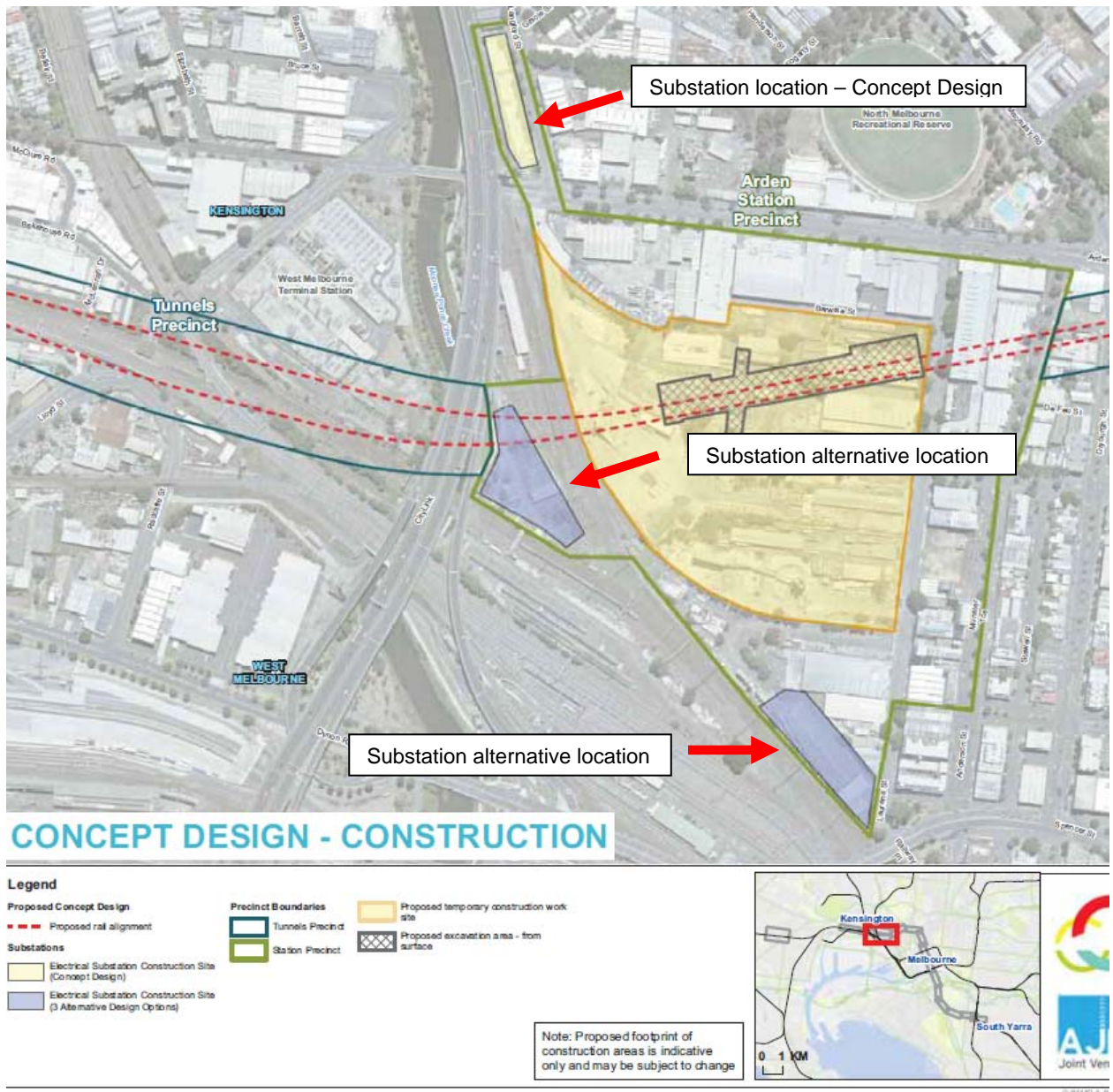


Figure 26 – Concept Design and alternative location of substation (Melbourne Metro Rail Project EES – Map Book)

The location on the north-west corner of Arden and Langford Streets is on the perimeter of the Arden Macaulay urban renewal area and has a high degree of visibility from the existing public realm. While no detail of the structure associated with the substation is provided, it is assumed that it will be similar to other substation structures and will be a plain utilitarian building. This location is less preferred because of the prominence of the site and the high degree of visibility. The alternative site located on the west side of Lauren Street at the very southern end of the precinct is also less preferred for similar reasons. Both sites would appear to offer greater opportunities and benefits for other types of development. A substation may be able to be integrated with development of these sites, however, it would be a significant encumbrance.

One of the alternative locations nominated is at the western edge of the Arden Siding precinct. This site is the location of an existing substation structure. It is understood that this substation is currently used for electricity supply for the existing rail infrastructure. It would be preferred that the MMRP

substation be co-located with this existing utility. While this location would impact on the future development of this urban renewal area, there may be some efficiencies in relocating a co-located facility.

7.7 Legacy – Land contamination and flooding

Some concern has been raised about a potential gap in the EES considerations in relation to the impacts from the project on the Arden Siding site and its legacy state when the project is completed. The Arden Siding forms part of the Arden Macaulay urban renewal area. This land has been identified as being appropriate as a future mixed use development area. The existing uses on the land are largely industrial and it is likely that the land would require contamination remediation to facilitate its future development. A large extent of the land is also subject to flooding and is within the Land Subject to Inundation Overlay under the Melbourne Planning Scheme (see Figure 27 below).

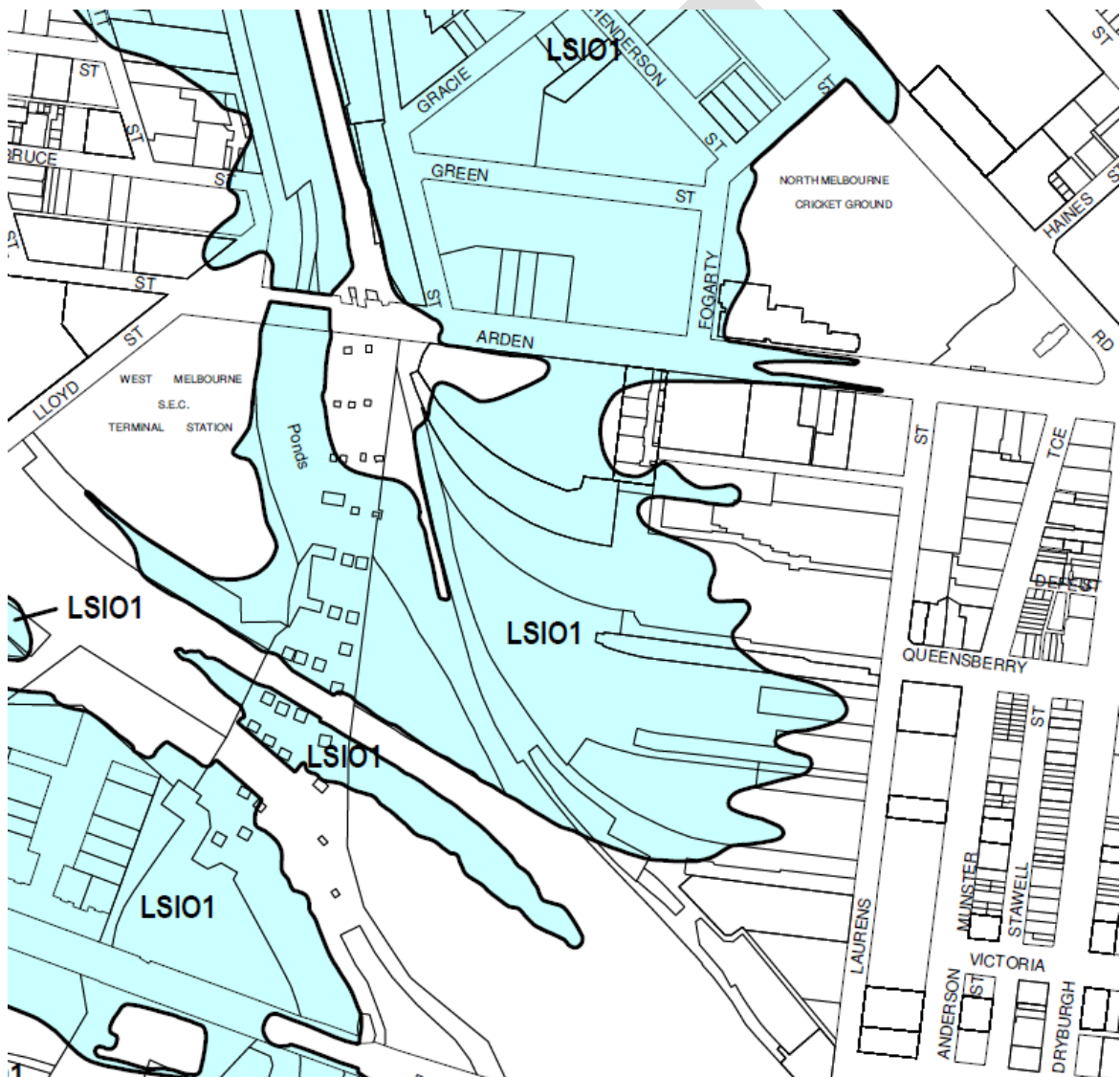


Figure 27 – Melbourne Planning Scheme Maps Land Subject to Inundation Overlay (Melbourn Planning Scheme)

The Arden Siding site is currently Crown Land for which Vic Track is the Committee of Management. Except for the parts of the land occupied by MMRP infrastructure, the MMRA, as part of the project, will be temporarily occupying the land rather than acquiring it. The EES describes how flood mitigation

for the tunnel and station infrastructure is proposed to be addressed and how contaminated spoil from excavation is to be processed. Planning for the land in relation to these issues will need be addressed more broadly by the Vic Track and government agencies responsible for establishing the planning framework for future renewal.

It is anticipated that both of these critical matters will be considered by the Metropolitan Planning Authority (MPA) together with the MMRA and the City of Melbourne in the development of strategic plans for this key urban renewal area.

It is envisaged that the project especially the operations of the stations should have built in environmental management systems that will minimise adverse impact on the environment but also make a positive contribution to reducing detrimental impacts on the future environment. This is especially applicable taking into account future climate change impacts and potentially devastating impacts of sea level rise and increased storm intensity will have on the vulnerable areas of the municipality especially Arden Macaulay, the Flinders Street Station & Elizabeth Street precinct and Southbank. All five stations are situated in these various storm water catchments. The stations could all meet best practice for reducing potable water consumption, and for integrated water management via stormwater management systems including tanks.

EPR SW2 states:

For all precincts:

- *Maintain existing flood plain storage capacity potentially impacted by the project, to the requirements and satisfaction of the responsible authority.*
- *Permanent and associated temporary construction works must not increase flood levels that result in an additional flood risk to the requirements and satisfaction of the responsible authority.*
- *Ensure permanent and associated temporary works do not increase flow velocities that would potentially affect the stability of property, structures or assets, and/or result in erosion during operation or construction, to the requirements and satisfaction of the responsible authority.*
- *Undertake modelling of the design of permanent and temporary works to demonstrate the resultant flood levels and risk profile to the satisfaction of the responsible authority.*

It is suggested that the emphasis of this EPR is amended so that detailed design of works enhance flood protection rather than maintaining the status quo.

8. Parkville Station Precinct

8.1 Introduction

The creation of a new station where the suburbs of Parkville, Carlton and Melbourne meet on Grattan Street will provide significant improved access to the City North education and health precinct. The construction of the station box will require the closure of Grattan Street to traffic between Royal Parade and Leicester Street. The northern portion of University Square and the property at 750 Elizabeth Street are proposed to be used as construction lay-down areas. A new tram stop is proposed to be construction on Royal Parade and station entrances are to be located on Grattan Street and Royal Parade.

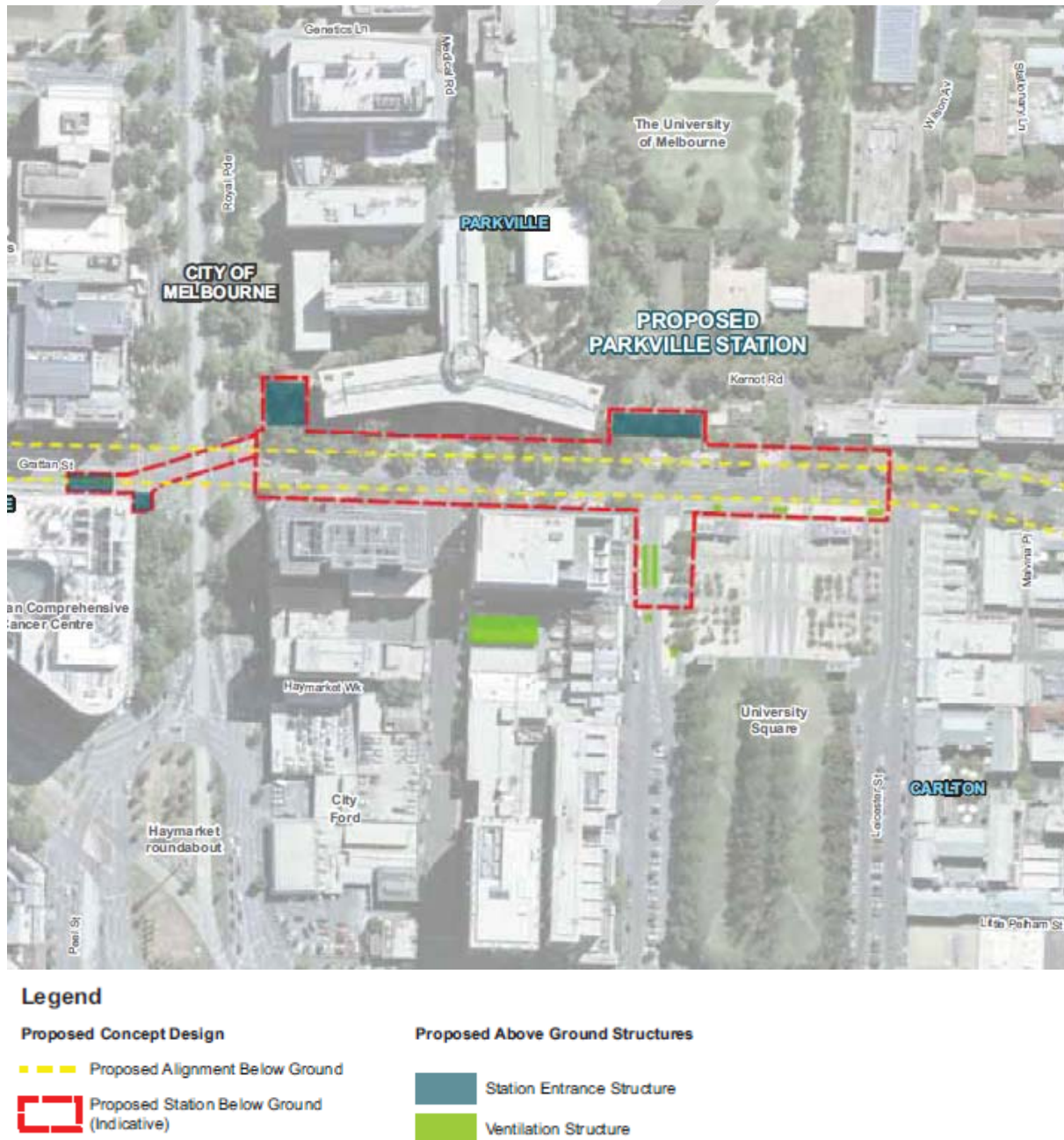


Figure 28 – Parkville Station Precinct (Melbourne Metro Rail Project EES – Map Book)

The impacts from the project need to be carefully managed to ensure the continuing operation of medical facilities in particular. The MMRA has been engaging with stakeholders within this precinct to ensure the successful integration of this new infrastructure. The area also contains a number of heritage assets including Royal Parade that is included on the Victorian Heritage Register and numerous buildings within the Melbourne University Campus.

8.2 Trees

The Parkville Precinct is identified as potentially requiring a high number of tree removals. Approximately 106 trees would be required to be removed under the Concept Design. The majority of the removals required are in the northern section of University Square and are made up of approximately 57 small malus species and 17 other trees. The large number of these small trees located within the Square can be seen in the aerial image below. The proposed removals in the University Square location would be in line with future City of Melbourne planned works and are of low concern.

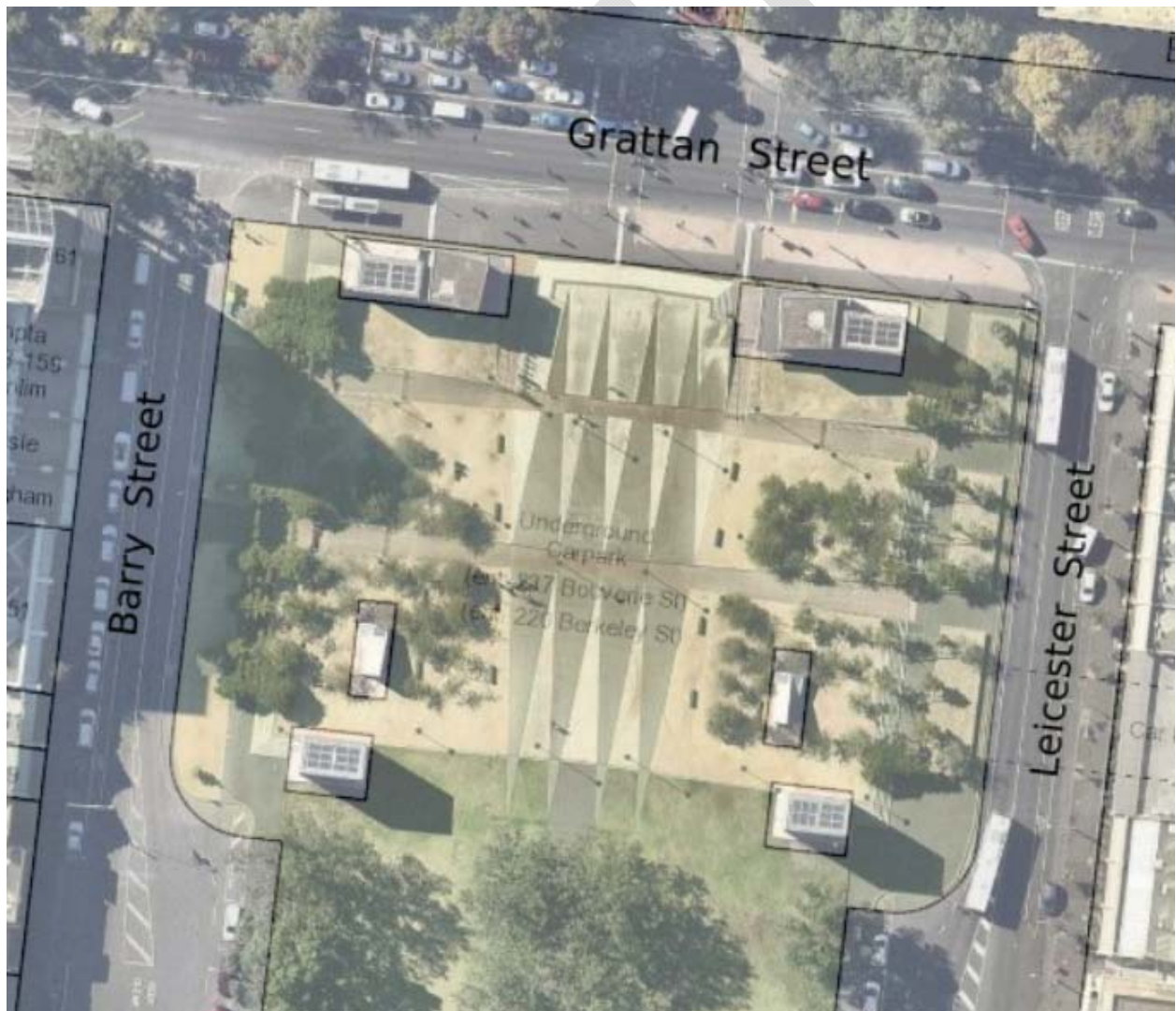


Figure 29 – Aerial image of northern portion of University Square (CoMPASS)

The most significant impact is the removal of 10 Royal Parade elms shown in the Concept Plan. It is submitted that during the final planning stage every option is exhausted to ensure the minimum amount of trees would require removal. These trees fall within land that is included on the Victorian

Heritage Register. Heritage Victoria has been contributing to the Technical Reference Group. The impacts on these elm trees is acknowledged in the EES and is addressed through the following specific EPR:

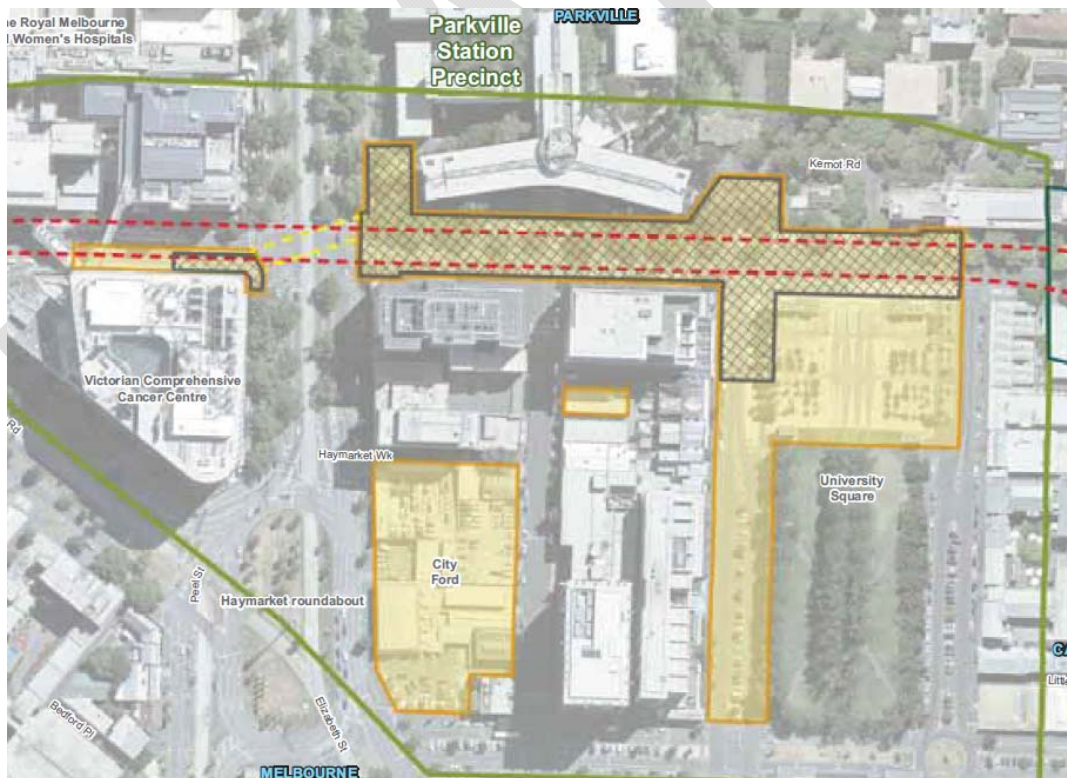
CH12 – To the satisfaction of Heritage Victoria and the responsible authority, replace removed elm trees in Royal Parade as part of project delivery using appropriate species and re-establish the boulevard formation.

