

TRANSCRIPT

STANDING COMMITTEE ON THE ECONOMY AND INFRASTRUCTURE

Inquiry into infrastructure projects

Melbourne — 20 April 2016

Members

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Mr Khalil Eideh — Deputy Chair

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Witnesses

Ms Karlee Browning, President,

Ms Dianne Hunt, Secretary, and

Ms Beata Armatys, Lower Our Tracks Incorporated.

The CHAIR — I begin by declaring open our Standing Committee on the Economy and Infrastructure public hearing. I begin by explaining that the committee is today hearing evidence in relation to the infrastructure inquiry. The evidence today is being recorded. This hearing is to inform the second of at least six reports into infrastructure projects, and witnesses present may well be invited to attend future hearings as the inquiry continues. All evidence today is protected by parliamentary privilege, therefore you are protected for what you say in here today, but if you go outside and repeat the same things, those comments may not be protected by this privilege.

I would like to welcome our witnesses present here today. I will hand over to you, ask you to introduce yourselves and the capacity in which you come before us today and then ask you to move into some introductory comments, after which we will have some questions from the committee. Over to you.

Ms ARMATYS — Thank you very much. My name is Beata Armatys. I am a resident in Murrumbeena and I am a member of LOTI, which is the Lower Our Tracks Incorporated association.

Ms BROWNING — Good morning, my name is Karlee Browning. I am a resident of Carnegie, and I am the president of Lower Our Tracks Incorporated. Thank you.

Ms HUNT — Good morning. My name is Diane Hunt. I live in Murrumbeena, and I am the secretary and public officer of Lower Our Tracks Incorporated.

The CHAIR — Fabulous, very good. Over to you for some introductory comments.

Ms ARMATYS — We appear before this committee, and we thank you for the invitation to do so. By way of background, the Victorian government has proposed to put an elevated rail, which has colloquially come to be known as sky rail, along the Cranbourne-Pakenham line between Caulfield and Dandenong stations. This project proposes to remove the nine level crossings and to create a long elevated viaduct — sky rail — design, with heights ranging from 9 to 15 metres. That is excluding the built stations, which could be in excess of 20 metres. LOTI is concerned that this proposed sky rail, which will stretch over many kilometres, will be travelling through established and settled suburbs of character, heritage and identity.

The sky rail is a relatively new concept. It was first touched upon in the media back in January 2016, but identified by the government and the Level Crossing Removal Authority in February this year. Lower Our Tracks Incorporated — LOTI, as we have come to be known — is a not-for-profit association. Its members are predominantly residents and stakeholders from communities along the Cranbourne-Pakenham rail corridor. There are approximately 452 members of the association presently.

LOTI was formed in February 2016 to give a voice to residents in the communities along the Cranbourne-Pakenham rail corridor in response to the proposed sky rail project. LOTI is not opposed to the government's removal of the rail level crossings between Caulfield and Dandenong — LOTI is supportive of these level crossings being removed — but generally the concern remains with the current proposed elevated sky rail design for this corridor.

LOTI believes that the communities and its residents expected and would prefer the rail-under-road, cut-and-cover design. Such stations are presently being constructed as part of the level crossing removal project at St Albans; North Road, Centre Road and McKinnon Road — that is, on the Frankston rail line; and the completed Gardiner Station at Burke Road. LOTI considers that the residents along the Cranbourne-Pakenham rail line did not vote for a sky rail and they should not be railroaded to accept the government's proposal. Large portions of these communities remain steadfast in their objection to the government's extended elevated rail proposal, which has not been put to full and open public consultation. A number of residents are willing to come before this economy and infrastructure committee and inform of their personal experiences and concerns, as well as relay their experiences from sessions conducted with the Level Crossing Removal Authority.

LOTI is concerned about what appears to be a political drive for the proposed sky rail project without the expected community consultation and explanation. There appears to be little if no justification or explanation for the project and little if no genuine adaption to meet local and broader needs. The sky rail project appears to be spearheaded with great haste and no time appears to be granted for review of each part of the processes, nor time to incorporate various stakeholder needs. Mr Devlin, who appeared before this committee on 1 September

2015, indicated that some of the level crossing removal projects had in fact been commenced in the absence of the minister getting a business case plan.

