

# Submission

Proposed alignment of the Regional Rail Link between Southern  
Cross Station and Deer Park West

## Recipients

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## Submitters

(Group Submission – see signing page for details)

# Failure to Adequately Consult and Inform

We believe the consultation and notification process with those directly impacted by the proposed RRL has not followed due process.

We assert that we were not afforded due process and denied our rights to natural justice by reason of:

- not being notified of our rights as a likely affected parties to participate in relevant RRL planning and approval processes;
- the unreasonably narrow definition of 'affected party' that initially excluded everyone except those facing compulsory acquisition;
- the exclusion of RRL Stage-1 from first RRL EES and the failure to include affected residents from the Stage-1 area in the broader [Strategic Assessment Consultation](#); and
- the unreasonably short consultation and submission process, and lack of written information on the project and its potential impacts.

1. Residents first learned of the RRL compulsory acquisitions through the media on July 12<sup>th</sup>, the day of the government transport initiatives announcement. Notifications came by telephone up to 26 hours later, with formal written notification following on the same day. Residents and traders in the Southern Cross to Deer Park rail corridor were not officially notified or informed of the RRL project prior to this.
2. Repeated requests by residents and traders to RRL representatives to explain process elements and time-lines, including clarification on the scope and purpose of the submissions process, remained unanswered to any satisfactory degree. Clarification on the purpose and scope of the submissions process was not properly provided until the release of an information pack on 9<sup>th</sup> August, less than 10 days before close of submissions.
3. DoT contacted only those people facing compulsorily acquisition. Their approach to other affected parties was limited and piecemeal. They did not contact other affected residents and traders until prompted to do so by coordinated resident and trader action.
4. It is difficult to understand the DoT justification for the exclusion of RRL Stage-1 from earlier EES and other processes, given that:
  - Stages 1 and 2 are components of a larger project;
  - the completion of Stage-2 will result in a vast increase in the number of trains funnelled into the Southern Cross Station to Deer Park corridor – with obvious potential for significant environmental and social impact;
  - The Stage-1 component has never seriously been presented as 'optional' element of the project in any project funding, planning and implementation announcements and documentation.

This apparently arbitrary exclusion denied affected parties in the Stage-1 project area any opportunity to participate in relevant stakeholder engagement processes at the outset of the RRL project.

5. The DoT conducted a number of individual meetings with affected property owners and several public drop-in session. However, at these meetings they provided no written information and the detail provided verbally was generally insufficient and inconsistent to the extent that 60 residents and traders met (28<sup>th</sup> July) to frame a joint list of 75 questions to put directly to the Minister of Transport. The Minister responded by instructing DoT to prepare an information pack to answer these questions and other concerns. A pack was delivered to households on the 9<sup>th</sup> August – less

than 10 days before close of submissions.

6. We believe that DoT failed to undertake sufficient project planning and impacts assessment for the Southern Cross Station to Deer Park component as a prerequisite for proper stakeholder engagement processes. We are being urged to write submissions when we have not been provided enough information about the project, nor sufficient time to consider our respective situations before the submissions deadline. For example, property owners have been told in the recent RRL FAQ booklet that they have only until 19<sup>th</sup> August to indicate that they wish to apply for their properties to be considered for purchase – an absurd deadline given that they still do not know the position of the track in relation to their homes. This process is unreasonably rushed, with only 37 days between the first of group of affected people learning of the project on 12<sup>th</sup> July and the closure of submissions by 19<sup>th</sup> August.
7. We submit that the RRL EES referral and Project Area Designation processes are incomplete and should not proceed to the Minister for Planning for approval until affected residents and traders in the Stage-1 project area have received detailed track alignment option information, noise and vibration impacts assessments, train service frequency information, road closures and access disruption information, and all other relevant information we need to make informed decisions and submissions.

## **Supporting Information**

### [Regional Rail Link project overview \(source: DoT web site\)](#)

*“Regional Rail Link is a major new rail line running from West Werribee to Deer Park and along the existing rail corridor through suburbs including Sunshine and Footscray to Southern Cross Station.”*

### [Project Milestones \(source: DoT web site\)](#)

- July 2010 : The Government announced details of the construction packages as well as the track route from Southern Cross Station to Deer Park.
- August 2009 : Initial works at platforms 15 and 16 of Southern Cross Station began as the first step in delivering this project as quickly as possible, with major construction due to start in 2010.
- May 2009 : Regional Rail Link secures Commonwealth Government funding of \$3.2 billion.

### [2009 -11 RRL EES Referral Form \(source: Dept. Planning web site\)](#)

*“The RRL –West Werribee to Deer Park is one component of the overall Regional Rail Link project (see Section 2 for discussion of the overall project). There are two sections of the Regional Rail Link”*

*“Section 1 of the Regional Rail Link runs from Southern Cross Station to Deer Park, providing an additional two tracks for use by regional rail services from Bendigo (diverging at Sunshine), Ballarat (remaining on existing Ballarat rail corridor) and Geelong (diverging at Deer Park to enter Section 2). This section is yet to be planned in detail although it is known that the route for Section 1 is predominantly along existing rail corridors. Section 1 is unlikely to present significant cumulative effects”*

*“It is proposed to exclude Section 1 (Southern Cross to Deer Park) of the Regional Rail Link from this proposal because it has not yet been planned in detail and the impacts are yet to be determined. However, as it is primarily located within existing rail corridors between Deer Park and Southern Cross it is unlikely to have significant cumulative effects.”*

*“Both sections of the overall Regional Rail Link can be developed independently and, while projects are normally referred in their entirety, in this case Section 1 is yet to be planned in detail and therefore detailed assessment of the impacts of Section 1 has yet to be undertaken. Section 1 is not essential to the operation of Section 2.”*