Provide suitable soil conditions to facilitate the growth of new trees to reach the size of the existing mature trees in the boulevard.

The EPRs also include an outcome that seeks to ensure that the detailed design of the project minimises the need to remove trees. The City of Melbourne wishes to continue to work with the MMRA on the detailed design of the project to minimise this impact. Where trees are required to be removed, the proposed Environmental Performance Requirements are consistent with City of Melbourne policy.

8.3 University Square North

The EES describes the temporary occupation of the decked area of the northern portion of University Square to be used during construction. University is Crown land with a Crown lease for the public car park that is currently held by Melbourne University. The City of Melbourne is the Committee of Management for University Square.



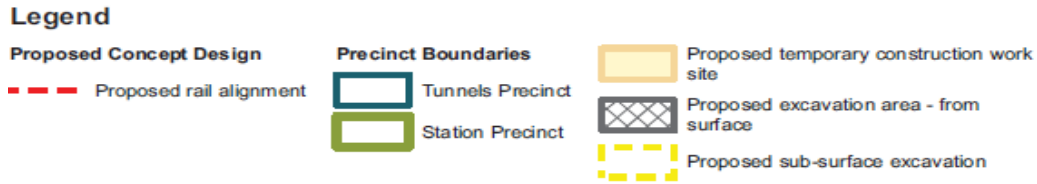


Figure 30 – Concept Design Construction Area for Parkville Station Precinct (Melbourne Metro Rail Project EES – Map Book)

The City of Melbourne has been developing a master plan for the expansion and refurbishment of University Square. This project is underpinned by the City of Melbourne’s Open Space Strategy (2012) which identifies a lack of open space in Carlton. A final master plan will be presented to Council for adoption in September 2016. Extensive community engagement has occurred with the draft concept plan displayed to the public in October 2015. Draft concept plans show the extension of new public open space at University Square by closing Barry Street, and partially closing Leicester Street. This amounts to a 45% increase in public open space at the Square. The MMRP directly impacts on the master plan area.



Figure 31 – 3-D render from University Square Draft Concept Plan

The City of Melbourne supports the temporary occupation of the western portion of paved plaza in the north-west area of University Square together with temporary occupation of Barry Street. Occupation of the entire northern portion of the Square will significantly affect access (both visual and physical) between the University of Melbourne campus north of Grattan Street and facilities south of Grattan Street and is therefore not supported. University Square is completely surrounded by Melbourne University buildings.

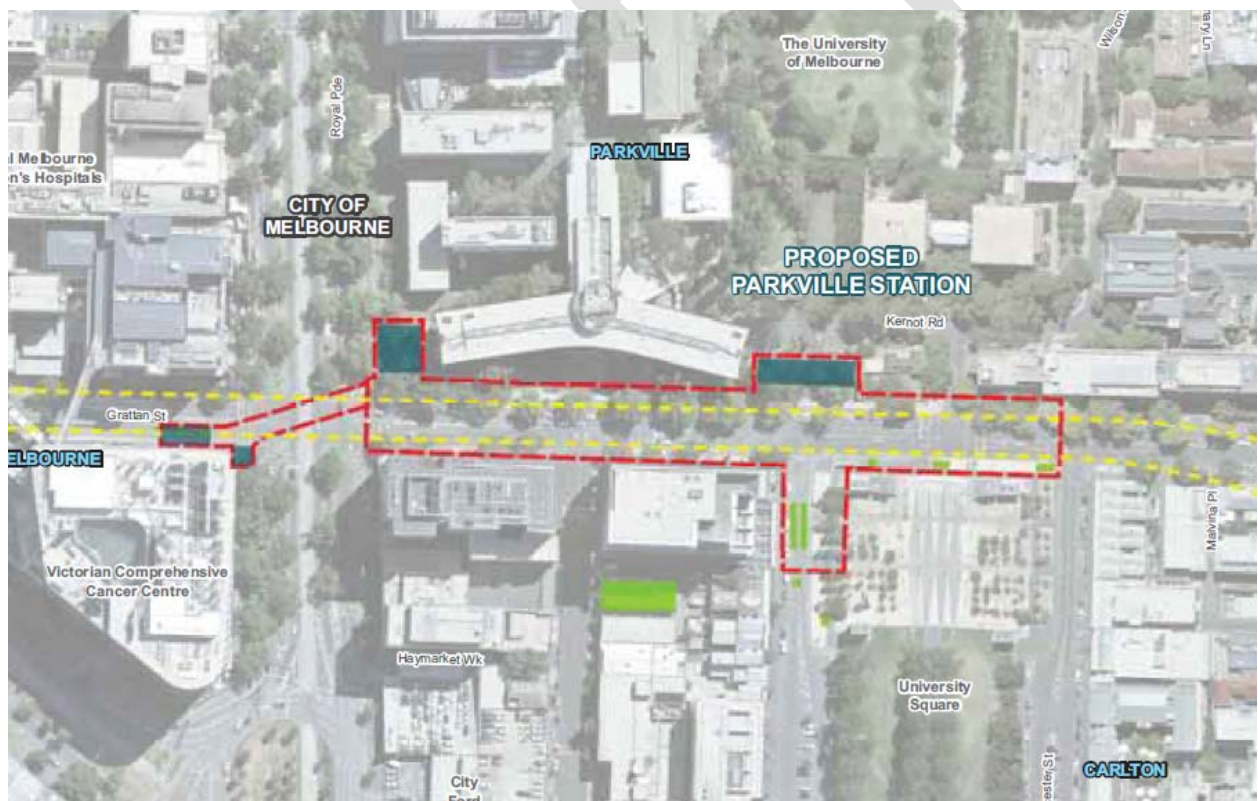
A partial occupation of the area would also allow for the potential delivery of some early stages of the adopted master plan.

The EES Concept Plan shows tunnel and station infrastructure to be located within the Barry Street road reserve and along the south side of Grattan Street within the footpath area. The location of these structures is inconsistent with design objectives seeking to provide visual and physical connectivity across Grattan Street and a potential landscaped promenade treatment to Barry Street.

The City of Melbourne wishes to continue to work with the MMRA to develop the design of the project to provide for the potential temporary occupation of a portion of University Square and to ensure that the location and design of structures is consistent with any adopted master plan for University Square. The proposed Environmental Performance Requirements allow for this to occur and are supported.

8.4 Station entry locations

Three station entries are proposed: one on the north side of Grattan Street within Melbourne University land, on the south side of Grattan Street to the west of Royal Parade and one on the north side of Grattan Street on Royal Parade.



Legend






Proposed Concept Design	Proposed Above Ground Structures	 Local Government Area
 Proposed Alignment Below Ground	 Station Entrance Structure	
 Proposed Station Below Ground (Indicative)	 Ventilation Structure	

Figure 32 – Proposed Concept Design Parkville Station including station entrances (Melbourne Metro Rail Project EES – Map Book)

The University Square Draft Master Plan includes the expansion the open space into Barry Street and a partial closure of Leicester Street. As stated above, University Square and Grattan Street is now central to many Melbourne University owned buildings. Although the location of MMRP related utility infrastructure within Barry Street is not supported because of the visual impacts of this, it would be considered appropriate and acceptable for a station entrance to be located within the existing road reserve. This would support the activation of this area and connections across the Melbourne University campus.

8.5 Royal Parade, temporary closure of Grattan Street and Traffic Impacts

Royal Parade requires a State Government/City of Melbourne master plan process to be established to accommodate all future sustainable transport opportunities (walking, cycling, public transport access) including raised tram platform stops. Any master plan should acknowledge Royal Parade's key function as a heritage listed tree lined boulevard and have regard to the role of this street having regard to the City of Melbourne's Urban Forest and Biodiversity Strategies. The proposed EPR, T5 relates to the design of the roads at operation of the new rail network. The EPR makes specific reference to the development of the design for Grattan Street, but does not include detailed requirements for Royal Parade. It is submitted that this EPR should be amended to include specific detailed requirements for Royal Parade responding to the above issue.

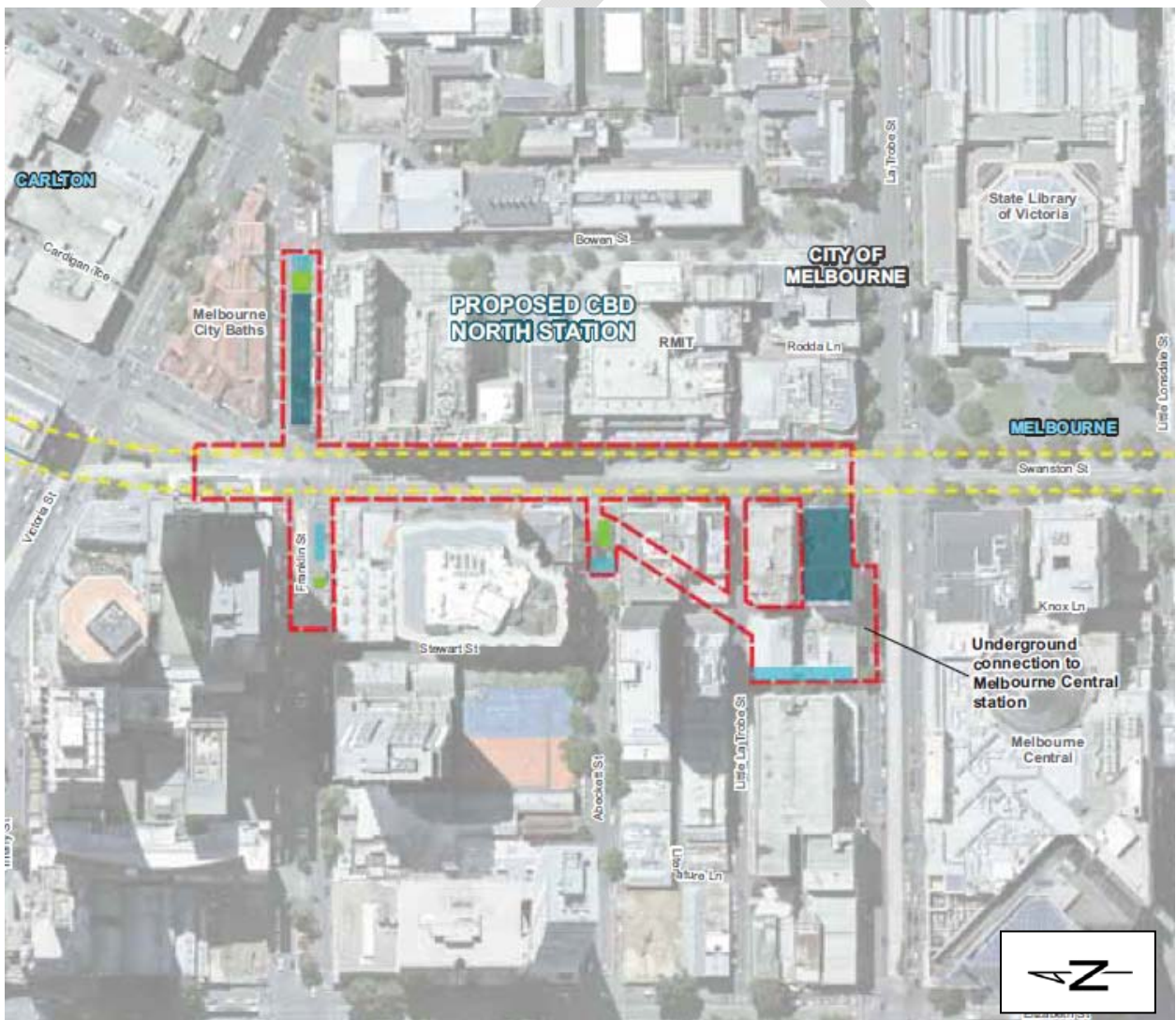
While the EES acknowledges the need to manage impacts from temporary road closures, it is submitted that the impacts from the temporary closure of Grattan Street have been underestimated. These impacts would be further exacerbated by the proposed Western Distributor project which would see volumes of approximately 18,000 vehicles on Grattan Street daily. The EES describes the operational layout of Grattan Street reduced to one lane in each direction. While the EPRs provide for further detailed design work to be done on the final road layouts and provide scope for a range of mitigation measures, there is some concern that the EES does not anticipate the extent of works that will need to be carried out on the surrounding road network, particularly to Queensberry Street, to minimise impacts in both construction and legacy stages.

9. CBD North Station Precinct

9.1 Introduction

The Concept Design for the new station at City North shows the station box below Swanston Street with station entrances in the centre of Franklin Street to the east of Swanston Street and on land to be acquired on the north-western corner of Franklin and La Trobe Streets. Emergency access and ventilation structures are to be located on Franklin Street by the station entrance, as well to the west of Swanston Street in the centre of A'Beckett Street, and along the western boundary of properties at 22 La Trobe Street and 17-27 Little La Trobe Street.

The RMIT University campus includes buildings facing onto Swanston and Franklin Streets. The City Baths is located on the north side of Franklin Street and has a pool and indoor recreation facilities. Melbourne Central and Melbourne Central Station are located on the south-east side of La Trobe Street and the State Library of Victoria is located on the south-west corner of Swanston and La Trobe Streets.



Legend

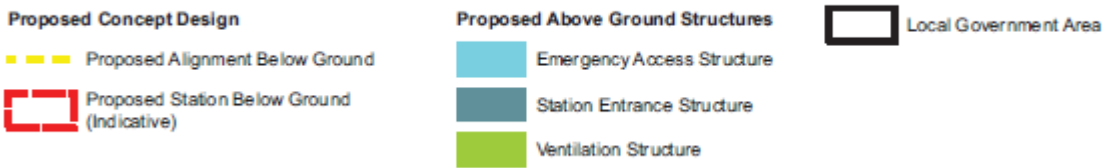


Figure 33 – Concept Design City North Station (Melbourne Metro Rail Project EES – Map Book)

9.2 Franklin Street Station Entrance

The Franklin Street station entry is proposed to be located in the centre of the street necessitating the permanent closure of the street to the east of Swanston Street to access for vehicular traffic. This would allow for the closed section of the street to be pedestrianized and landscaped.

The EES Concept Plan also shows an Emergency Access Structure located in Franklin Street, to the west of Swanston Street and located on the southern side of the street.

While the creation of new pedestrian and open space areas is generally supported and encouraged, Franklin Street currently provides an important local vehicle access to the northern section of the city. The alignment of the western end of the Franklin Street is proposed to be altered at the Queen Victoria Market to provide an improved street layout and connectivity. The Queen Victoria Market Precinct Renewal Master Plan was adopted by Council on 28 July 2015. The plan includes ‘Key Improvements’ and includes the following map.

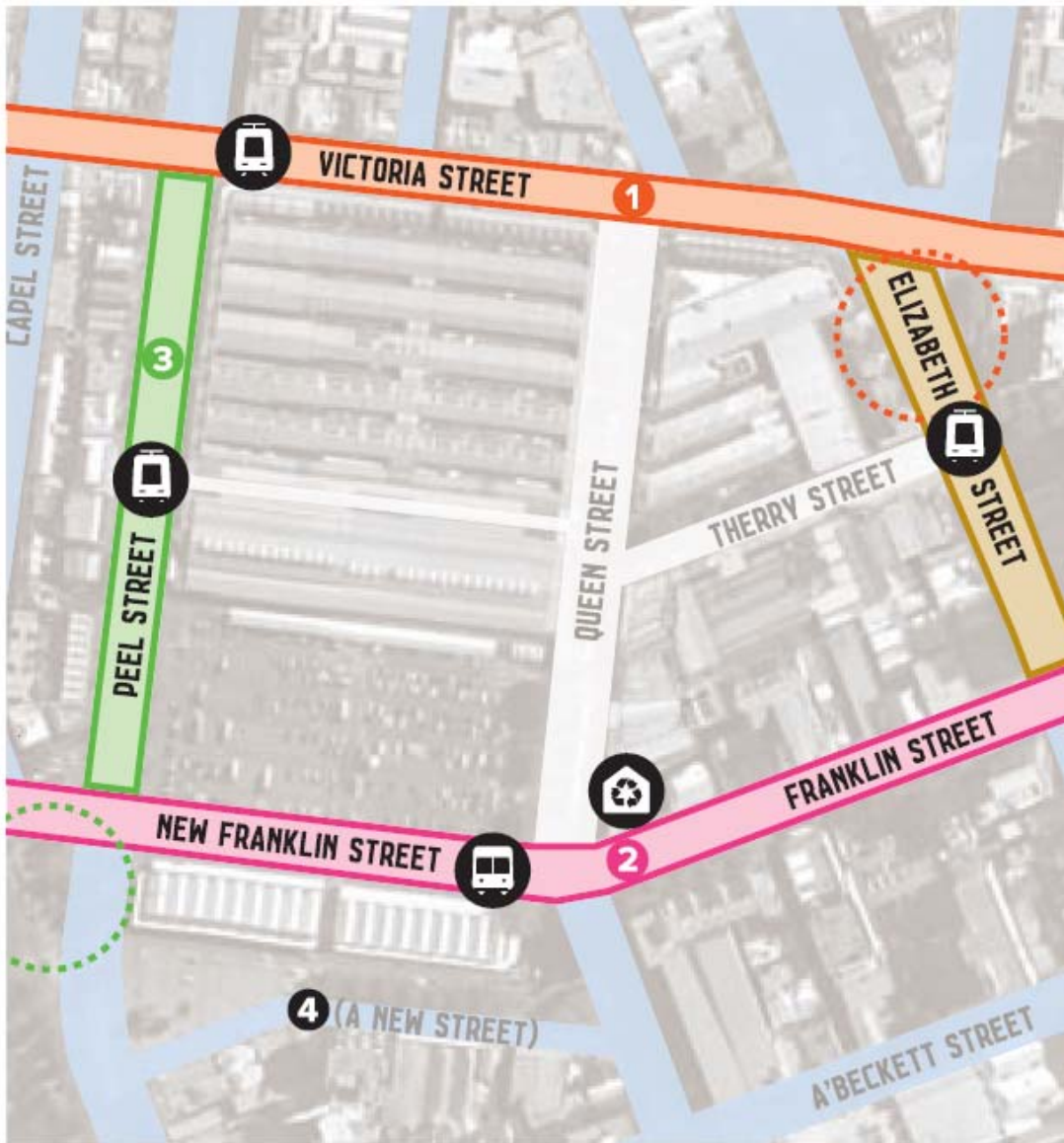


Figure 34 – Queen Victoria Market Precinct Renewal - City Grid Plan (Page 29)

The improvements described for Franklin Street, shown as area 2 on the above figure are as follows:

Franklin Street and New Franklin Street (E7*)

- *Prioritise local traffic distribution, pedestrian and cycle movement.*
- *Develop an integrated design for New Franklin Street, the adjoining development site and open space.*
- *Provide a generous pedestrian frontage to the Franklin Street stores for street trading.*
- *Widen footpaths beyond the market and reduce space allocated to centre of road parking.*
- *Accommodate public bus services re-routed from the existing alignment of Franklin Street, including stops and passenger waiting facilities.*
- *Provide bus passenger facilities for school and tour groups near Queen's Corner building.*

It is submitted that the MMRP EES Concept Design should be modified to provide for a more flexible operational layout and to continue to provide local vehicle access without comprising any future decisions for the layout of the street.

This matter has been discussed with the MMRA. It is understood that a functional layout can be achieved by moving the station entrance and other infrastructure towards the south side of the street. This would also allow for a widened footpath area with substantial tree planting and allows for the potential of this landscaped avenue treatment being continued for the length of Franklin Street to the Queen Victoria Market. By this means, an improved level of pedestrian amenity can be achieved to link a significantly upgraded QVM Precinct, as per the Master Plan, to the City North Station.

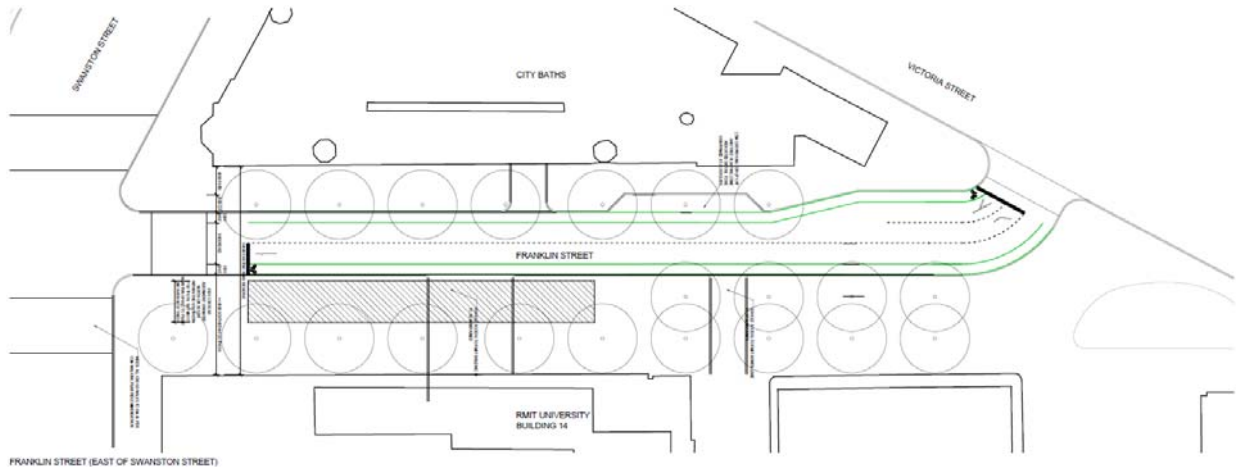


Figure 35 – Franklin Street alternative Concept Design(City of Melbourne)

The above diagram was prepared by the City of Melbourne and shows a potential alternative layout to the Concept Plan shown within the EES as described above. It is acknowledged that this plan does not show the approved alterations to the buildings on the south-east corner of Swanston and Franklin Streets approved under Planning Permit TP-2014-918 which facilitates the creation of a new ‘academic street’ and main campus entrance on Franklin Street. However, in discussion with both RMIT University and the MMRA, it is understood that there are opportunities to accommodate RMIT University and MMRA requirements within an amended version of the City of Melbourne’s diagram.