The political nature of the sky rail project is punctuated by a lack of transparency for the proposal, perpetuated by the Level Crossing Removal Authority and the government. The general feel is one of signing contracts and building sky rail before the community is able to understand the project and its true impacts. The entire process appears to have the look and feel of spin doctoring to meet the government's preferred option, without appropriate community consultation, explanation and justification. The community is concerned that it is all happening as a *fait accompli* before proper consultation or understanding occurs.

For many, the concept of sky rail was identified and crystallised by a knock on residents' doors from a representative of the Level Crossing Removal Authority on a Saturday night, 6 February 2016. The representatives were visiting properties which abutted or faced the rail line — mine does — and there was a formal announcement in the media the following day. The elevated rail option was not put forward as a design to the residents and the wider communities during the community feedback sessions first held by the Level Crossing Removal Authority in late 2015. Residents consider they have not been involved in any genuine consultation. Instead, information has been drip-fed through the distribution of glossy brochures and pamphlets, and through information-marketing sessions.

The residents do not consider that a consultative approach occurred and feel that the sky rail has been sprung on them. The residents do not consider the government's reason for choosing the elevated rail option as valid and substantiated. The residents consider the government has strategically excluded them from input into this proposed proposal. The residents are experiencing an increase in levels of stress, particularly those directly impacted by the elevated sky rail design, in light of Premier Andrews's remark that the sky rail project will not be changed.

On transparency, there appears to be no consolidated, comprehensive project document that explains in full how the sky rail project is proposed, what its impacts will be, how the project will be undertaken or how the proposal will address the usual concerns for a project of this type. The government and the LXRA have not been clear or open about the purpose of residents' submissions, nor under which precise process and legislation the residents' submissions will be assessed. The adaption of the LXRA designs to the sky rail project has not been explained or justified with regard to environmental impacts, amenity and social impacts, financial impacts, and a business case comparing the alternatives.

The residents along the Cranbourne–Pakenham rail corridor and LOTI, which represents a number of them, are concerned that there have been no noise modelling or acoustic assessment reports and/or studies made available to residents. Residents are frustrated that such relevant information has not been put forward by the LXRA or the government. Such a report should have been put in the public domain when residents were asked to prepare their submissions before 18 March 2016.

The LXRA has referred residents' inquiries about noise and vibrations to simply the *Passenger Rail Infrastructure Noise Policy 2013*, which was prepared by the former government for their regional rail project and according to the LXRA is the policy for the current project; and a fact sheet titled *Understanding rail noise and vibration*, produced by the LXRA. It remains unclear whether the *Passenger Rail Infrastructure Noise Policy 2013* is actually applicable to such an elevated rail design, as it was prepared for an at-grade rail design by the former government.

The LXRA has stated to residents that they will erect perspex screens to mitigate noise. The height of these screens is yet to be determined. The LXRA has suggested to residents heights varying from 60 centimetres up to 2 metres. A report commissioned by the City of Maribyrnong in 2012 titled *Footscray road and rail noise study* indicated that effective noise mitigation of freight train noises requires sound barriers at a height of 5 metres. The cost of such barriers was expensive. The use of the rail line should not be underrated. In fact the first — —

Ms TIERNEY — Chair?

The CHAIR — Yes, Ms Tierney?

Ms TIERNEY — Can I please apologise first off?

Ms ARMATYS — Yes, that is all right.

Ms TIERNEY — The normal procedure, as I understand it, Chair, is that when members are provided with a written submission, it is spoken to, not spoken of.

Ms ARMATYS — My apology then. If you would like to commence questions, that would be great.