The following diagram provides an indication of how this treatment might be continued along Franklin Street on the eastern side of Swanston Street incorporating the proposed Emergency Access Structure.

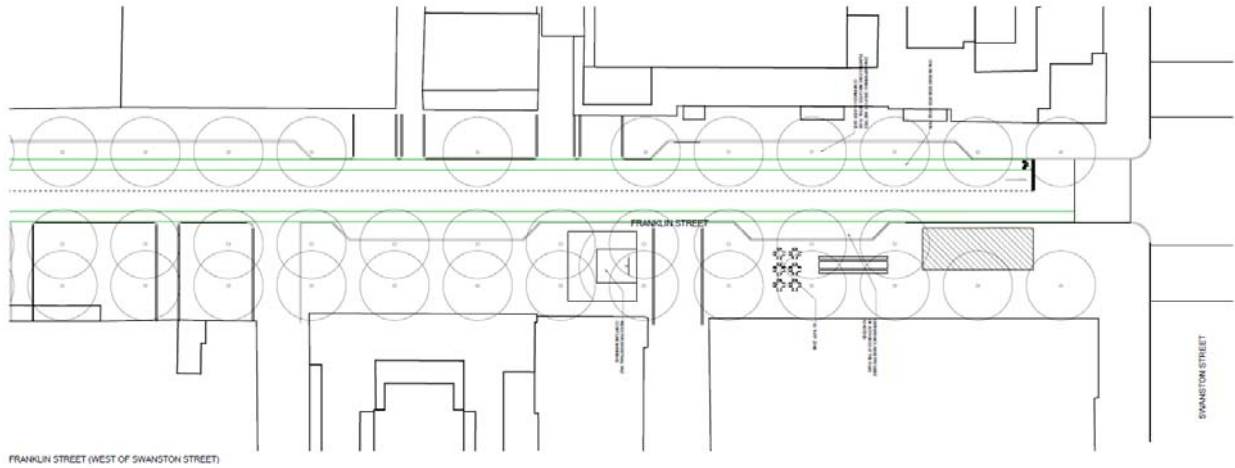


Figure 36 – Franklin Street alternative Concept Design (City of Melbourne)

It is submitted that this alternative layout would minimise impacts and improve future options for the street.

9.3 Closure of A’Beckett Street

The Concept Design shows the location of an emergency access and ventilation structures to be located in the centre of the A’Beckett Street. This would require the closure of the street to east of the Stewart Street alignment (see Figure 37 below).

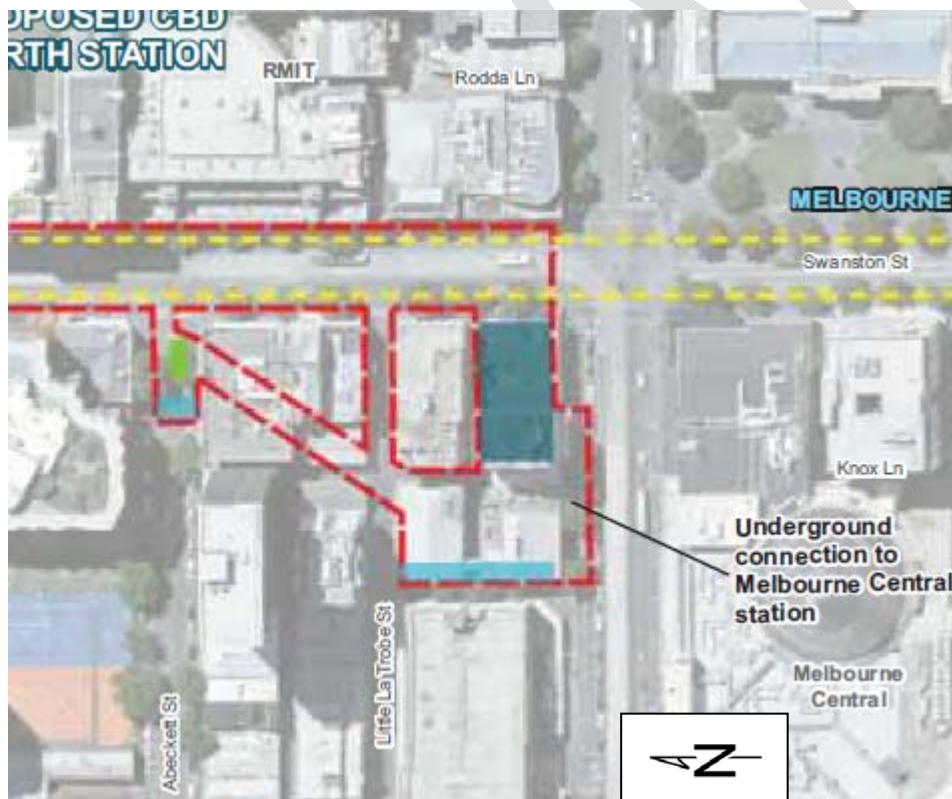


Figure 37 – City North Station Concept Design (Melbourne Metro Rail Project EES – Map Book)

Stewart Street is a north-south narrow road running between A’Beckett Street and Franklin Street that is currently closed to traffic. This street is located between RMIT University buildings and has access

points to buildings abutting it. It is a highly pedestrianized street, particularly during business hours and RMIT University peak class times.

A station entrance is proposed to be located on the north-west corner of La Trobe and Swanston Streets. This would require the acquisition of properties on this corner at 200 to 222 La Trobe Street (4 properties), at 377-391 Swanston Street (known as 'Hungry Jacks') and at 17-27 Little La Trobe Street (see Figure 38 below). These properties are located within the Capital City Zone under the Melbourne Planning Scheme and all but 200 and 204 La Trobe Street have current (at the time of writing) planning permits granted for significant redevelopment.



Figure 38 – Properties to be acquired as part of City North Station Concept Design (CoMPASS)

The footpaths at the intersection of Swanston and La Trobe Streets are currently at capacity during peak times. There is barely sufficient width to currently accommodate people waiting to cross the intersection.

Little La Trobe Street runs parallel to and in between La Trobe Street, to the south, and A'Beckett Street to the north. It is a one-way street with traffic able to travel in an easterly direction from Swanston Street. Properties abutting the south side of Little La Trobe Street generally have a frontage to La Trobe Street, with the exception of 17-27 Little La Trobe Street that is included within the project area. Properties on the north side of Little La Trobe Street that are bounded by Literature Lane, only have a frontage to Little La Trobe Street.

Upon initial assessment, the closure of A'Beckett Street to traffic did not seem to be of concern and was supported as it would provide for an improved pedestrian environment with open space opportunities. However, the full closure of the eastern end of A'Beckett Street has flow on effects, particularly when considered in combination with the impacts and requirements arising from the new station entrance on the La Trobe Street/Swanston Street corner.

Given that the existing La Trobe/ Swanston Street intersection footpaths are at capacity at peak times, it is submitted that the introduction of the station entrance will generate increased pedestrian volumes and movements necessitating increased pedestrian space. This could be achieved by continuing the existing Swanston Street layout on the southern side of La Trobe Street, to the north side of the intersection. To do this, traffic would no longer be able to access the section of Swanston Street between La Trobe and Little La Trobe Streets.

Vehicle access to Little La Trobe Street must be maintained for the properties that have an abuttal to that street. The closure of A'Beckett Street and the section of Swanston Street to the north of La Trobe Street would not allow for continued traffic access to Little La Trobe Street.

The City of Melbourne has been working with the MMRA to develop a solution to this which allows for necessary upgrades, placement of infrastructure and traffic flows. This would require the relocation of station infrastructure from the middle of A'Beckett Street to either the north or south side of the street to allow for one-way traffic flows in a westerly direction. This would still allow for an improved pedestrian environment and open space opportunities. The traffic flow in Little La Trobe Street could be reversed to flow in an easterly direction so that vehicle access to properties is maintained. This would enable the closure of the portion of Swanston Street between La Trobe Street and Little La Trobe Street to vehicle traffic and for the continuation of the layout of Swanston Street from the south side of La Trobe Street to the northern side. It is submitted that the Concept Design should be amended and EPRs amended to reflect this improved outcome.

9.4 La Trobe/Swanston Street Emergency Access

The EES Map Book shows a large (blue) area for an Emergency Access Structure along the length of the north-south public lane at the south-west end of the proposed station. A Ministerial planning permit (Permit No. 2014/000770) has been issued for redevelopment of land at 224-252 La Trobe Street for construction of a multi-level building with lower level retail uses, including a connection to Melbourne Central Station at basement level. A new through-block lane is to be constructed along the eastern boundary of the site connecting to the existing east-west Council laneway abutting the eastern boundary of this site approximately half way along it.



Figure 39 – Map showing location of new through-block link approved as part of Planning Permit 2014/000770 (CoMPASS)

The location of the proposed emergency structure is of concern as it could result in a blank service wall fronting an important new laneway link through this precinct and by discontinuing the Council Lane remove a vital link in the laneway network that would support the newly constructed north-south lane link. The EES Concept Plan indicates that the east-west Council Lane CL 0112 would be discontinued. Discontinuance of the Council Lane is contrary to planning policy in this instance and will not contribute to a good, safe, urban design outcome. It is submitted that the extent of non-inhabited service space fronting the lane at ground level should be limited as much as possible and preferably eliminated.

DRAFT

10. CBD South Station Precinct

10.1 Introduction

A new station is proposed to be located under the Swanston Street alignment between Flinders Street and Collins Street. New station entrances are proposed at the City Square, Federation Square and on the north side of Flinders Street in the current location of the Port Phillip Arcade. The construction of the station will require the acquisition of the City Square, the Port Phillip Arcade at 228-236 Flinders Street as well as five properties from 9-29 Swanston Street. An optional station entrance location on the western side of Swanston Street opposite the City Square would require acquisition of properties at 65 and 67 Swanston Street.

A further station entrance would be located at Federation Square. The Map Book shows two potential locations for the entrance. One of these is between the western and eastern 'shard' buildings adjacent to the Flinders Street footpath. The second is in the location of western 'shard' currently occupied by the Melbourne Visitor Centre.

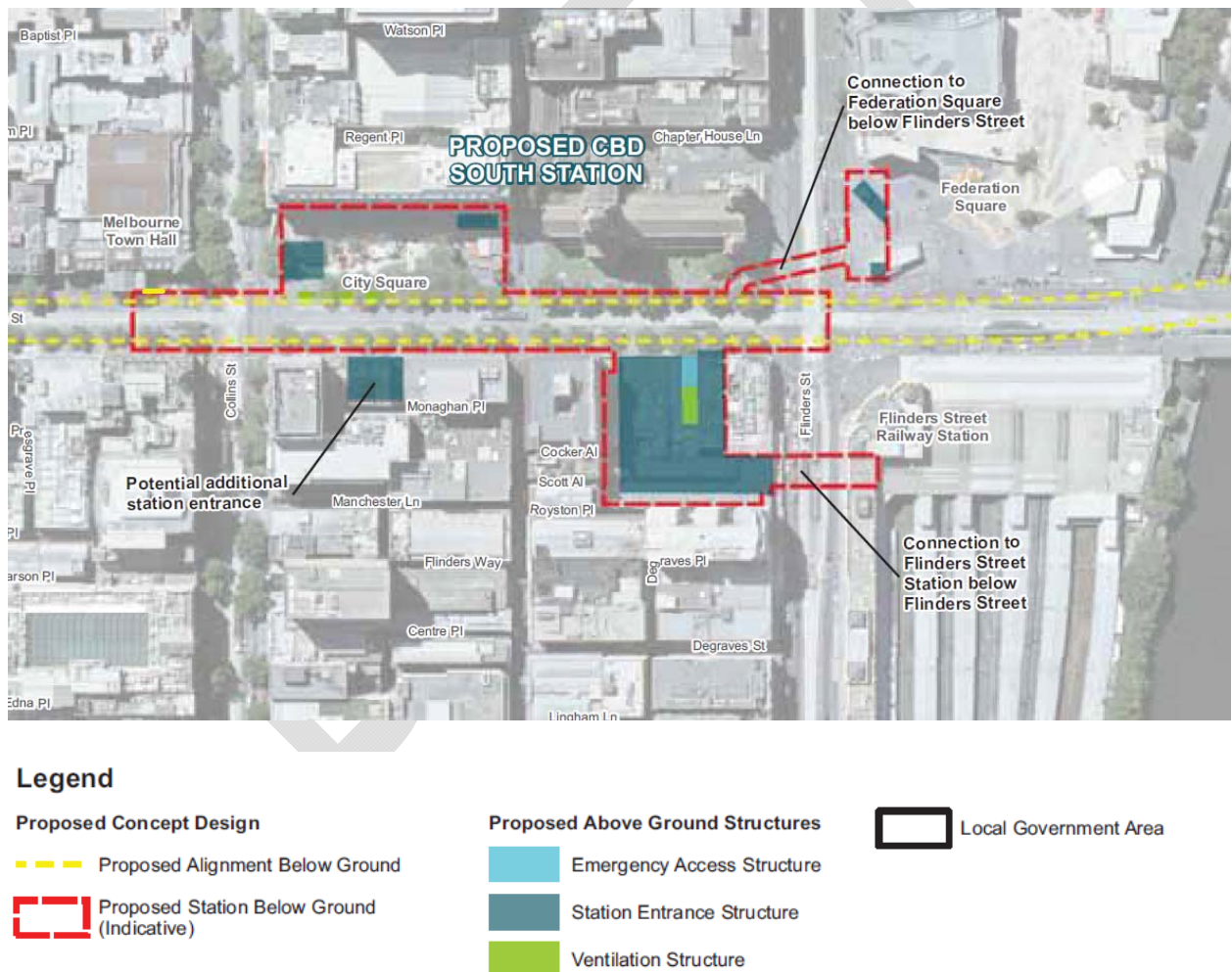


Figure 40 – City South Station Precinct Concept Design (Melbourne Metro Rail Project EES – Map Book)

Given the intensity of land use and development of the land within the stations environs, the management of potential impacts is complex. Although the City of Melbourne has been endeavouring to provide as much information as possible about this precinct and potential impacts from the station, this has largely been in the absence of a Concept Design. As such, some impacts have only recently become apparent and are not necessarily reflected in information provided in the EES assessment.

10.2 City Square

The City Square is proposed to be acquired to facilitate construction of the project. This will result in the closure of the public car park, ground floor tenancies as well as retail tenancies adjacent to and within the City Square. The following map shows the area identified as being potentially impacted by construction activity in the precinct, including the City Square and that has been assessed as part of the EES.

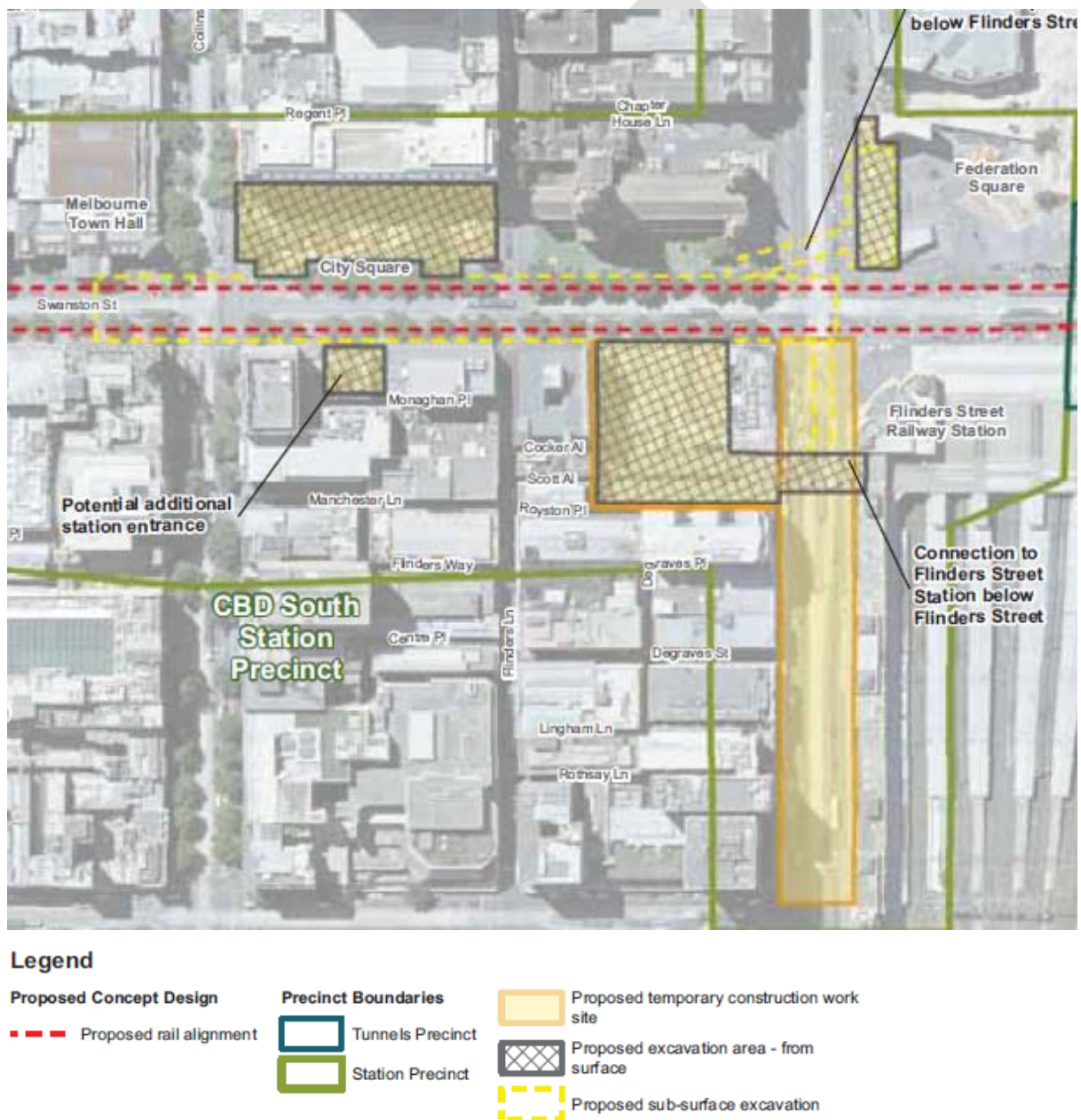


Figure 41 – City South Station Concept Design Construction (Melbourne Metro Rail Project EES – Map Book)

Two station entrance locations are shown to be located within the City Square (see Figure 40 above). It is anticipated that the area of the ground plane that is not occupied by station infrastructure will be returned as public open space.

The entrance at the north end of the City Square is supported by the City of Melbourne subject to detail design considerations with provision to set back the entrance from Collins Street to minimise impacts on pedestrian flows.

A smaller secondary entrance is proposed in the southern end of the Square. This should not be on the alignment of the central axis of the Cathedral. Rather, this smaller entrance, if required, should be located further to the west and be integrated with ventilation structures and a potential small cafe on the south-west corner of the Square. By this means vehicle access to the Square can be maintained. This is essential for providing for 'bump-in/bump-out/ activities associated with community events in the square.

Three free-standing ventilation structures are shown to be located on the west side of the City Square in the location of the current double row of plane trees and the City of Melbourne owned retail pillars. This is not supported. The City of Melbourne recommends that these structures be incorporated into station entrance structures. In the proposed location they would have a significant visual impact on the City Square. They would also create a physical barrier to pedestrian flows in this key civic spine between the retail core, Town Hall Precinct and Federation Square. This area also accommodates a busy tram stop that would also be impacted by such infrastructure in the public realm.

The occupation of the City Square during construction will result in the loss of a highly utilised area of public open space. This area is used for passive recreation as well as for public events such the City of Melbourne Christmas Festival installation and Melbourne Spring Fashion Week. The loss of this area during construction will have a significant social and landscape impact, particularly given a lack of alternative spaces within the central city.

It is submitted that the loss of this area should be mitigated by the creation of an area of open space within close proximity to the City Square. Discussions about possible public open space areas have commenced and a potential area of temporary open space identified adjacent to St Paul's Cathedral. The ongoing process for this is generally covered by EPR SC 4 which states:

Prior to main works or shaft construction commencing, work with the City of Melbourne to identify possible alternative areas of public open space for community use during the construction phase to minimise the impacts of loss of existing public open space that are to be utilised as construction worksites.

The wording of the above EPR should be further refined to incorporate the design and delivery of these alternatives as part of the project.

The construction activities within the City Square will also impact a number artworks and other street furniture in the public realm. The removal of the Bourke and Wills Monument is specifically addressed in EPR CH15 which states:

In the event the permanent relocation of the Burke and Wills Monument from its current site is required, resolve the final location of the monument to the satisfaction of the appropriate responsible authority and/or in consultation with the City of Melbourne prior to the commencement of construction.

The impact on other art works and infrastructure is addressed by LV2 which states:

Develop and implement a plan in consultation with the Office of Victorian Government Architect, local councils and other land managers to comply with the Melbourne Metro Urban Design Strategy to re-establish public open space, recreation reserves and other valued places disturbed by temporary works.

The plan must include, but not be limited to a methodology for storage, reinstatement or replacement of existing public art, monuments and public infrastructure such as poles, bins, and other street furniture.

It is submitted that this EPR should be amended to include all impacted public art and public infrastructure within the public realm.

10.3 North-west station entrance

The EES includes an option for an additional station entrance on the western side of Swanston Street to the north of Flinders Lane that would require the acquisition of properties at 65 and 67 Swanston Street.



Figure 42 – Aerial image showing properties at 65 and 67 Swanston Street highlighted (CoMPASS)

Monaghan Place is a dead-end service lane that runs parallel with Swanston Street. A major tram stop is located on the west side of Swanston Street. Infrastructure at this location includes street tree planting. The west side of Swanston Street has high pedestrian volumes. While the City of Melbourne does not have data for pedestrian volumes at this exact location, an understanding of these volumes can be seen when looking at the data for the two nearest locations on the west side of Swanston Street.

Pedestrian numbers have been measured on the north western corner of Swanston and Flinders Streets. Daily pedestrian numbers peak during normal business hours starting at 8 am and start declining after a 5 pm peak of approximately 5500 pedestrians. The figure below shows daily pedestrian volumes.

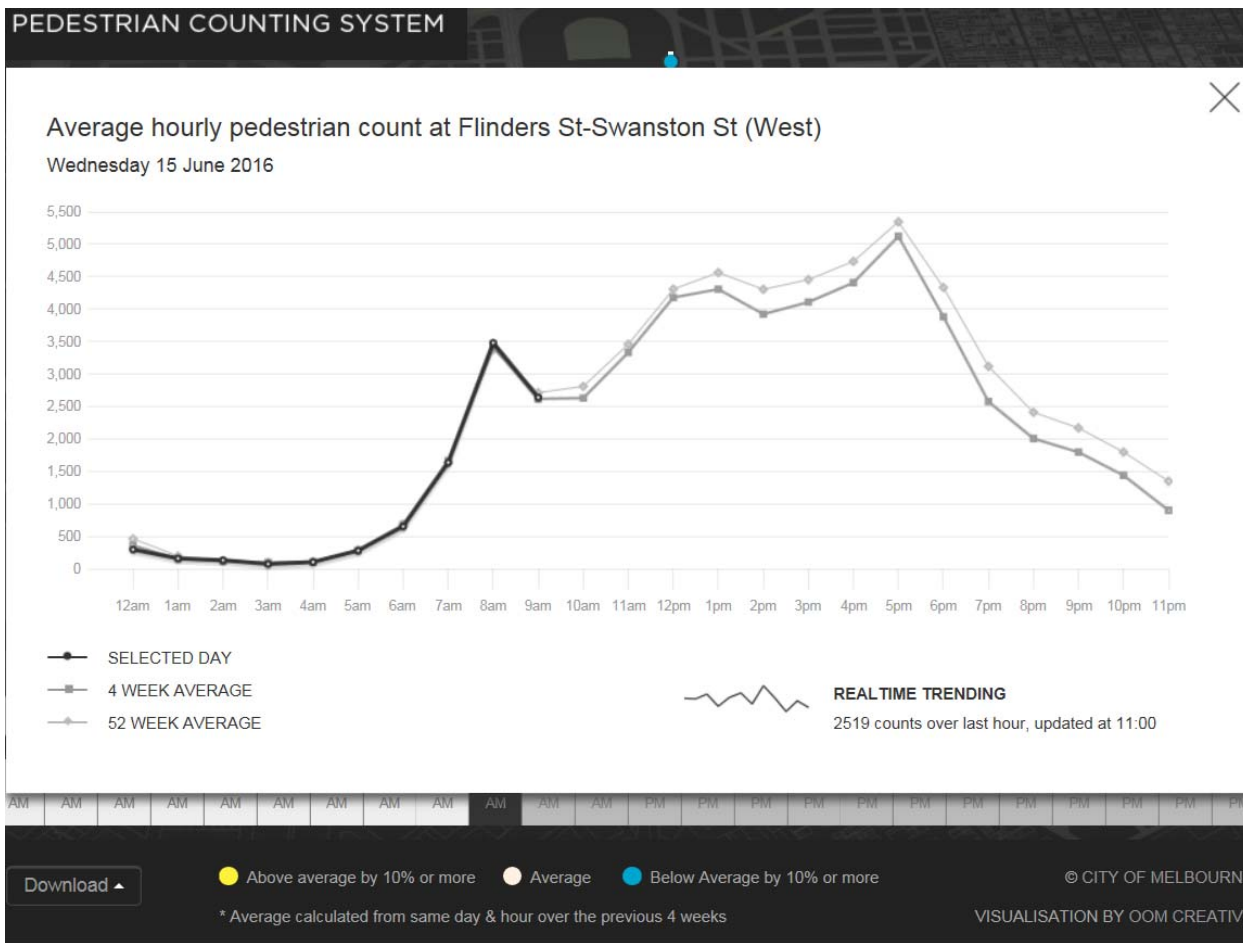


Figure 43 – Average hourly pedestrian count at Flinders Street – Swanston Street west (City of Melbourne)

Pedestrian numbers have also been counted on the west side of Swanston Street opposite the Melbourne Town Hall where pedestrian peak numbers are lower than at the Flinders Street/Swanston Street corner, but are still of significance.

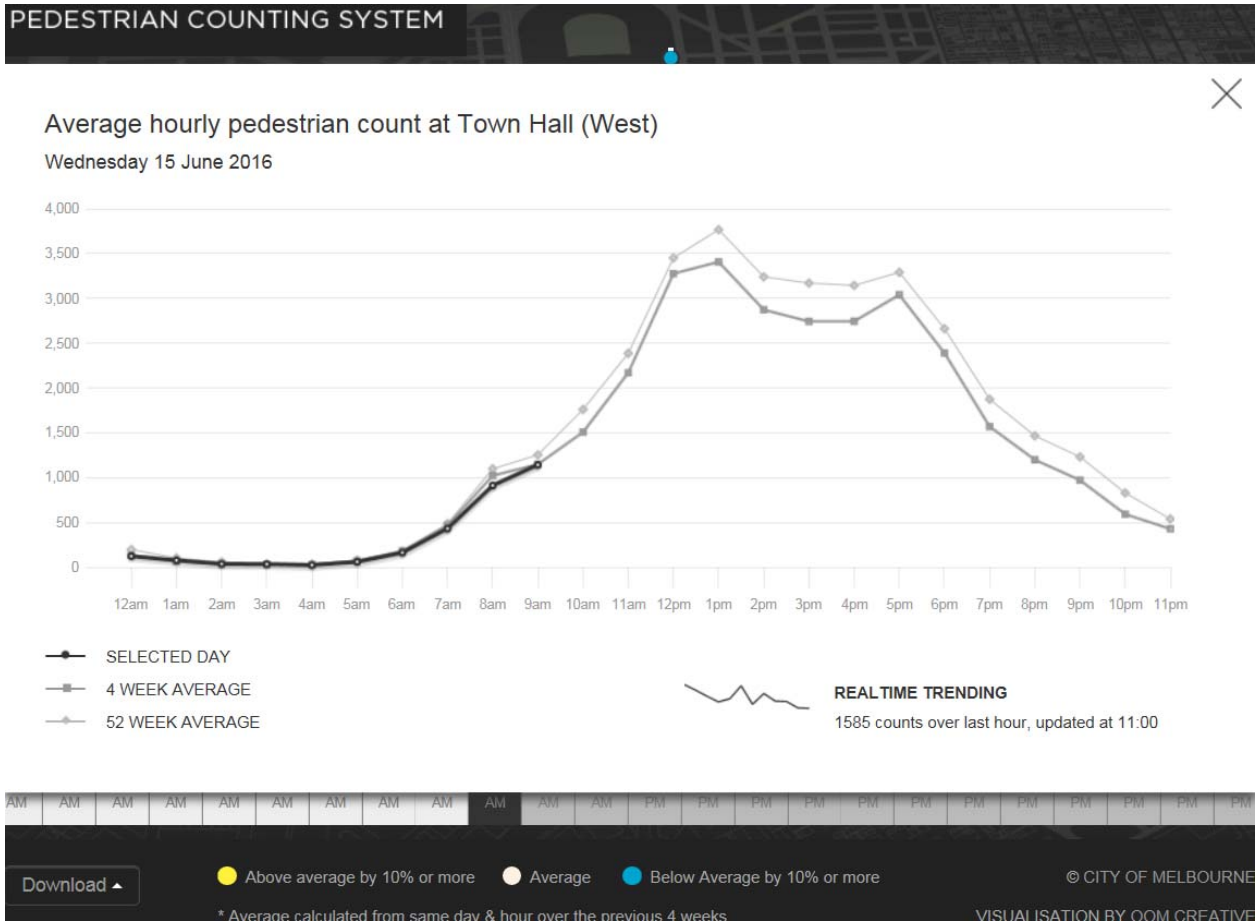


Figure 44 – Average hourly pedestrian count at Melbourne Town Hall west (City of Melbourne)

Given that Monahan Lane is a dead-end service lane it is unlikely to be appropriate to be used for the station exit. Although the principle of an additional station entrance in this location is broadly supported, the detailed design of the entry would need to respond to this context.

10.4 Future provision for additional station entrance

Alternative additional locations for a station entrance might be on the north-eastern side of Collins Street, opposite the City Square, or on the north-west corner. These locations are shown highlighted on Figure 45 below. These locations would need to be accommodated in a widened section of footpath.



Figure 45 – Alternative future City South Station entrance locations (CoMPASS)

The City of Melbourne has not done any detailed design work on this, but it is acknowledged that this would be difficult to accommodate within the north-west footpath if the current road layout is maintained. An entrance in this location would also require that the Collins Street tram stop be moved. The benefit of these locations is that they would not require the acquisition of private property and would still provide a secondary entrance to reduce potential pedestrian congestion on the south-east corner of Swanston and Collins Streets.

The alternative location on the north-east corner of Swanston and Collins Street might be viable if the detailed design of the below ground station infrastructure at City Square allowed for a future link to be created.

10.5 Location of Federation Square station entrance

The EES shows two locations impacted by new structure for a station entrance at Federation Square. One is utilising the existing 'west shard' in which the Melbourne Visitor Centre is currently located. The other location is between the 'west shard' and the entry to the 'east shard' that currently accommodates offices (see Figure 40 above and Figure 46 below).



Figure 46 – Map with aerial imagery showing Federation Square and Swanston Street/Flinders Street intersection (CoMPASS)

The City of Melbourne supports the proposal for a station entrance in Federation Square, but has significant concerns about the location of any new structure within this important civic space. The Urban Design Strategy includes the following aim for the design of this component of the project:

St Paul's Court will be maintained and enhanced in accordance with the aims of the competition-winning design for Federation Square to build on relationships with the surrounding city and to create a variety of adaptable spaces for civic events.

The scope of the works required for the entry is described in the Urban Design Strategy as:

The entry to the CBD South station at Federation Square will be located at the south side of Flinders Street where two narrow buildings ('shards') frame the view of St Paul's Cathedral to create St Paul's Court. The pedestrian entry will be via the basement space now used for a visitor information centre. It is likely that one or both shards will need to be partially or entirely demolished and rebuilt to enable construction of the entry.

The City of Melbourne is concerned the construction of any new structures within the existing open space within Federation Square. This outcome would likely interrupt the significant views of St Paul's Cathedral from St Paul's Court and elsewhere in the square. The view of St Paul's is currently successfully framed by the eastern and western shards. The public space between these two shards is a popular gathering space that would be lost if the proposed entrance were to be constructed in this location.

The most relevant EPR relating to this matter is LV 1 that requires:

Design permanent and temporary works in consultation with local councils and the Office of Victorian Government Architect to comply with the Melbourne Metro Urban Design Strategy. The design shall avoid or minimise visual impacts on sensitive receptors and maintain broader landscape character values, particularly in relation to:

- *Tunnels: Queen Victoria Gardens, Fawkner Park*
- *Western portal: JJ Holland Park*
- *Parkville station: University of Melbourne, Victorian Comprehensive Cancer Centre, Royal Melbourne Hospital, University Square*
- *CBD North station: Royal Melbourne Institute of Technology, the State Library*
- *CBD South station: St Paul's Cathedral, Federation Square, City Square and Flinders Street Station*
- *Domain station: The Shrine of Remembrance, Albert Road Reserve, Domain Parklands*
- *Eastern portal: South Yarra Siding Reserve.*

It is submitted that the Urban Design Strategy and EPR support the position that entry works should utilise existing structures.

The establishment of construction work at Federation Square will significantly impact on the Melbourne Visitor Centre. The centre is located in the west shard within the basement. The land is owned by Federation Square and leased to the City of Melbourne.

The centre plays an important role in the provision of visitor information for local Melbournians as well as interstate and overseas visitors. The current design of the Melbourne Visitor Centre provides an amenity for 850,000 visitors per annum that includes provision of visitor information, tour and accommodation booking services, as well as a place for quiet reflection and contemplation. This operation provides a civic service and therefore the impacts on this service need to be specifically addressed.

It is submitted that the need to relocate this service is not covered adequately with existing EPRs. The City of Melbourne wishes to work with the MMRA to further resolve this matter.

10.6 Social Impacts

The construction of the MMRP will create significant disruption to the general amenity, ambience, activity and access patterns within the whole CBD between 11pm and 5am at weekends. A wide range of social impacts are identified and acknowledged in Chapter 10 – Social Impacts. The impacts on general social cohesion and activity in the City South and City North Station Precincts are not comprehensively addressed.

In City South Station Precinct, both perceived and actual safety may decline throughout the late night timeframe. Lowered perceptions of safety and unwillingness to use areas where site hoarding is dominant can be mitigated by effective lighting, way-finding, well cared for amenity, and elements of engagement such as street performance and artwork. The project construction may be an opportunity to further pedestrianise the CBD and promote use of previously unexplored areas.

Businesses which operate throughout the night need to be involved as partners in any strategies. The engagement of affected business operators is addressed through the Business EPRs. Further, if PTV's Night Network transport continues into this time frame, opportunities exist for collaboration and planning.

It is likely that construction will result in displacement of the many students and young people who currently use the area within the construction zone.

The potential then exists for other areas within the CBD to experience a significant increase in the number of young people and students. Of particular vulnerability are the areas such as Elizabeth Street where there are existing concentrations of fast food outlets. These areas are already hot spots for Victoria Police. They are at pedestrian capacity and areas where anti-social behaviours and crime occur. Young people, students, traders and police need to be consulted and where relevant management strategies developed for all stakeholders. Additional EPRs are required to describe and achieve these outcomes.

It is likely that the construction of the project at the City South Station Precinct will also result in displacement of the many people who are experiencing homelessness and who currently use the area within the construction zone.

The potential exists for other areas within the CBD to experience a significant increase in the number of people experiencing homelessness and people who beg, resulting in a correlated increase in resident and business concerns regarding contested use of public space and public safety issues concerns. The areas to be considered are varied and diverse, and may not previously have experienced these impacts of social issues.

These groups need to be consulted and where relevant, services engaged to provide appropriate information and support. This can include consideration of other public spaces to address issue of displacement. As with the above matter, this impact should be addressed by additional EPRs. The City of Melbourne wishes to work with the MMRA to assist and support the management of these impacts.

10.7 Traffic impacts during construction

The EES identifies and acknowledges there will be impacts on amenity during construction by way of noise, vibration as well as traffic impacts. The EPRs seek to minimise and manage impacts and ensure that appropriate performance requirements are in place to do this. The City of Melbourne acknowledges that there will be impacts from construction and wishes to work with the MMRA, sharing experience and knowledge to endeavour to manage these to the greatest extent practicable.

This knowledge includes extensive experience in managing the impacts from construction. This can often be cumulative where there are multiple work sites. This is particularly the case around the CBD North Precinct, but also at CBD South. Many construction sites adopt a 'just in time' construction methodology for as many construction activities as possible. This means that materials are delivered and waste removed as the need arises. This reduces the need for on-site materials storage and also reduces the potential for vehicles delivering or removing materials queuing to access the site. This can have a cumulative impact when occurring on multiple sites. It is not possible to use this approach for some construction activities such as concrete pours and for the MMRP, the removal of spoil from tunnels where a TBM is being used.

The EES describes at Table 6-5 in Chapter 6 – Project Description that a 'just in time' construction methodology will be used in part. The EPRs seek outcomes where Construction Environment Management Plans and Traffic Management Plans are developed with relevant municipal and road management authorities. The City of Melbourne supports this approach and wishes to work with the MMRA and contractors in the development of Construction Environment Management Plans to minimise and manage impacts to facilitate the continuing functioning and amenity of the city during construction.

Of some concern is information provided about truck routes in Chapter 8 and, in particular a diagram showing potential truck routes (shown below).

Figure 8-7 Precinct 6: Proposed construction vehicle access routes

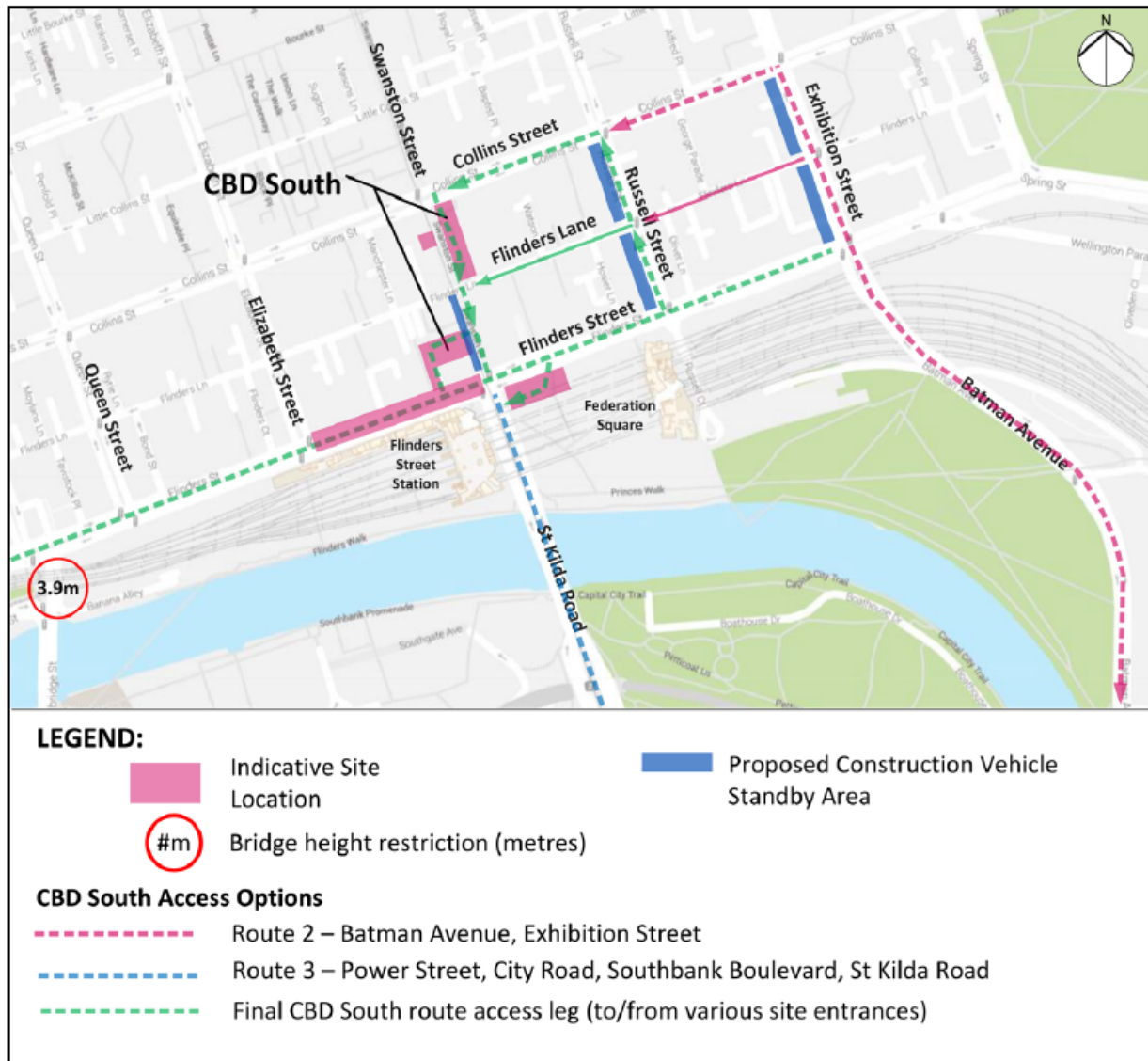


Figure 47 – City South Station proposed construction routes (Melbourne Metro Rail Project EES – Map Book)

In terms of the number of truck movements for construction sites within the precinct, the EES states at Chapter 8 – Transport (page 44):

Spoil removal, along with materials and equipment delivery, in this precinct would generate an average of an additional 150 truck trips each day over four years. This could rise during peak activity periods to around 210 truck movements per day.

The City South Station Precinct is an intensely developed, highly pedestrianised area. Residential accommodation uses are located directly adjacent to proposed construction sites.

As well as supporting a 'just in time' construction methodology, the City of Melbourne supports the use of innovative construction techniques, such as the use of conveyors, that would reduce the number of truck movements in and out of construction sites, thereby minimising impacts from this.

The proposed truck stand by areas shown in the above Figure 47 are likely to impact significantly on traffic movements on these streets as well as the servicing of adjacent properties and are therefore unacceptable. The City of Melbourne would like to work with the MMRA to identify alternatives to this. For example, the City of Melbourne would encourage exploration of the potential to use existing Vic Track owned land to the south of existing rail lines and that has access to the Exhibition Street extension as highlighted below. This could accommodate storage space for trucks.



Figure 48 – Aerial image showing potential alternative truck standby area highlighted (CoMPASS)

10.8 Heritage

A new station entrance and station infrastructure is proposed to be located on the north-west corner of Flinders and Swanston Street. A detail of this corner is shown below.