Ms TIERNEY — I am just wondering, because there are another 10 pages to go, whether it would be more efficient to have an exchange or if there are particular points in here that you would like to highlight. I think that would be a better way — —

Ms ARMATYS — The main ones that I would like to highlight would be the concerns LOTI has with respect to no environment effects statement, noise, diesel fumes, the fact that there is a childcare centre being built abutting that railway line, there is a nursing home on Railway Parade, Murrumbreena, there are schools in close proximity to that rail line. Certain concerns. Also a concern is Mr Devlin indicating to Mrs Browning that there is soil contamination, which certainly had not been raised until it was mentioned there, and we have had no information with respect to that.

The other concern would be our concern that this was a proposal; it has never been declared a project. We were never given this during the consultative process as an option. Four options were put to us, and I will just look at them: rail under road — lowering the rail line under the road; rail over road — building a rail bridge over the road; road over rail — building a road bridge over the rail line; and road under rail — lowering the road under the rail line. At no point was there anything mentioned to indicate that this would be an elevated sky rail of the magnitude that this is going to affect residents.

We have been provided with 3D preliminary draft designs during the one-on-one sessions which were given to affected residents. In those sessions a number of residents were horrified; I was, being in front of this sky rail, at what this concrete structure — because that is what it is — is going to look like from my front doorstep. Certainly for those people that abut this rail corridor, the proximity of this structure to their back fences, their homes and their yards is frightening. We have prepared a dossier of those pictures for what we could obtain. My photos only came in at 5.00 p.m. last night; that is how late, and I had been pursuing them for five weeks. We feel that those photos that we have been able to obtain will give this committee an idea of what we are facing.

The government has clearly, before it was elected, indicated to the communities that it would be a cut-and-cover design, and that is what we have always expected. Burke Road, McKinnon, Centre, North Road, even St Albans — nothing is out there that explains this. Given that there is no elevated rail in Australia apart from the Sydney skytrain that is currently being built — and I read the papers; they are having some problems with that — certainly there is nothing for them here to be able to indicate the levels of noise we will experience, what will happen with those diesel fumes. Clearly if there is contamination already on the sleepers, on the tracks, 300 millimetres in the soil, what is that going to do when it starts coming from above? We need an environment effects statement; that is a priority. And the LXRA has informed us residents that they do not feel that the triggers have been met for such a study. The magnitude, the cost of this elevated rail demand that that study be actually done.

We are also concerned, residents, about the trees that are over 250 years old out there — they are called remnant red gum trees. Now all of a sudden Hughesdale station is being relocated to the other side of the Poath Road. Lo and behold, that is where a lot of those trees are, and they will be gone.

Since the LXRA has been doing what it says are preliminary works, it has not even had the courtesy to get the correct permits. If it is not for the residents contacting the councils and standing up and saying, ‘Look, I do not think they are on VicTrack land; they are on council properties’. Lo and behold, a few days later those permits start coming through.

It is almost as if this government wants to put this sky rail up and think that we are not going to notice its existence when it is that dominant in the skyline. It will be casting shadows over people’s homes. There is a residence at 4 Cosy Gum Road in Carnegie where the owner of that home will only have, once the structure is built, 15 minutes of sunlight — 15 minutes — she was shown. She was horrified. It just beggars belief that this can be put through a densely livable, populated, tight corridor when considering every other design that the LXRA produced in what they call a precedent study, where they looked at designs from international examples,

designs from the Australian examples and designs from Melbourne. Well, the Melbourne ones that were shown were basically the Jim Stynes Bridge — well, I am sorry, I do not see a train on that.

The designs of what we expected to see there, which were Balaclava and I think Glenferrie has one — those old ones — are not elevated to the height that this is going to be. Then there are the ones around Australia, of which there is only a proposed one, which is the Sydney skytrain, and of course the overseas ones. Interestingly, when I downloaded the document I was able to obtain that international portion of those designs. Last week when I tried to download it, it was blocked. We cannot get in there. So I had a little look to see why, if there is something of relevance, and when you look through that document you find that there is a design in that international section that actually is an underground one, which is quite attractive, if you ask me. I suspect that it slipped through and it was not meant to be there, because they were all elevated ones. A lot of them in that precedent study are of proposals that are yet to be constructed, and those that are constructed there have been stories from overseas that it may work, it may not work. In China, where there is quite a bit of this elevated rail, they are having problems. It is clear and I have made reference to that in my submission on behalf of LOTI.