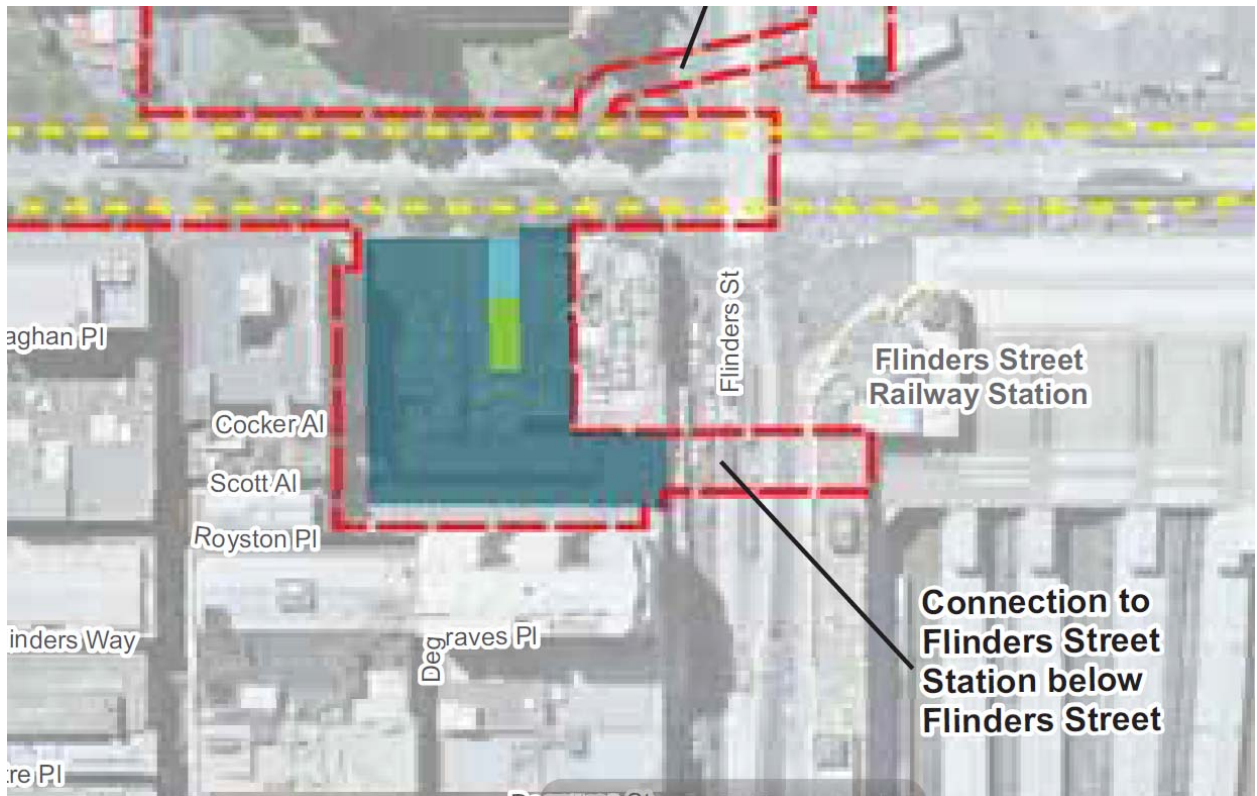


Figure 49 – Detail fo station entry location City South Station Concept Design (Melbourne Metro Rail Project EES – Map Book)

The station and infrastructure is located on land including the Port Phillip Arcade at 228-236 Flinders Street as well as five properties from 9-29 Swanston Street. These properties are within the Heritage Overlay, HO 505 for the Flinders Gate Precinct of the Melbourne Planning Scheme (see Figure 50 below).

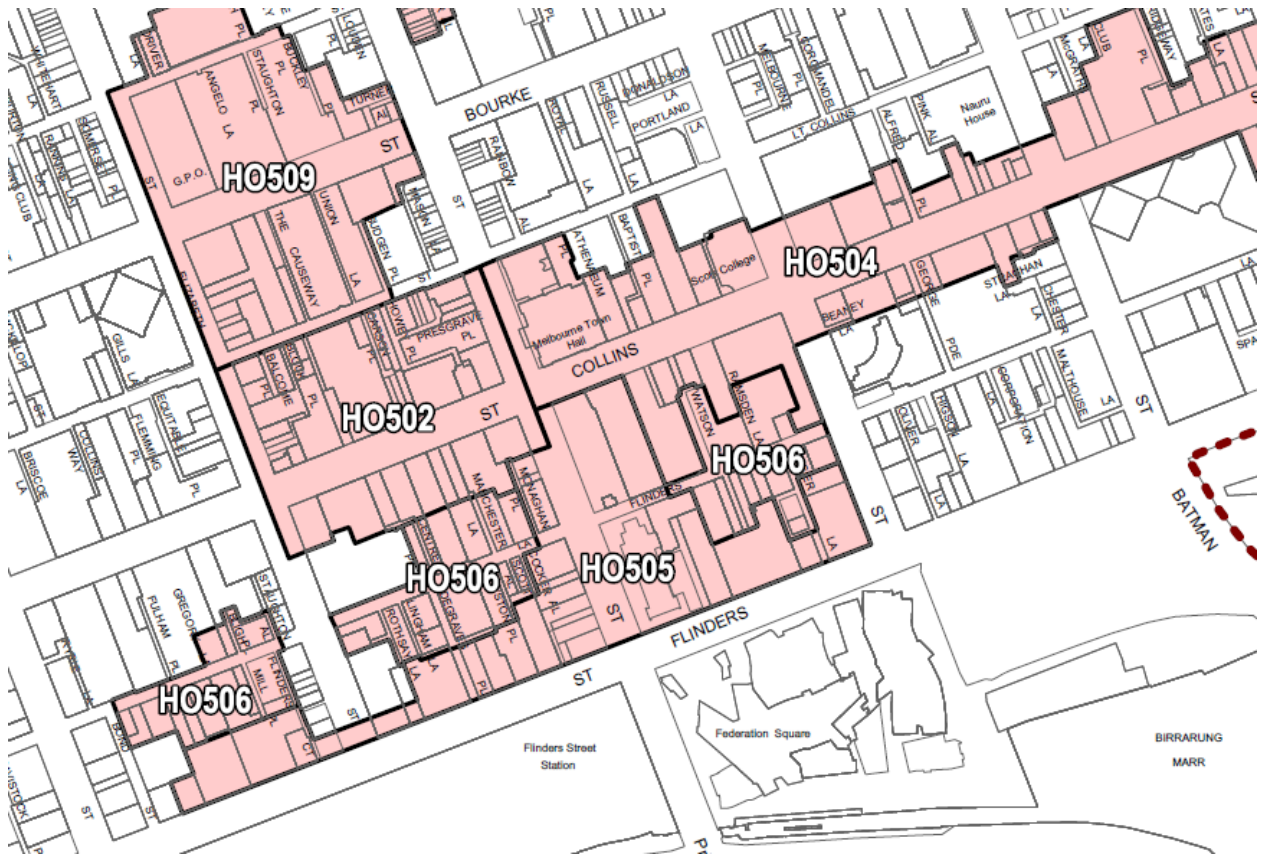


Figure 50 – Heritage Overlay Map (Melbourne Planning Scheme)

The following Map shows the City of Melbourne heritage grading of buildings within the precinct.

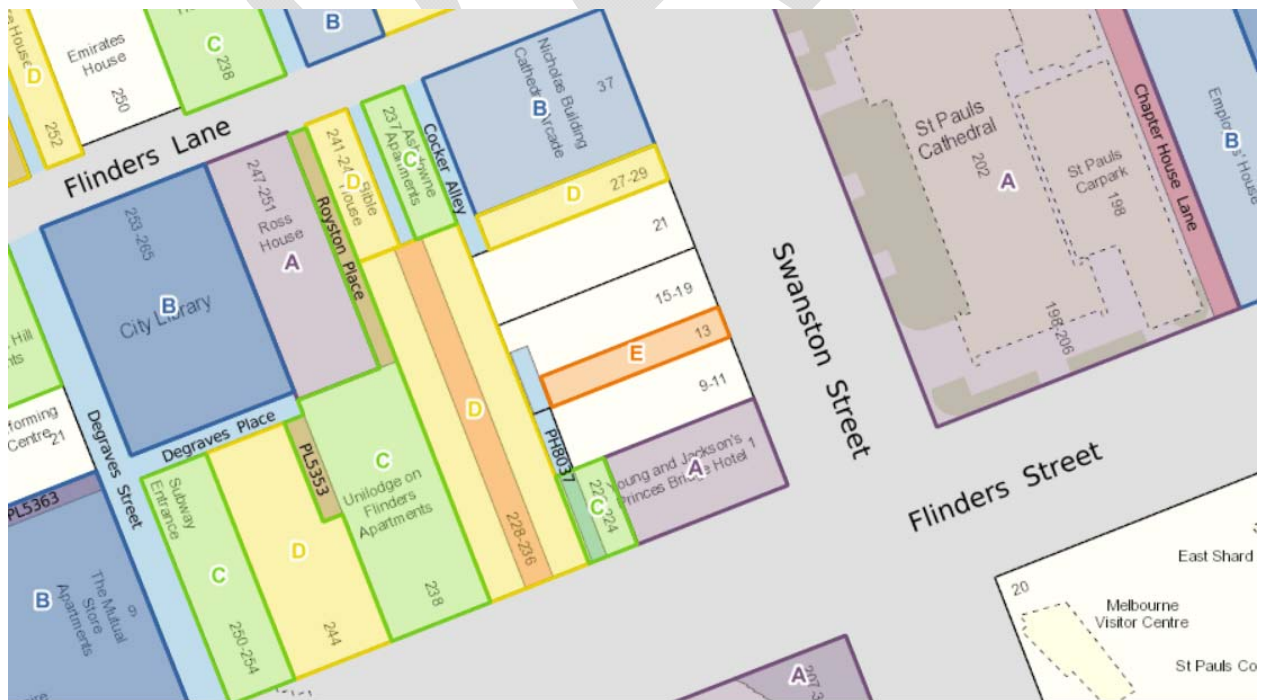


Figure 51 – City of Melbourne heritage Grading information (CoMPASS)

The Port Phillip Arcade is a D graded building. The EES acknowledges the heritage significance of this building and states in Chapter 14 – Historical Cultural Heritage (Page 45):

Port Phillip Arcade – located at 228-236 Flinders Street. The building was constructed in 1960-61 on the site of the Port Phillip Club Hotel. The demolition of the Port Phillip Arcade would mean the loss of a distinctive building of some individual significance, one which reflects on the continuing tradition of laneway arcades as a particular form of retailing in Melbourne. Accepting this, its demolition would not compromise the core heritage values or key attributes of the Flinders Gate Precinct. The distinctive Charles Bush Sculpture should be retained and incorporated into new build on the site and a site-specific interpretation plan should be developed and implemented.

The building at 27-29 Swanston Street is also a D graded building that is described in Chapter 14 – Historical Cultural Heritage as follows:

27-29 Swanston Street – constructed in 1939-40, the building is of local architectural and historical significance. Its design is architecturally distinctive and of interest for its association with the architect, Harry Norris. The building itself is a modest, rather than a key contributor to the precinct, and its demolition would not compromise the core values of the precinct.

The building at 13 Swanston Street was afforded an E grading in the Central Activities District Conservation Study by Graeme Butler, carried out in 1984. This building is not referenced in Chapter 14 – Historical Cultural Heritage, but is of low significance.

While these buildings are located in a Heritage Overlay precinct, they are not heritage places in the sense of having a specific Heritage Overlay.

It is always preferred that heritage assets are retained. In this instance the construction of the MMRP infrastructure will require the demolition of these buildings. In the case of the Port Phillip Arcade the City of Melbourne's i-Heritage database notes the significant features of the building being the frontage to Flinders Street. It is agreed, while the demolition of the building would not compromise the key attributes of the Flinders Gate heritage precinct which is described in the Local Policy for Heritage Places within the Capital City Zone at Clause 22.04 of the Melbourne Planning Scheme as:

- *The traditional gateway to the central city from the south and an area associated with retailing.*
- *Major 19th and early 20th century buildings including Flinders Street Station, St Paul's Cathedral and Princes Bridge.*

The sculpture on the façade of the building has been identified as having significance and as being worthy of retention. This has been addressed by a specific EPR as follows:

CH1 - To the satisfaction of the responsible authority, in detailed design for the CBD South station, incorporate the Charles Bush sculpture into the design for the new building on the Port Phillip Arcade site, preferably in a prominent position on the Flinders Street façade.

It is submitted that the attribute of the Flinders Gate Heritage Precinct and the significance of the Port Phillip Arcade can be referenced in the design of the station entry and above ground development which should include retail uses and maintain the pedestrian through block link to the laneway network and Flinders Lane to the north. Given the L-shape of the land, it should be possible to also create a future link to the Swanston Street. This should be required as an additional EPR. The retention and reuse of the Charles Bush sculpture is supported. It is however noted that the Incorporated Document and EPRs only relate to the construction of the MMRP infrastructure and do not address above site development. This is addressed in more detail in the Chapter of the submission relating to the Planning Scheme Amendment.

Little detail is provided about the possible alternative station entrance location at 65 and 67 Swanston Street. The existing building at 65 Swanston Street is a D graded building and is also within the Flinders Gate Precinct. Chapter 14 – Historical Cultural Heritage states the following in relation to this building:

65 Swanston Street – constructed in c.1904 as part of a larger group of four shops, this building demonstrates the historical development of retail within the precinct. Considered individually, it is of local significance as it is an example of an early twentieth century shop. In the more localised context, it is noted that this part of Swanston Street within the precinct is not particularly intact. Despite this, the demolition of the building would reduce the stock of contributory buildings within the precinct as a whole and consideration should be given in detailed design to the retention of the façade and incorporation into new build behind.

The latter recommendation for retention of the façade of this building is not reflected in the EPRs. The retention of the façade of the building in any new structure is supported and it is submitted that this requirement should be reflected in an additional EPR.

10.9 Waste Management

The construction of the MMRP will impact on current waste storage and collection arrangements and the associated impacts on health, amenity and environment. This matter does not appear to have been addressed as part of the assessment of impacts within the EES. Some businesses currently store their waste and recycling bins in public spaces and do not have space inside their premises to house these bins. Some of these areas, such as Cocker Alley are directly adjacent to construction sites and proposed station entries. Further, the potential impacts on City of Melbourne's planned waste initiatives in the Flinders Street/Degraves precinct do not appear to have been considered.

EPR B2 states:

Prepare a business disruption plan to manage impacts to non-acquired businesses and to engage with business, property owners and the community throughout construction. The plan shall include:

- *Timely information on key project milestones.*
- *Changes to traffic conditions and duration of impact.*
- *A project construction schedule developed in coordination with transport authorities and local councils and in consultation with businesses to minimise cumulative impacts of this and other projects.*
- *Plans for notifying customers of proposed changes to business operations, including the setting of suitable timeframes for notification prior to commencement of works.*
- *Measures to ensure access to businesses is maintained for customers, delivery and waste removal, unless there has been prior engagement with affected businesses (including mutually agreed mitigation measures as required). This could include the installation of directional and business signage to assist customers.*
- *Process for registering and management of complaints from affected businesses.*

This concern might be partly addressed by inclusion of an addition part to this EPR to the effect:

- Identify the potential disruptions to existing waste management practices and implement measures in advance of works to ensure businesses can continue to manage their waste appropriately.

In Table 6-15 Melbourne Metro's sustainability Themes and Targets Materials and Waste – currently includes:

- *Reducing materials use during project construction including cement, timber and steel.*
- *Encouraging diversion of waste during project construction from landfill.*

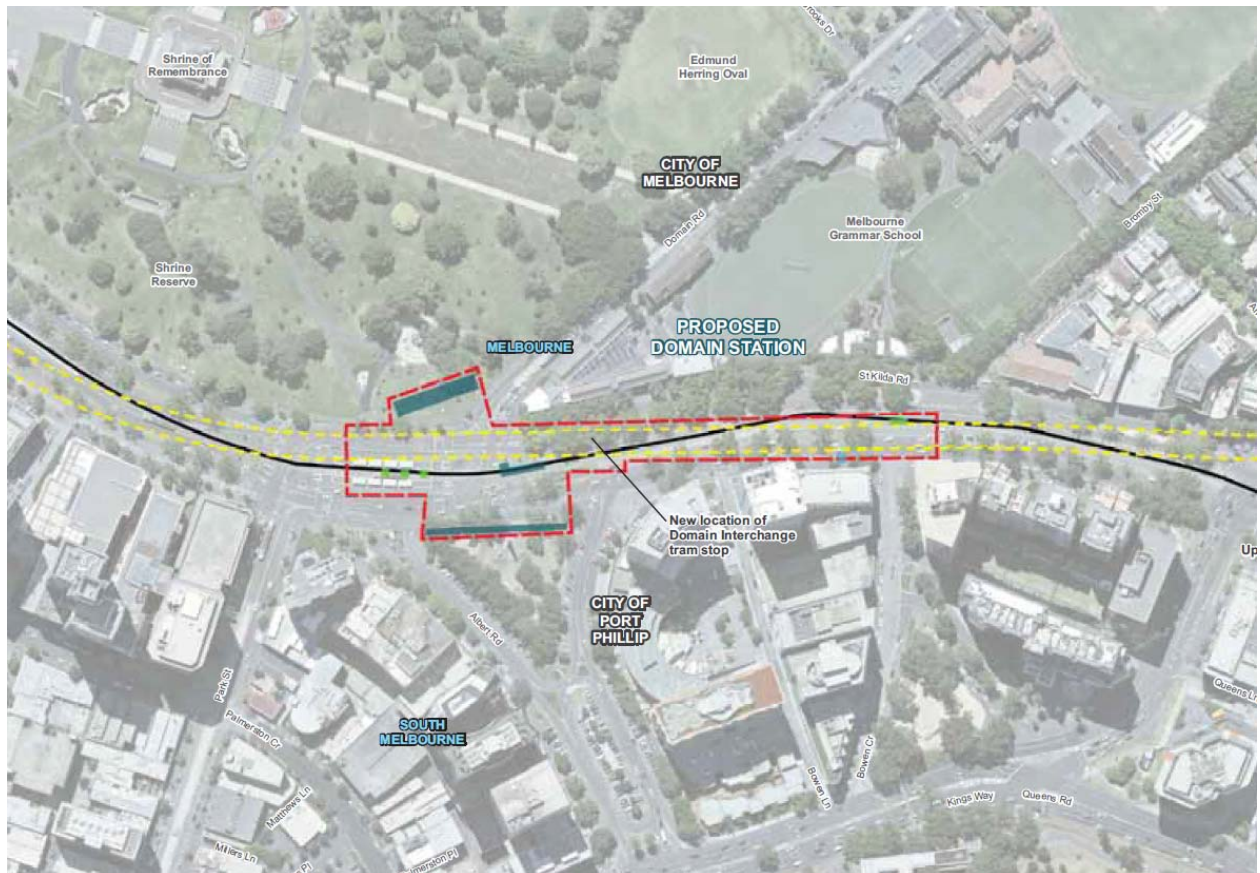
It is submitted that the second dot point should be changed to include reference to encourage the diversion of waste from landfill during project construction and operation. An additional target is recommended that seeks to minimise the impacts associated with waste management during project construction and operation.

DRAFT

11. Domain Precinct

11.1 Introduction

The station at Domain is proposed to be located under St Kilda Road with entrances in the centre of the road at the Domain Interchange, on the north-east corner of St Kilda and Domain Roads and within the Albert Road Reserve (located in the City of Port Phillip). The construction of the station in this location would require the removal of approximately 223 trees, 97 of which are within the City of Melbourne mostly located on St Kilda Road.



Legend

Proposed Concept Design

--- Proposed Alignment Below Ground

--- Proposed Station Below Ground (Indicative)

Proposed Above Ground Structures

Emergency Access Structure

Station Entrance Structure

Ventilation Structure

Local Government Area

Figure 52 – Domain Station Preinct Concept Design (Melbourne Metro Rail Project EES – Map Book)

The construction of the project requires the use of Edmond Herring Oval as a construction lay down area. Domain Road would be closed during construction. The No 8 tram would be re-routed along Toorak Road West continuing along the existing track on Toorak Road West at Park Street. St Kilda

Road would be partially closed for extended periods of time with one lane in each direction and bicycle and tram access maintained.

11.2 Location of station entrance on north-east corner of St Kilda and Domain Roads

A station entrance is proposed to be located on the north-east corner of St Kilda and Domain Roads. The entrance is shown as being located within the Shrine Reserve adjacent to the MacPherson Robertson Fountain (see Figure 53 below).

The Shrine Reserve is Crown Land which is permanently reserved for the purposes of the Shrine of Remembrance. The land is managed by the Shrine of Remembrance Trustees in accordance with the *Shrine of Remembrance Act*. In accordance with this Act, and in agreement with the Shrine of Remembrance Trustees, the City of Melbourne is responsible for the provision of services, maintenance and improvements in relation to the parks and gardens on the reserved land.

The Shrine Reserve and surrounding parkland is included on Victorian Heritage Register (VHR H00848).

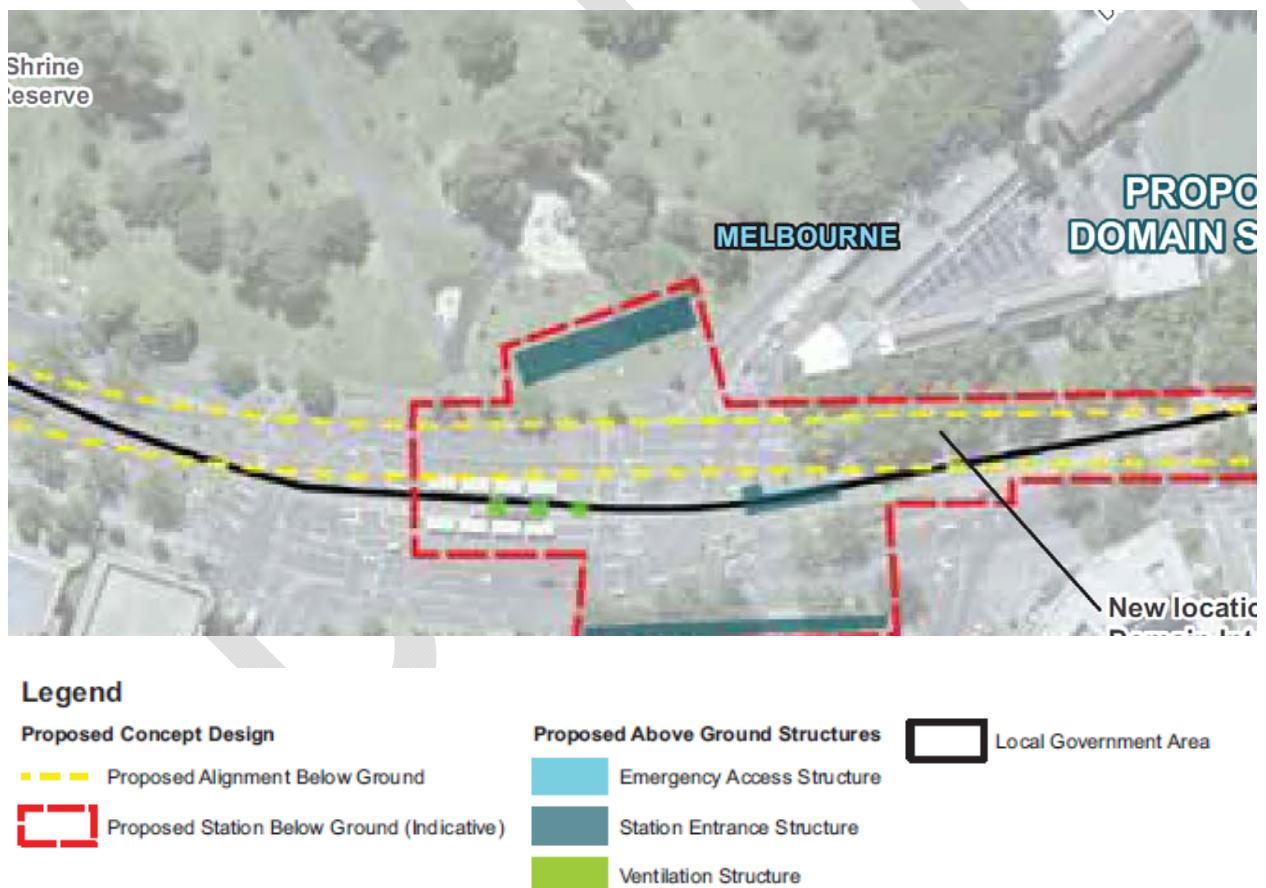


Figure 53 – Detail for Domain Station Concept Design (Melbourne Metro Rail Project EES – Map Book)

Concern is expressed about the visual and landscape impacts from the location of the entrance as shown as part of the Concept Design. The Technical Appendix M - Urban Design Strategy (Chapter 4.7.2 page 80) clearly summarises the significance of this part of the Shrine Reserve as follows:

The Shrine in its setting is the most important memorial landscape in Victoria and a crucial part of the character of this area. Views through the green landscape to the Shrine are important, and the view from the intersection of St Kilda Road and Domain Road is one of the most important — the first Shrine vista presented to viewers travelling northward on St Kilda Road and often featuring in historical photos of the area. Memorial trees and other structures in the Shrine Reserve are also charged with special significance to the community.



Figure 54 – Image of Domain Road/St Kilda Road intersection looking north-east (Google Maps – Streetview)

Any structure within proximity of this corner would be an interruption to this landscape setting. As such, it is submitted that given the importance of this setting, any above ground structures should be minimised and the entrance carefully sited to minimise visual impacts. This might include the location of the entrance to be further east along Domain Road and the minimisation and co-location of any above ground structures. It is noted that the Urban Design Strategy at Technical Appendix M also highlights that ‘this entry is expected to service a relatively small proportion of station users, except during major events at the Shrine’.

EPR CH 18 requires:

To the satisfaction of Heritage Victoria, review the siting and design of the eastern Domain station entry in detailed design to ensure it is as recessive as possible in this location and has only a limited presence on the edge of the Reserve.

While support is given to the intent of this EPR to review the siting of the station entrance, it is submitted that the EPR should be amended to include a requirement to consult with the Shrine of Remembrance Trustees and the City of Melbourne as part of this review.

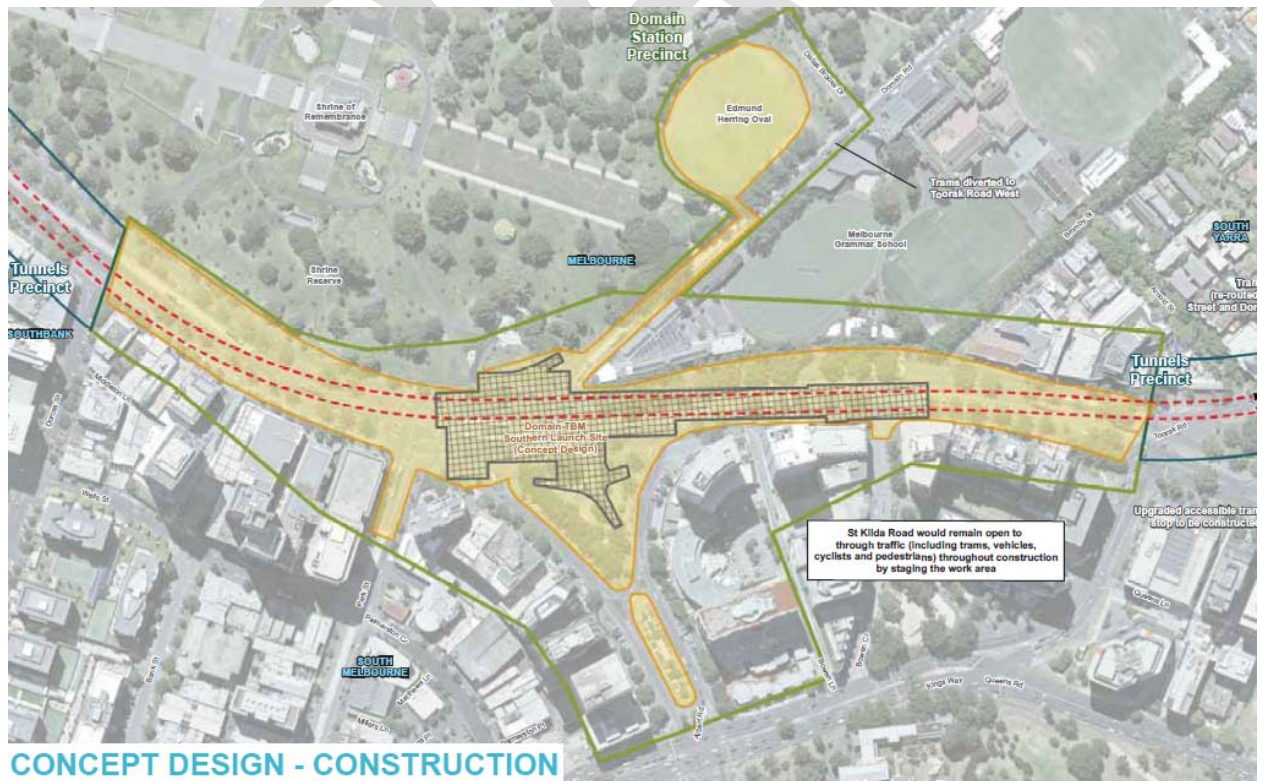
11.3 Edmond Herring Oval

Edmond Herring Oval is located on the northern side of Domain Road in the Domain Parklands, to the east of the Shrine of Remembrance Reserve. It is currently used for playing fields (see Figure 55 below).



Figure 55 – Aerial image of part of Shrine of Remembrance Reserve and Edmond Herring Oval (CoMPASS)

The EES shows Edmond Herring Oval as being a construction lay-down area. The Oval is part of the land that is included on the Victorian Heritage Register (VHR H2304 for the Domain Parklands, Kings Domain South). Figure 56 below shows the part of the oval to be used for this purpose.



Legend

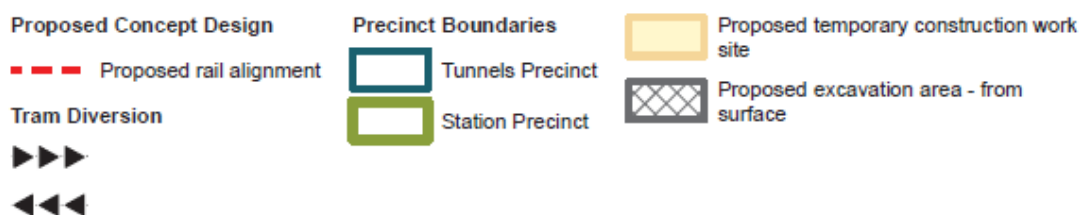


Figure 56 – Construction are for Domain Station Precinct Concept Design (Melbourne Metro Rail Project EES – Map Book)

The use of Edmond Herring Oval would displace the users of this reserve. These include Melbourne Grammar School and the Mercantile Cricket Association. The main use of this oval is for cricket. Alternative facilities for these users are limited. EPR LU 1 states:

Develop and implement measures for construction and operation of Melbourne Metro that aim to minimise impacts to the development and/or operation of existing land uses, including:

- *Limiting the permanent change of use within existing public open space.*
- *Minimising footprints of construction sites and permanent infrastructure on public land.*
- *Minimising impacts to existing public open spaces and recreational facilities and the users of these facilities, including (but not limited to): JJ Holland Park, University Square, City Baths, City Square, Federation Square, the Shrine of Remembrance and the Shrine Reserve, Domain Parklands, Edmund Herring Oval, Fawkner Park and the Albert Road Reserve.*

Such measures must be developed in consultation with affected land managers for public land.

The construction also requires the closure of Domain Road. Access to Edmond Herring Oval would be from the south-west end.

EPR SC 6 requires:

Develop a relocation strategy for sports clubs and other formal users of directly impacted recreational facilities.

The intent of these EPRs to address the impacts on users of Edmond Herring Oval is supported. It is submitted that the wording of these EPRs should be more detailed to support the achievement of the outcomes being sought.

11.4 Impacts on Trees

As stated above, 223 trees are proposed to be removed from this precinct across the City of Melbourne and the City of Port Phillip. The EES makes the following statement (Chapter 16 – Landscape and Visual PAGE 34) in terms of landscape and visual impacts of the project in this precinct:

All trees within the St Kilda Road construction zone would be removed. This includes mature plane trees within the central median of St Kilda Road between Park Street and Toorak Road, as well as trees within part of the Shrine of Remembrance Reserve and the Albert Road Reserve. Trees in the central median of Albert Road, south of the Albert Road Reserve, would also require removal as part of the construction zone.

Two trees on the southern boundary of the Edmund Herring Oval would require removal to provide construction vehicle access.

There may be scope to limit the removal of Medium and Long Term Viability trees from the Shrine of Remembrance Reserve to the west of the Edmund Herring Oval by using the east side of the oval to Dallas Brooks Drive for construction vehicle access. The removal of the juvenile trees in this location would have a significantly lower impact on visual amenity and these trees can be readily replaced with new specimens.

The City of Melbourne supports the option outlined for access to Edmund Herring Oval via Dallas Brooks Drive. If this option was implemented it would allow the retention of two mature elms and there would also be no need for a haul road to go through retained elms, further reducing the potential impact to mature trees. If Dallas Brooks Drive is used for the access some small newly planted Agathis would require removal however this would be a significantly reduced impact. This should be addressed by a specific EPR.

EPR AR 1 states:

During detailed design, review potential tree impacts and provide for maximum tree retention where possible.

Prior to construction of main works or shafts, develop and implement a plan in consultation with the relevant local council that identifies all trees in the project area which covers:

- *Trees to be removed or retained*
- *Condition of the trees to be removed*
- *Options for temporary re-location of palms and reinstatement at their former location or another suitable location.*

This EPR suggests that the detailed design of the project should seek to retain trees where ever possible. This is at odds with the above EES statement that assumes all trees within the construction area will be removed. The City of Melbourne wishes to work with the MMRA as detailed in the EPR to minimise tree loss.

Further, this EPR requires that prior to construction of main works a plan is developed and implemented in consultation with municipal authorities. It is submitted that such a plan should also be developed prior to the construction of early and preparatory works. These works also have the potential to have significant impacts on trees, such as the relocation of service infrastructure within road reserves, and should also be subject to proper planning and management.

The City of Melbourne has plans to progressively roll out a tree replacement program for the aging elm trees along the full length of St Kilda Road. Elms will be replaced with elms as per established City of Melbourne policy. The MMRP provides an opportunity to advance and integrate with the City of Melbourne tree replacement project.

11.5 Traffic Impacts

St Kilda Road will be reconfigured in and around the new tram and MMRP interchange. The current arrangement of side carriageways, medians and centre carriageways will be disrupted for a conservable length of the boulevard between Domain Road and Toorak Road. New separated bicycle lanes are proposed. This disruption provides an opportunity for the State Government agencies (Vic Roads, Heritage Victoria and Department of Economic Development, Jobs, Transport and Resources) together with the Cities of Melbourne, Port Phillip, and Stonnington, to work together with other key

agencies (PTV, Yarra Trams, Bicycle Victoria), key stakeholders and the community to develop a Master Plan for the entire length of this iconic boulevard. Equally, the City of Melbourne's desire to introduce dedicated bicycle lanes along the length of St Kilda Road can be integrated with the MMRP. This applies equally to changes to the operational layout of Royal Parade.

EPRs T5, T6 and T7 provide requirements for the detailed design of the Road, Public and Active Transport Networks. The planning for Royal Parade and St Kilda Road should be across all transport types and, it is submitted, be addressed by an additional and specific EPR that links into these strategic planning processes.

The road closures during construction are also likely to result in additional pressure to the local road network. The City of Melbourne agrees that the Transport EPRs relating to the management of these impacts during construction.

The traffic impacts during construction of the project will be significant and far reaching because of the downgrading of St Kilda Road. The City of Melbourne anticipates that the extent of these impacts may require changes to signalling on other major arterial roads and a need for travellers make changes to their travel behaviours. This is also seen as an opportunity to support changes that are consistent with objectives within the City of Melbourne's transport strategies.

EPR T4 states:

Travel Demand Strategy

In advance of construction works, MMRA to develop and implement a travel demand management strategy and appropriate tools to promote specific transport behaviour changes in response to road, bicycle and pedestrian paths closures/modifications and to reduce traffic congestion around construction sites, particularly in the vicinity of the Parkville and Domain precincts where road closures and restrictions are proposed. The strategy must be consistent with the MMRA Community and Stakeholder Engagement Plan.

The intent of this EPR is supported. It is submitted that the wording of this EPR be amended to include a requirement that key agencies be consulted as part of the development of this Strategy.

The early works to facilitate the commencement of construction of the Domain Station include the diversion of the No 8 tram from Domain Road to Toorak Road.



Figure 57 – Aerial image showing existing and proposed diverted No 8 tram route (CoMPASS)

While this significant change is mentioned as part of the description of the construction of the project, the impacts from this are not assessed in detail in any of the Appendices or Chapters of the EES. The impacts from this component of the works will have heritage, social and community, business, landscape and visual, traffic, land use and planning, noise and vibration and community and stakeholder impacts that are likely to require mitigation. While the tram diversion is necessary, it is important that the impacts from these works are appropriately managed. This should be addressed by EPRs that are specific to this component of the project.

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12. Noise and Vibration

12.1 Introduction

The construction of the MMRP will impact on existing land uses by way of noise and vibration. Noise and vibration will be caused by machinery and processes during construction as well as from the operation of the infrastructure upon completion. This is acknowledged in the EES. It is clear that relevant standards for noise and vibration will not be achieved at all times during construction and that mitigation strategies will be required to manage such impacts when targets are exceeded. This might include relocation, the construction of sound barriers including acoustic sheds and walls, double glazing of windows and reinstatement works if damage is caused.

12.2 Management of noise and vibration impacts during construction

The EES and Technical Report include a significant amount of complex information that describe and assess the likely impacts from noise and vibration that are likely to arise from construction of the project as shown in the Concept Design. Given that this project is at planning stage and a detailed design and construction methodology has not been finalised, the assessment is based on assumptions and test cases. In making these assessments, the Technical Report and Chapter reference appropriate Australian and global standards for construction of similar types of projects and infrastructure.

The result of this is the inclusion of 18 EPRs outlining standards and including requirements for the following matters:

1. Develop and implement a plan to manage construction noise.
2. For construction works conducted between CBD South station and Domain station, comply with the requirements of the Notification of Referral Decision for the Melbourne Metro Rail Project (EPBC 2015/7549, dated 22 September 2015) under the Environment Protection and Biodiversity Conservation Act 1999 (to protect Commonwealth Heritage listed structures)
3. Appoint an acoustic and vibration consultant to predict construction noise and vibration
4. Develop and implement a communications plan
5. Airborne Construction Noise Guideline Targets (Internal)
6. Vibration Guideline Targets for Structures
7. Undertake condition assessments of above and below ground utility assets
8. Vibration Guideline Targets for Underground Infrastructure
9. Vibration Dose Values (VDVs) (Human Comfort)
10. Vibration-sensitive Equipment Guideline Targets
11. Ground-borne (internal) Noise Guideline Targets for Amenity
12. Blasting
13. Protection of the amenity of Bio-resources and sensitive research during construction and operation
14. Appoint an acoustic and vibration consultant to predict noise and vibration and determine appropriate mitigation to achieve the Environmental Performance Requirements

15. Compliance with Victorian Passenger Rail Infrastructure Noise Policy (PRINP)
16. Compliance with State Environment Protection Policy (Control of Noise from Commerce, Industry and Trade)
17. Ground-borne Noise Guideline Targets for Operation
18. Vibration Guideline Targets for Operation

The City of Melbourne supports the establishment of targets to be achieved. The scope of the EPRs generally cover most matters of interest and concern to the City of Melbourne, however significant concern is expressed about the phrasing and detail of the EPRs.

While the EPRs specify target guidelines that are consistent with relevant standards, they generally refer to a requirement to develop and implement mitigation management plans where these standards and targets are to be exceeded. It is submitted that the EPRs should be amended to create a 'hierarchy' of compliance as follows:

1. Construction management plans and activities, and detailed design to be developed ensuring compliance with accordance with relevant standards (avoiding impacts)
2. The exceedance of relevant standards be minimised to unavoidable works and operational requirements only.
3. Where construction management plans and activities and detailed design exceed relevant standards, management plans and mitigations must be pro-actively developed and implemented to manage these impacts.

12.3 Use of Acoustic Sheds during construction

The MMRA often refer to Acoustic Sheds as the preferred mitigation measure for treatment of noise in the summary of the EES. However the EPRs describe circumstances where acoustic sheds are one of many potential mitigation measures to manage noise impacts during construction.

Appoint an acoustic and vibration consultant to predict construction noise and vibration (through modelling) and update the modelling to reflect current construction methodology, site conditions and specific equipment noise and vibration levels (this will require noise and vibration measurements). The model would be used to determine appropriate mitigation to achieve the Environmental Performance Requirements.

The acoustic and vibration consultant will also be required to undertake noise and vibration monitoring to assess levels with respect to Guideline Targets specified in the Environmental Performance Requirements. Where monitoring indicates exceedances of Guideline Targets, apply appropriate management measures as a soon as possible.

Information about the treatments for construction sites is referred to in Chapter 16 – Landscape and Visual on page 31 as follows:

The use of attractive, carefully placed temporary hoardings and acoustic sheds to screen the construction work sites would be determined at detailed design.

The types of mitigation measures are also described Chapter 13 – Noise and Vibration Page 27 as follows:

The types of mitigation measures that would satisfy the proposed Environmental Performance Requirements are conventional and fall into two broad classes:

General mitigation would include preparing and implementing a noise and vibration management plan that satisfies EPA 1254, undertaking community consultation about when an activity might increase airborne noise levels and implementing standard mitigation measures such as scheduling noisy activities for day-time where possible, stockpiling material overnight for day-time removal and planning for day-time deliveries where possible.

Specific mitigation would include measures that are tailored to a particular acoustic impacts, such as high performance acoustic construction sheds and temporary noise barriers (up to 6m in height) at selected sites. If noise levels cause impacts to residents, localised noise treatments (such as improved glazing) could be adopted.

While outcomes rather than mitigation measures are normally specified in EPRs, it is considered appropriate that specific circumstances where an acoustic shed is preferred is detailed in the EPRs given an expectation has been created that 'noise' is likely to be contained within an acoustic shed.

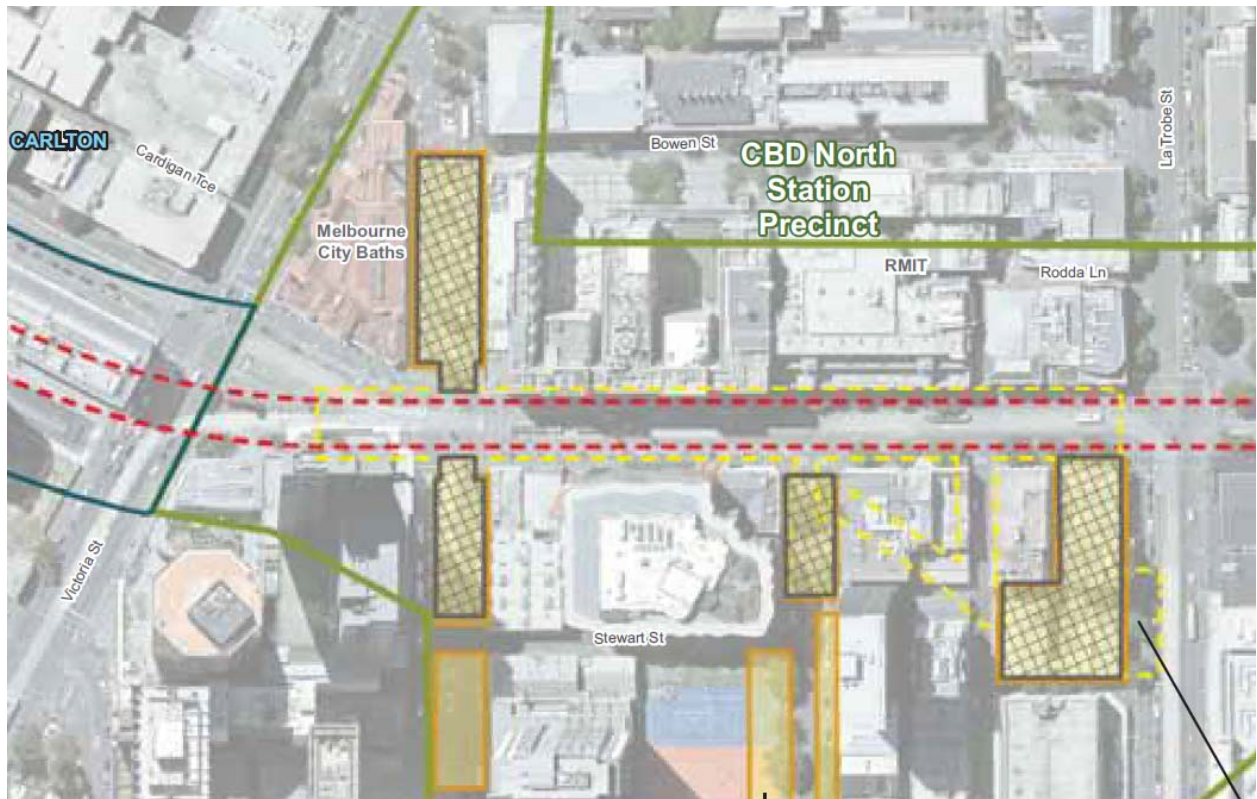
12.4 Impacts on City of Melbourne assets and other buildings

The City Baths are located on a triangular site on the north side of Franklin Street to the east of Swanston Street and bounded by Victoria Parade to the north. Originally completed in 1904 the historic public bathing facility that is included on the Victorian Heritage Register (HV Registration number HO 466) is currently owned by the City of Melbourne. The facility comprises pools and indoor recreation facilities that were last refurbished in the early 1980s.