I think our greatest concern is the EES, as well as we are wanting predominantly all documents — the business case plan, the strategy plan — and the relevant things for us to be informed, so that if Mr Andrews insists this is coming, then please give us the opportunity. We feel this project has been so rushed that we have not been given an opportunity. In eight weeks we have canvassed over 5000, no 6000 — —

Ms HUNT — 6355, with another 507 submitted for checking.

Ms ARMATYS — That is in eight weeks, which is a wonderful credit to LOTI. With the east–west link, it took 16 months to collect — —

Ms HUNT — 9516.

Ms ARMATYS — So we will certainly be hitting 10 000. On reading the consultation report from the Level Crossing Removal Authority, where clearly they have set out their objectives and given a snapshot of the engagement that they did late last year, saying that they have done all these pop-up sessions, obtained all this community feedback, undertaken all these billboards and distributed 310 000 newspaper things, why is it so many people are angry? Why is it that this proposal has certainly hit the communities along that rail corridor with a thud? People are worried. A voluntary acquisition scheme was offered by the government on 29 March, but it is for only selected homes. I face the sky rail and we were not in the list. If you have further questions about that, I know Mrs Browning was one that was on that list.

The other option the minister of transport provided was we can have higher fences and we can have additional trees. I am sorry, but there is no way additional trees or a high fence is going to take away what is in front of us. I believe that the sky rail will be about 23 metres from our front fence line; that is where the first pillar starts. We are also concerned that they have been discussing three to four rail lines. If this was a roads project to decrease traffic congestion, because that is what it was always believed to be — to increase and stop all the traffic that builds up at these intersections — it has now become a public transport project. Two lines exist. They are being replaced with two lines. It does not make any sense whatsoever. What further does not make any sense is there is a gas pipeline that in 12 years or 10 years is going to need attention. Why is that not being looked at? Why is this project not being sensibly looked at and the problems being resolved in one hit?

Thirty-seven extra trains are going to be on this line, and the minister of transport said this is one of the major freight corridors; there will be more freight lines. Freight lines on an elevated line — I could not find any examples of that. But according to a Mr Ian Woodcock, who the LXRA have used to help with this urban design, he feels they are. But at a meeting out at Noble Park earlier in April he was not able to provide that information. He also suggested at the end of that meeting that maybe we should stick the third and fourth line down the Dandenong highway or Princes Highway, whatever you want to call that road. I was a bit floored by that one. But yes, that was his suggestion.

The CHAIR — If you have finished your comments, we might move into some questions now. Thank you. Obviously the document that you have provided us is very thorough, and the work that has gone into this potential program is quite significant. I would like to thank all those residents who have been involved in it, because I think it is important that members of the community do get involved in these types of proposals.

I did note in your conclusion on page 12 you have quoted the Premier as saying in the Labor Party's Project 10 000 policy in November 2014 that:

In many cases, the most effective way to remove the traffic bottleneck at a level crossing is to redirect the rail line underground beneath the intersection.

One would understand from having read that particular policy document just prior to the election that this would be the methodology by which the level crossing removals would occur. What is your view on that particular statement being made and what we have seen transpire since the election?

Ms HUNT — The community all believed what they were hearing before the election. We all went to the election believing that the rail would go under, with a cut and cover with new stations that are not necessarily removing the old stations such as Murrumbeena, but making them more accessible to people, and the rail going down. Everybody was happy with that. It was a matter of the community deciding which party was going to actually action that. We believed that both parties were going to have that solution from everything that had been put out by the Premier and from everything that had been stated to us by the now local member, the then candidate who was replacing Ann Barker at the time. He has said to several people, and in the documentation you will see one particular example where he mentioned that it would be rail under road. He also stood at train stations, gave out cups of coffee and had pictures of the rail-under-road project. He mentioned it at the Liberal Party launch one particular time when they were discussing rail under road; he actually had his own pictures there of the rail under road. So from the community's point of view we all believed it would be rail under road, and to have this shock put on all of us, and bearing in mind a large part of the Oakleigh electorate is affected by this, we all felt that we were kept completely in the dark, completely hoodwinked and this has been thrust on us as the prototype for other level crossing removals. We are very concerned obviously not only for our communities and the people who live along the line but the effects it will have going out from the rail line throughout the several different suburbs that it goes through.