Figure 58 – Aerial image showing City Baths (CoMPASS)

The Concept Plan in the EES Map Book shows a significant section of Franklin Street immediately to the south of the City Baths will be excavated to facilitate the construction of the mined portion of tunnel between the CBD North and CBD South Stations and the construction of station boxes. The tunnel alignment to the north of the CBD North Station is on the western side of Swanston Street.



Legend







Proposed Concept Design	Precinct Boundaries	 Proposed temporary construction work site
 Proposed rail alignment	 Tunnels Precinct	 Proposed excavation area - from surface
	 Station Precinct	 Proposed sub-surface excavation

Figure 59 – CBD North Station Construction Concept Design (Melbourne Metro Rail Project EES – Map Book)

The Melbourne Town Hall at 100-120 Swanston Street is also located along the tunnels alignment. The Town Hall is included on the Victorian Heritage Register (VHR H0001).



Figure 60 – Aerial image and map showing Melbourne Town Hall buildings (CoMPASS)

While excavation work is not proposed within close proximity to this building (the closest excavation being at the City Square), the tunnel alignment and part of the proposed station box under Swanston Street is directly adjacent to, and partially, below this building (see Figure 61 below).

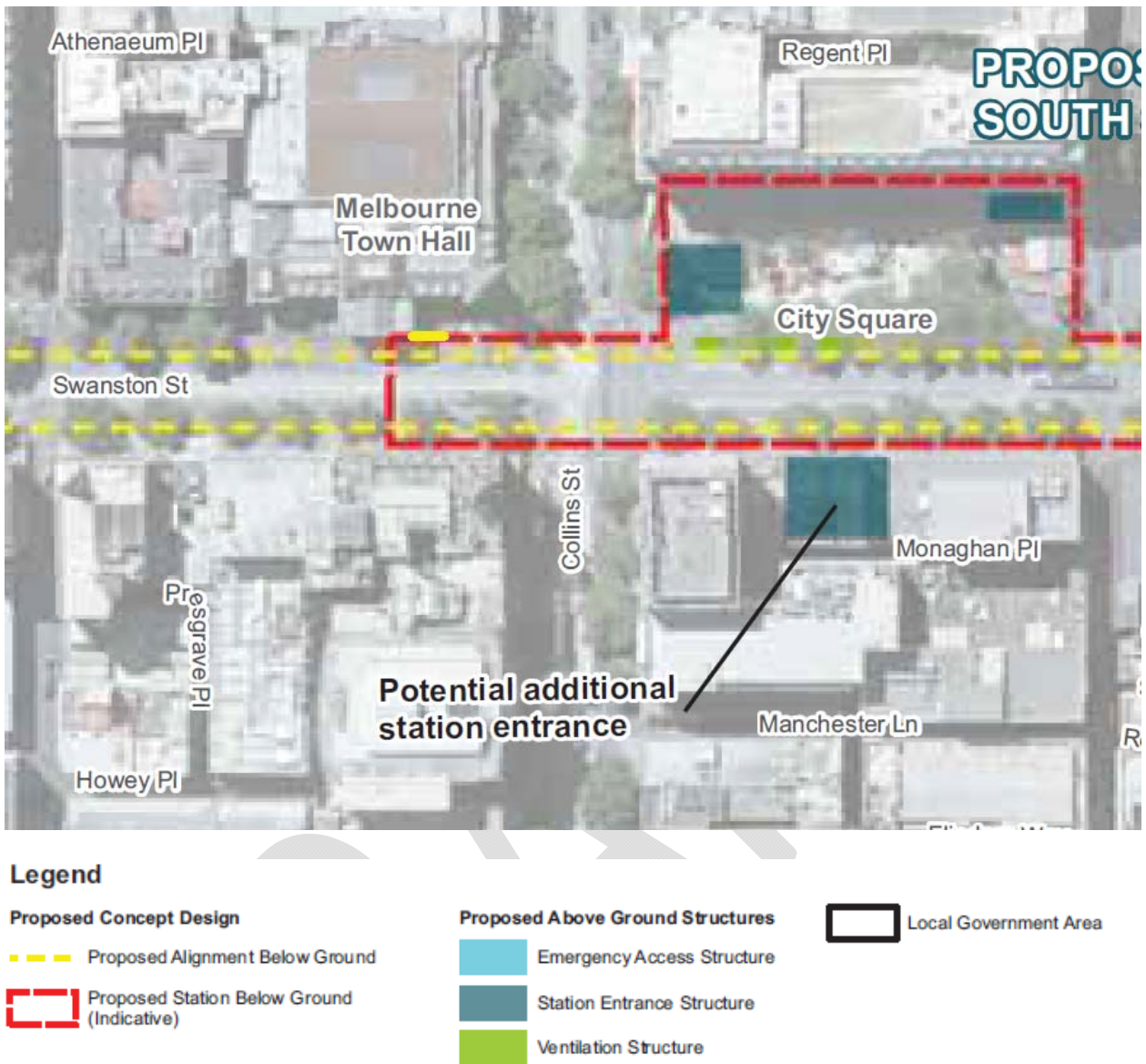


Figure 61 – CBD South Station Concept Design and relationship with Melbourne Town Hall (Melbourne Metro Rail Project EES – Map Book)

The tunnel alignment is partially below Princes Bridge. The bridge is also included on the Victorian Heritage Register(VHR H1447).

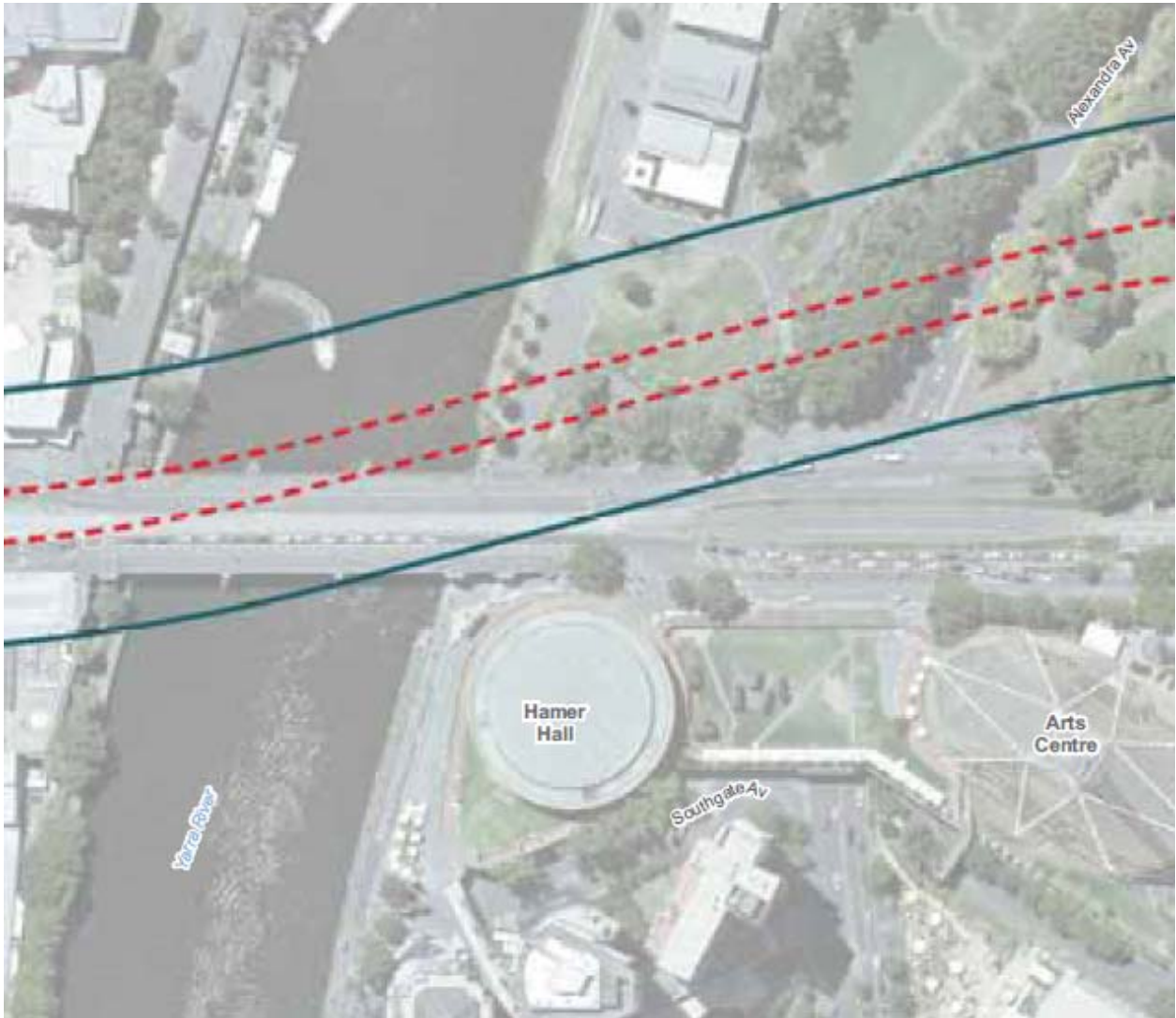


Figure 62 – Tunnel alignment and relationship with Princes Bridge Tunnels Preinct Concept Design (Melbourne Metro Rail Project EES – Map Book)

The City of Melbourne is concerned about potential impacts from the proposed excavation and tunnelling works on the structural integrity of the City Baths, Melbourne Town Hall and Princes Bridge which are assets the City of Melbourne is responsible for. These matters of concern apply equally to other buildings and structures along the projects alignment.

Of particular concern is the impact on the structural integrity of the main pool skin and the ‘chimney’ components of the building that were constructed as freestanding structures of the City Baths, the Town Hall buildings (and especially the Portico structure that extends into the road alignment) and the structural integrity of Princes Bridge.

EPR LU 1 states:

Develop and implement measures for construction and operation of Melbourne Metro that aim to minimise impacts to the development and/or operation of existing land uses, including:

- *Limiting the permanent change of use within existing public open space*
- *Minimising footprints of construction sites and permanent infrastructure on public land*

- *Minimising impacts to existing public open spaces and recreational facilities and the users of these facilities, including (but not limited to): JJ Holland Park, University Square, City Baths, City Square, Federation Square, the Shrine of Remembrance and the Shrine Reserve, Domain Parklands, Edmund Herring Oval, Fawkner Park and the Albert Road Reserve.*

Such measures must be developed in consultation with affected land managers for public land.

EPR NV3 states:

Appoint an acoustic and vibration consultant to predict construction noise and vibration (through modelling) and update the modelling to reflect current construction methodology, site conditions and specific equipment noise and vibration levels (this will require noise and vibration measurements). The model would be used to determine appropriate mitigation to achieve the Environmental Performance Requirements.

The acoustic and vibration consultant will also be required to undertake noise and vibration monitoring to assess levels with respect to Guideline Targets specified in the Environmental Performance Requirements. Where monitoring indicates exceedances of Guideline Targets, apply appropriate management measures as a soon as possible.

EPR NV6 provides specific targets for vibration. This includes targets for long and short term periods of vibration on heritage structures. The targets are based on a German standard. The target levels specified for heritage buildings are the lowest. The EPR only requires management actions to be implemented when the targets are not achieved (and presumably exceeded).

EPR CH2 states:

To avoid or minimise impacts on the cultural heritage values of heritage places:

- *Perform works in accordance with the following noise and vibration and ground movement Environmental Performance Requirements as related to heritage places: NV2, NV5, NV6, NV11, GM2, GM4, GM5, GM6*
- *Undertake condition assessments of heritage places prior to commencement of construction where located within the identified vibration and ground settlement zones of sensitivity and monitor as per NV6, GM4 and GM5.*

Should damage occur to a building or structure on the Victorian Heritage Register or that is subject to a Heritage Overlay as a result of works, undertake rectification works in accordance with accepted conservation practice (with reference to the Australia ICOMOS Burra Charter 2013) to the satisfaction of Heritage Victoria or the responsible authority, as applicable.

In the case of the City Baths there is significant concern that without remedial works, the structural integrity of some parts of the building might be significantly impacted by vibration and settlement due to construction activities. While it is acknowledged that the EPRs seek to ensure that any damage that occurs as a result of works is rectified in the case of the City Baths, preventative action may result in less impact and be less costly. Our preference is a proactive collaboration with MMRA in advance of the main construction program to protect these assets.

The City of Melbourne has similar concern for the Melbourne Town Hall building on Swanston Street as well as impacts on the structural integrity of Princess Bridge. There are numerous other heritage buildings along the alignment, such as the Young and Jacksons Hotel and Manchester Unity Building that are of State heritage significance that may also benefit from taking preventative action prior to the commencement of works.

It is submitted that additional EPRs should be included to allow for pro-active processes to be put in place as the detailed design and construction methodology for the project are developed to ensure

that impacts on these buildings are, in the first instance avoided, then mitigated in a pro-active way wherever practicable and managed.

DRAFT

13. Planning Scheme Amendment

13.1 Introduction

A proposed Planning Scheme Amendment is included in Appendix A. The Summary Report for the EES provides the following diagram (in part) describing the assessment process for the MMRP.

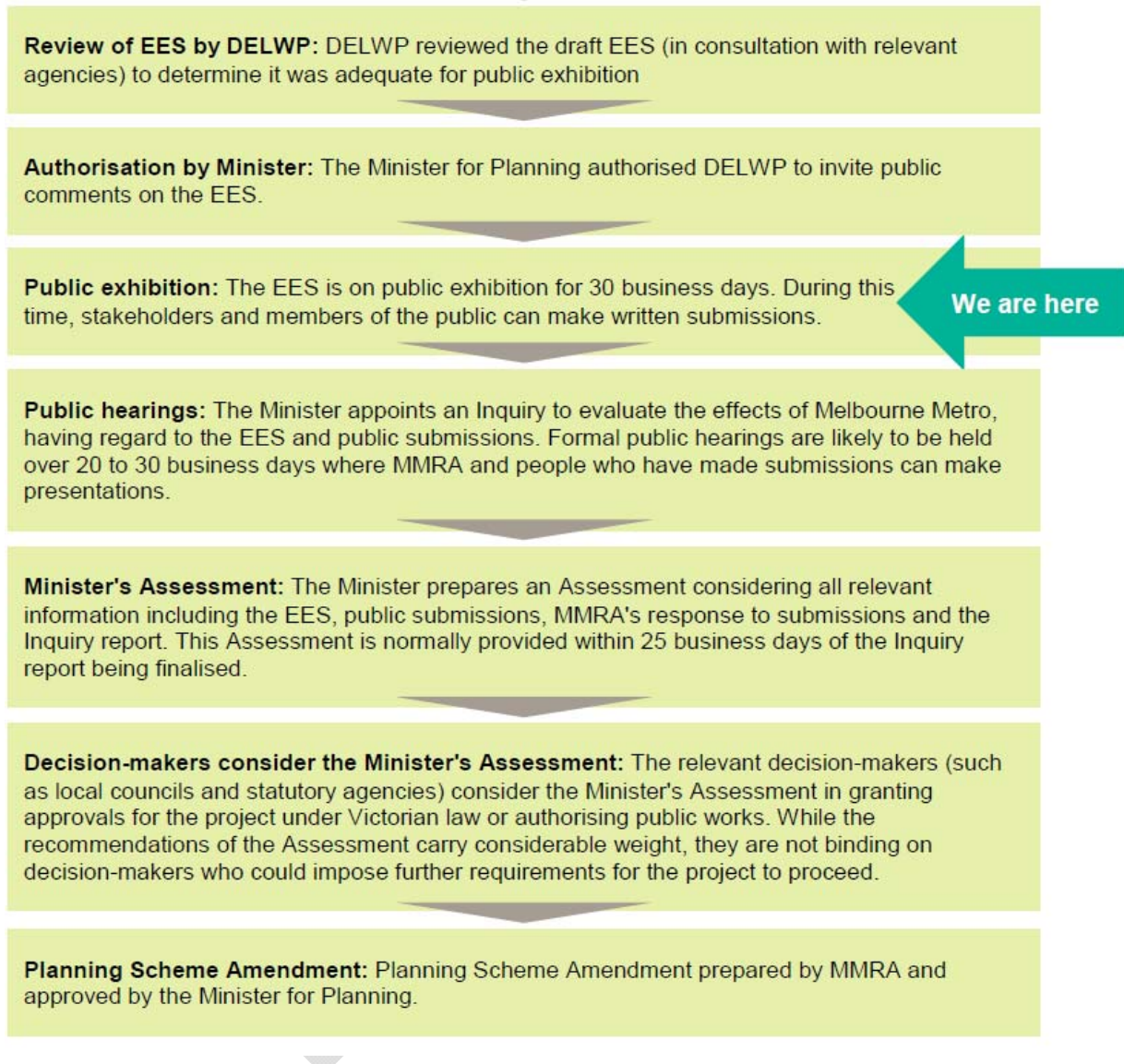


Figure 63 - Assessment Process for MMRP (EES Summary Report)

Although the Planning Scheme Amendment process follows the Minister's assessment, a draft version of the proposed Planning Scheme Amendment documents are contained within Appendix A along with an explanation of the approval process proposed.

It is proposed that the planning approval for the project is facilitated by way of an Incorporated Document to be included in the affected Planning Schemes. Given the extent of the project area, the number of municipalities impacted and the range of planning controls that apply to the land affected, this approach is supported. The Incorporated Document facilitates the construction for the MMRP infrastructure only and does not include approval for development over the project.

The future MMRP infrastructure is to be identified and protected by a Design and Development Overlay. The land to be included in the overlay has been identified as being land where future development may affect MMRP infrastructure. The Design and Development Overlay would introduce specific planning permit requirements, decision guidelines and referral requirements. Again, this approach is considered to be generally appropriate.

The amendment also seeks to Amend the Schedule to Clause 61.01 to make the Minister for Planning the responsible authority in relation to approvals under the Incorporated Document. Given the significance, scale and scope of the works over multiple municipalities, this is considered appropriate.

13.2 Incorporated Document

13.2.1 Approval of Development Plans

Condition 5.1 of the proposed Incorporated Document states:

Development Plans

5.1 Subject to clause 5.6, a Development Plan must be prepared to the satisfaction of the Minister for Planning for development relating to each of:

- Western tunnel portal
- Eastern tunnel portal
- Arden Station
- Parkville Station
- CBD North Station
- CBD South Station
- Domain Station
- Rail turnback at West Footscray Station
- Any other above-ground tunnel access and / or ventilation structures

A Development Plan must address surface works of each item listed above. A Development Plan for a station must address underground areas from the station entrance to the ticket gate.

A Development Plan must include:

- A site layout plan/s.
- Architectural, landscape and public realm plans and elevations including lighting, signage, pedestrian access, bicycle access and other ancillary facilities.
- A response to the Urban Design Strategy.

A Development Plan must be accompanied by a summary of consultation undertaken with the Office of the Victorian Government Architect, relevant Council/s and where relevant, the Roads Corporation, Public Transport Development Authority, Melbourne Water and Heritage Victoria. The summary of consultation must show the issues raised during the consultation.

A Development Plan must be approved by the Minister for Planning prior to the commencement of any development to which that Development Plan relates.

Approval may be granted by the Minister for Planning to demolish, construct a building or construct or carry out works associated with the Project before a Development Plan or other requirement is approved.

For land to which a Development Plan applies, development must be carried out generally in accordance with an approved Development Plan.

A Development Plan may be prepared and approved in stages or parts, and may be amended from time to time to the satisfaction of the Minister for Planning.

Although the Incorporated Document facilitates the use and development of land for the entire project including tunnels as well as station, portals and associated infrastructure, the requirement to submit a development plan for approval relates only to the parts of the project above and at ground level and up to ticketed areas.

The planning approval will be the primary statutory approval for the entire project. As such, it is submitted that it should require development plans to be submitted for the entire project. Any requirements for consultation about the detailed design of project infrastructure beyond the ticketed areas would be unnecessary.

The detailed design of areas beyond the ticketed areas also clearly impacts on the siting and design of structures above ground and within public areas. As such, a proper assessment and appreciation of the development plans for areas currently covered by the draft condition 5.1 could not be carried out in the absence of detail of the rest of the project infrastructure. It is submitted that additional conditions should be included to require the submission of development plans for the entire project.

13.2.2 Early and Preparatory Works

The Incorporated Document includes approval for 'Early Works' and 'Preparatory Works. Condition 5.4 of the Incorporated Document states:

Early Works Plans

5.4 Early Works identified in the Environment Effects Statement for the Project as Early Works may be carried out before a Development Plan is approved, provided that the Minister for Planning has endorsed an Early Works Plan for such works.

Early works for the Project identified in the Environment Effect Statement include:

- *utility service relocation and protection of utility assets*
- *site preparation works, including demolition works, removal or relocation of trees and monuments, minor road / transport network changes*
- *works for construction of shafts at CBD North and CBD South station precincts.*

An Early Works Plan must be endorsed by the Minister for Planning prior to the commencement of works to which that Early Works Plan relates. It must include site layout plan/s. An Early Works Plan may be prepared and approved in stages or parts and may be amended from time to time to the satisfaction of the Minister for Planning. For land to which an Early Works Plan applies, development must be carried out generally in accordance with an approved Early Works Plan.

An Early Works Plan must be accompanied by a summary of consultation undertaken with relevant Council/s and where relevant, the Roads Corporation, Public Transport Development Authority, Melbourne Water, Heritage Victoria and affected utility service providers. It must also show how issues have been addressed.

A further condition identifies Preparatory Works as follows:

Preparatory Works

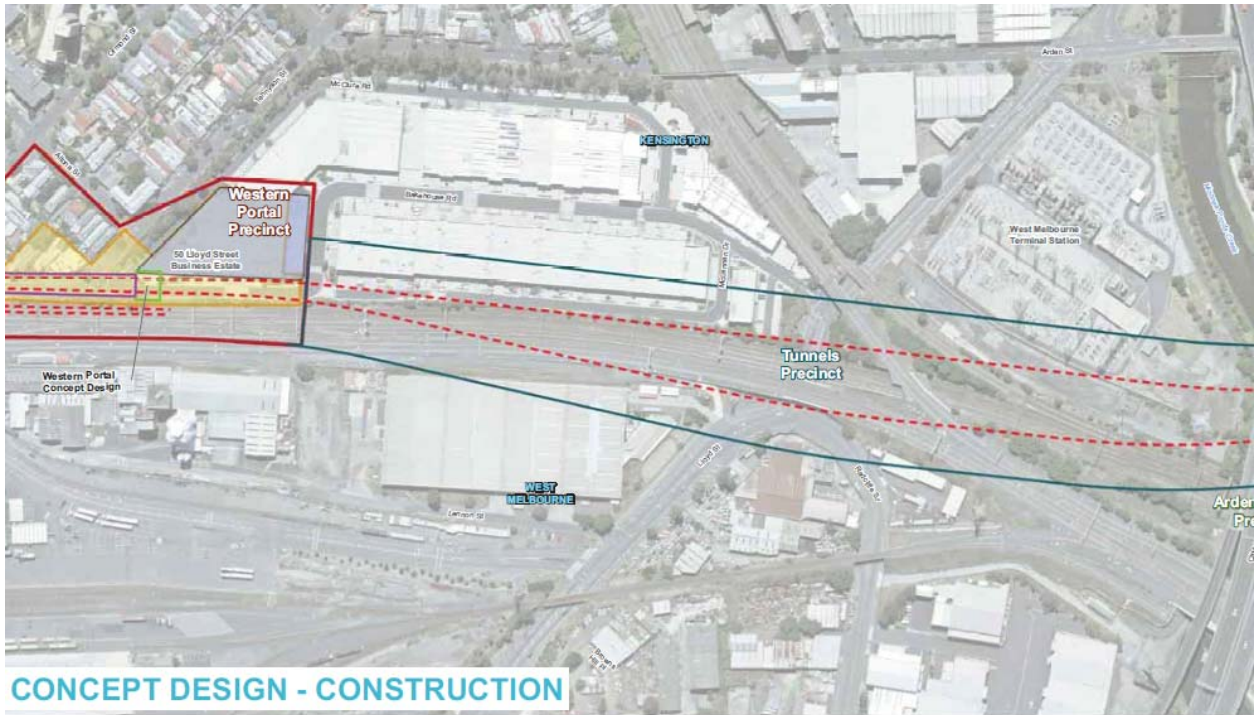
5.6 Preparatory works for the Project may commence before the plans and other matters listed in sub-clauses 5.1 - 5.5 are approved. The preparatory works permissible under this sub-clause for the Project include, but are not limited to:

- Works, including vegetation removal, not requiring a permit under the provisions of the relevant Planning Scheme.
- Investigations, surveys, testing and preparatory works to determine the suitability of land
- Construction, protection, modification, removal or relocation of existing utility services and infrastructure.
- Creation of construction access points.
- The removal or relocation of road, railway or tramway services and infrastructure.
- The removal or relocation of vegetation (including native vegetation) to the minimum extent necessary to enable such preparatory works.
- Any native vegetation removed to enable preparatory works forms part of the total extent of native vegetation removal necessary for the construction of the project and native vegetation offsets must be provided in accordance with the Permitted Clearing of Native Vegetation - Biodiversity Assessment Guidelines (Department of Environment and Primary Industries, September 2013).
- Establishment of environmental and traffic controls.
- Fencing and temporary barriers to enable preparatory works.

As these works do not require planning approval, the Incorporated Document does not include any approvals or requirements for these works. Given that the purpose of the Incorporated Document is to provide planning approval for the works that require a planning approval, it is submitted that the inclusion of reference to Preparatory Works is considered to be unnecessary and potentially confusing.

13.2.3 Project Area

The Incorporated Document includes maps showing the Project Area. In some instances these maps include land beyond land included in the project area under the EES. An example of this is shown below. The first diagram is an excerpt from the Map Book of the EES.



Legend

Proposed Concept Design

- - - Proposed rail alignment
- Tunnel Cut and Cover (excavation)
- TBM Retrieval Box (excavation)

Substations

- Electrical Substation Construction Site (Concept Design)
- Electrical Substation Construction Site (3 Alternative Design Options)

Precinct Boundaries

- Tunnels Precinct
- Station Precinct
- Portal Precinct

- Proposed temporary construction work site

Figure 64 – Concept Design Construction Diagram for Western Portal and part Tunnel Precinct EES Map Book

This diagram from the Map Book is consistent with those in the Technical Appendices and EES Chapters.

The following diagram is for generally the same area, but taken from the maps for the Project Area contained within Appendix A for the Planning Scheme Amendment and Document that forms part of the Incorporated Document that facilitates the construction of the project.

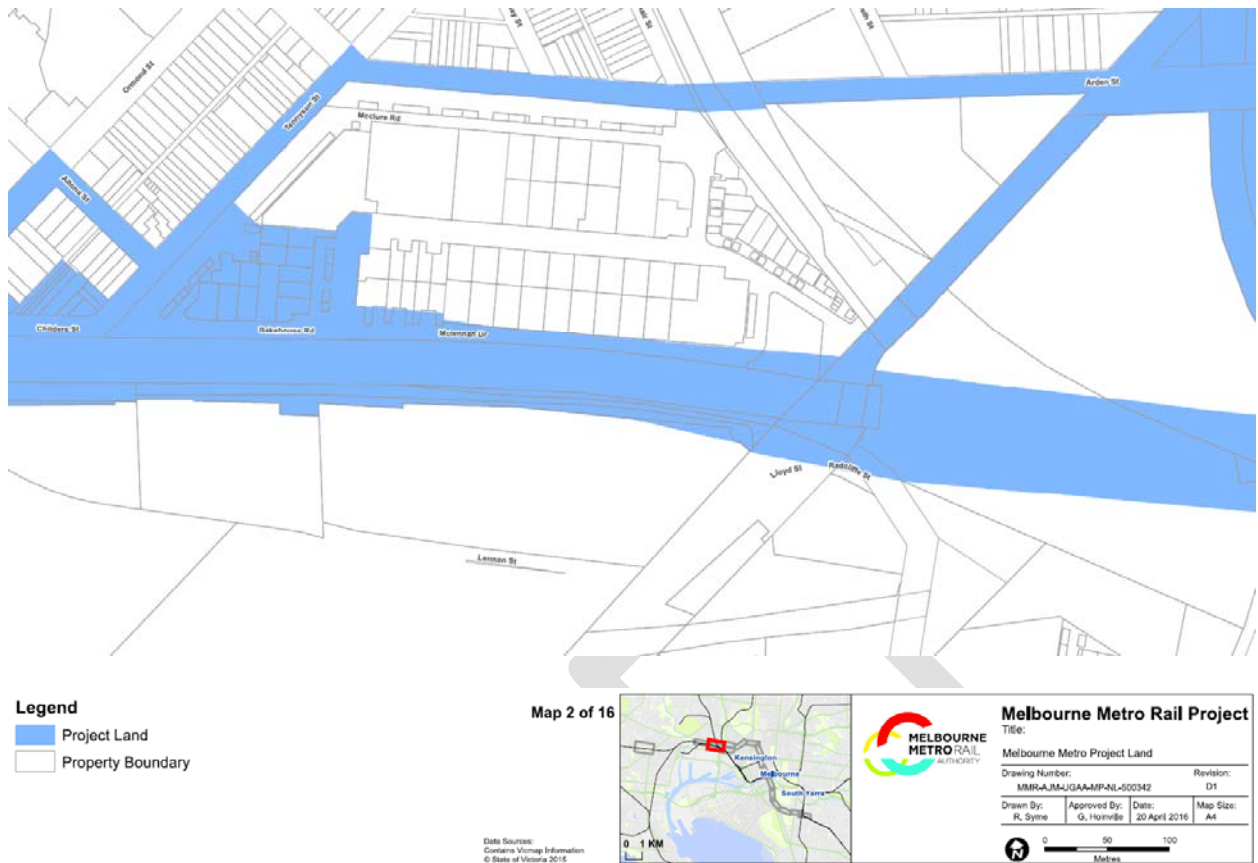


Figure 65 – Project Area Map for Western Portal and Part Tunnel Preinct Page 2 of 16 Technical Appendix 1 – Planning Scheme Amendment and Associated Document.

There is no explanation that can be found of the works to be carried out or an assessment of the impacts of these works as shown in the extended area nominated as being included in the Project Land. Further details of the proposed works within the Project Land go beyond the Precinct Boundaries shown in the Map Book and assessed in the EES. The Explanatory Report for the Planning Scheme Amendment states:

The potential environmental, social and economic effects of the construction and operation of the Melbourne Metro Rail Project have been considered through the Environment Effects Statement (EES) process under the Environment Effects Act 1978 and in accordance with the scoping requirements published by the Minister for Planning in November, 2015. This has involved input from a broad range of specialist disciplines which have informed the design of the project and the EES.

Significant concern is expressed about this matter. It is submitted that further information and assessment and potential EPRs need be required to ensure that the full scope and details of the project can be assessed and responded to.

13.3 Over-Site Development

13.3.1 Introduction

The EES describes and shows the acquisition of properties on the north-west corner of Swanston and La Trobe Streets to facilitate the construction of a station entrance on this corner. Property acquisition

is also proposed at the CBD south station around the location of the Young and Jacksons Hotel (see maps below).

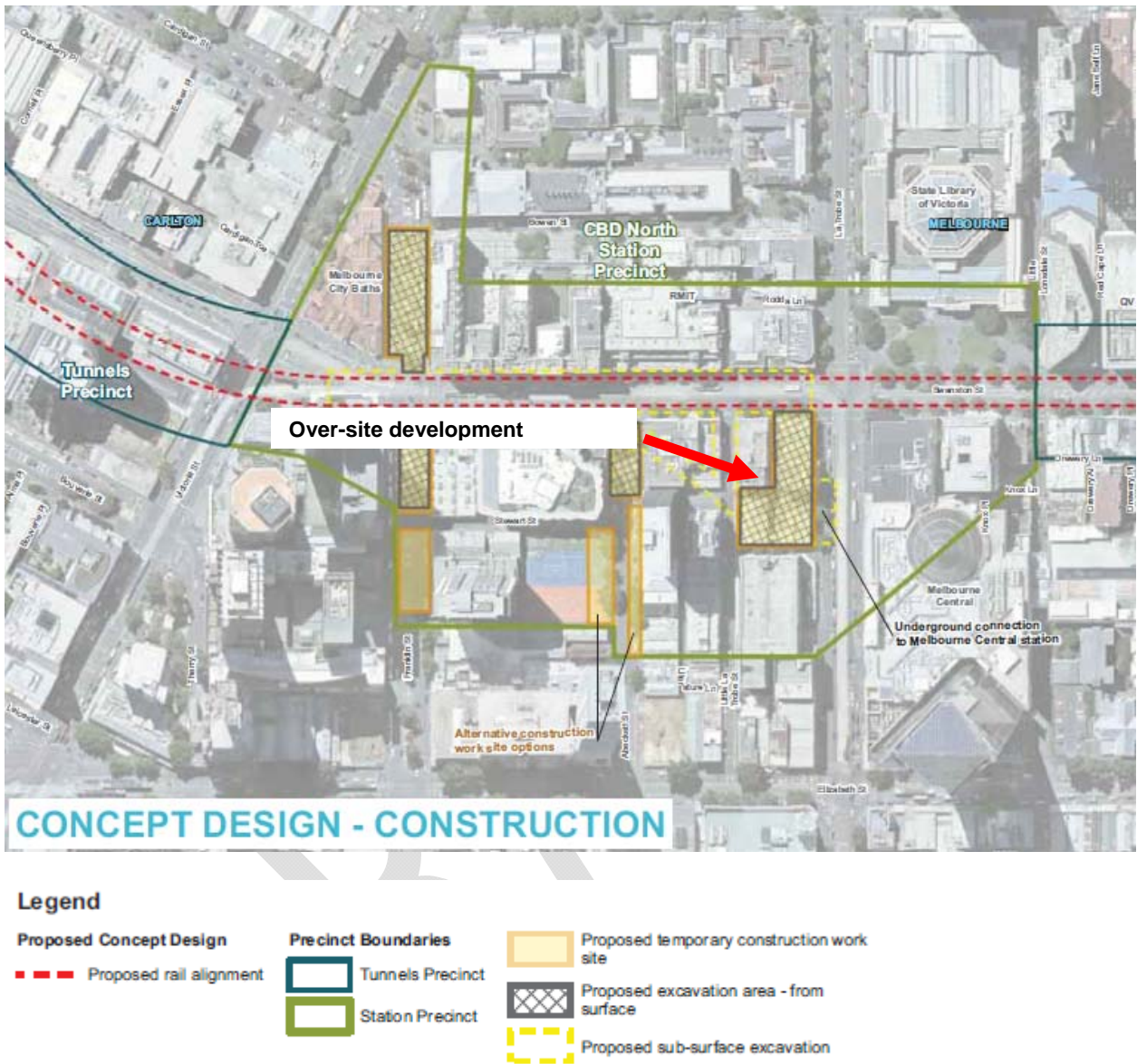
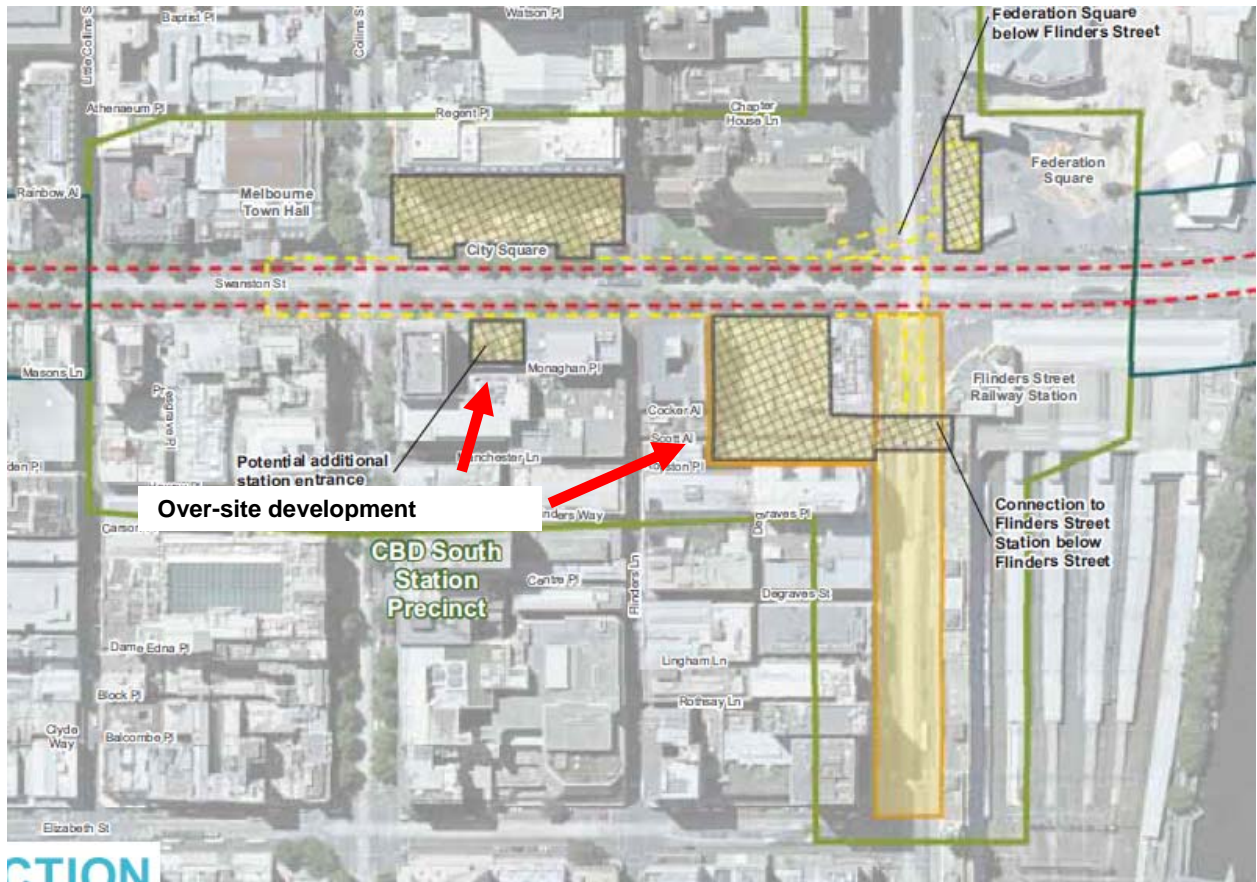


Figure 66 – CBD North Station Precinct. Site for future over-site development



Legend

Proposed Concept Design	Precinct Boundaries	Proposed temporary construction work site
Proposed rail alignment	Tunnels Precinct	Proposed excavation area - from surface
	Station Precinct	Proposed sub-surface excavation

Figure 67 – CBD South Station Precinct. Sites for future over-site development

The Urban Design Strategy at Technical Appendix M addresses the integration of over-site development into the project and includes the following Aim for this (page 31):

A Aims

Over-site development for complementary uses will be able to be fully integrated with Melbourne Metro at the two CBD stations, while opportunities for future redevelopment will be protected at the other precincts.

To achieve this Aim the following Guidelines are provided:

C Design Guidelines

1. *Avoid limiting future redevelopment potential of residual properties acquired for the project at the Western Portal and Eastern Portal.*
2. *Consider future precinct-wide redevelopment at Arden, as well as over-site development of the station.*

3. *Permit adjoining and potential over-site development at station entries within the University of Melbourne, either in parallel with the project or at a future date.*
4. *Integrate redevelopment for complementary uses with the station entries in the CBD, including:*
 - *Over-site development of properties acquired at the La Trobe- Little La Trobe Sub-Precinct and the Cocker Alley Sub-Precinct*
 - *Redevelopment of the City Square underground car park*
 - *Reconstruction of the eastern and western shards in Federation Square.*

The way in which this matter is addressed in the Urban Design Strategy is fully supported.

Of particular concern to the City of Melbourne is the impact of the project on over-site development over acquired sites at the CBD North and CBD South station precincts and the Arden Siding site. The design and construction of the MMRP infrastructure will create significant restrictions on building structure that can be built above it and as such the detailed design of the MMRP infrastructure needs to be integrated with future above ground development as described in the above Aim and Guidelines.

EPR LV 1 states:

Design permanent and temporary works in consultation with local councils and the Office of Victorian Government Architect to comply with the Melbourne Metro Urban Design Strategy. The design shall avoid or minimise visual impacts on sensitive receptors and maintain broader landscape character values, particularly in relation to:

- *Tunnels: Queen Victoria Gardens, Fawkner Park*
- *Western portal: JJ Holland Park*
- *Parkville station: University of Melbourne, Victorian Comprehensive Cancer Centre, Royal Melbourne Hospital, University Square*
- *CBD North station: Royal Melbourne Institute of Technology, the State Library*
- *CBD South station: St Paul's Cathedral, Federation Square, City Square and Flinders Street Station*
- *Domain station: The Shrine of Remembrance, Albert Road Reserve, Domain Parklands*
- *Eastern portal: South Yarra Siding Reserve.*

While the inclusion of this EPR is supported, it does not include sufficient detail of what the permanent and temporary works referred to are. When read in conjunction with the proposed planning approval documentation, it would appear to be limited to station infrastructure.

The proposed PSA documentation provided in Technical Appendix A of the EES includes a proposed Incorporated Document to facilitate delivery of the project. The document is the planning approval for the project. The description of what the Incorporated Document allows does not include over-site development at CBD North or CBD South stations.

Proposed condition 5.3 of the Incorporated Document states:

- 5.3 *Prior to the submission of Development Plans, an Urban Design Strategy must be submitted to and endorsed by the Minister for Planning. The Urban Design Strategy may be prepared and*

endorsed in stages or parts and may be amended from time to time to the satisfaction of the Minister for Planning.

The use and development for the Project must be carried out generally in accordance with the endorsed Urban Design Strategy.

Condition 5.1 requires the submission of detailed development plans for above-ground station infrastructure for approval. Such plans must, amongst other matters, be consistent with the Urban Design Strategy.

The proposed Incorporated Document does not facilitate the integration of over-site development as described in the Urban Design Strategy. This is of concern as the design and integration of developments over the acquired CBD North and CBD South station sites as well as the Arden Station will have a significant bearing on the how this station infrastructure integrates within its current and future context and to also ensure that future development is compatible with station uses.

The design of over station development of these sites should be consistent with the relevant Melbourne Planning Scheme controls. The Capital City Zone controls are currently under review as part of Planning Scheme Amendment C 270 and the future planning for the Arden Macaulay urban renewal area is under review by the Metropolitan Planning Authority.

This also applies to Arden Station site but is made more complex by the fact that this site is located within an urban renewal area.

It is submitted that reference should be made in the proposed Incorporated Document to the design of over-site development to ensure better resolved and integrated built form outcomes.

14. Conclusion

The City of Melbourne fully supports the aims and objectives for the MMRP and offer broad support for this generally comprehensive EES. However, our submission highlights a range of matters for further consideration that generally fall into three categories as outlined in detail throughout the body of the report. These categories are:

4. **Options** – the City of Melbourne has stated clear preferences where options are presented for consideration.
5. **Issues** – Matters of particular concern for the City of Melbourne.
6. **Deficiencies** – Matters where the City of Melbourne consider the EES to be deficient and where additional assessment or EPRs (including modifications to EPRs) are required.

The City of Melbourne is clear that this EES is based on a Concept Design that was completed in February 2016. Since that date, the design has continued to be refined by the MMRA for incorporation into tender documentation for a Public Private Partnership contract for the construction of the Tunnels and Stations. This will likely result in the design and proposed construction process being further modified. The City of Melbourne is satisfied that the existing strategic partnership with the MMRA combined with processes detailed in the Environmental Management Framework of the EES, EPR requirements and proposed Incorporated Document will facilitate the best possible results for Melbourne for this major project.

We anticipate that the successful conclusion of the EES process should result in a refined and further improved set of EPRs together with further refined robust Planning Scheme Amendment Documentation that will address any issues and deficiencies that have been identified in the EES documentation.

Figure 23-2 Governance framework



Figure 23-3 Environmental Management Framework