The CHAIR — Indeed. I know that you mentioned Mr Dimopoulos, the now member, who did in an email say:

However, I would be surprised if it is not a lowering of the rail line below the road, as this would make sense for the removal of other crossings along the same path ...

Ms HUNT — Yes.

The CHAIR — I can only understand from that Mr Dimopoulos must have been shockingly surprised to understand what the government is actually going to be doing at this point. Just a further question: could you explain what the government's approach to community members who oppose the sky rail have been? Have there been any instances of intimidation, and what may have been done about that if there have been?

Ms HUNT — We have had no direct community consultation with the government. We have invited the government, our local member, the minister for transport and Mr Devlin on several occasions. We have issued public and open invitations for them to come and talk to us. I invited the Premier when I was on radio speaking with him — I know another resident has done the same — to please come and explain to us why this proposal is going through.

Now, when we first heard about this in January, people in frustration started posting messages on our local member's Facebook page to try to get answers. When a few people got too close to the truth, there were posts being put up there by people — this has been brought up as an adjournment motion, and you probably all know about this, in the Legislative Council; an adjournment motion has covered this.

We understand that despite requests to Premier Andrews to investigate it, nothing has been done about this. There is currently an open ACORN investigation still sitting there on this particular aspect of identity theft, which is a cybercrime. People who were portraying themselves as regular citizens of the community were posting against people who were questioning this whole process, basically deriding them, and we find out that these people may or may not be associated with the member for Oakleigh.

The CHAIR — So what involvement has the member for Oakleigh had in this proposal overall? What contact, what types of consultation have been done with Mr Dimopoulos? What role has he played in this particular process?

Ms ARMATYS — He has actually played a very significant role. He chaired the community tender advisory panel, and this committee, on 1 September, definitely questioned Mr Devlin as to whether that was appropriate.

The CHAIR — I can recall.

Ms ARMATYS — It was so inappropriate, in our view, because when you look at their proposal, their consultation report, the other people on the CTAP, as that is how it has been referred to, were members of LXRA, local council representatives, an independent facilitator — thank goodness! — and of course key stakeholder and local business representatives. So it would appear that that community tender advisory panel was very stacked with those people who were hoping and wanting this project to go forward. These people were dealing with the designs, according to this document that is out in the public domain. If they were dealing with the designs, they were making that decision with respect to elevated rail.

The CHAIR — And outside of the panel, Mr Dimopoulos's involvement?

Ms HUNT — He has had some communications with some members of the community. We have invited him to speak to us as a whole; I understand his reasons for not wanting to do that. The very first information session that the LXRA held in Hughesdale back in mid-February — I think it was 18 February; I will stand to be corrected on that one — he arrived about 10 minutes before the event shut. It was a very heated occasion, with some very, very upset people. Probably in excess of 600 people had been waiting in line to get in there, in the heat, throughout the day. Those people who had stayed to the end were quite annoyed with the local member. We have not seen him at a public forum again in that manner, but we have promised him on several occasions that we would be able to facilitate a calm, concise and appropriate meeting with the communities and the stakeholders. We are very open to talking about this.

This was a complete surprise to everybody. When you consider that we are being labelled as nimbys — I did not even know what that meant; it is 'not in my backyard' — we can demonstrate by the membership of LOTI that is certainly not nimbys, because the majority of people do not live on the railway line and they will probably benefit from the level crossing removal no matter which way it goes, but they are concerned about the effects that will run on into the community. They also accused people of complaining and said, 'Well, get over it; you bought near a railway line'. People accept that. They accept the noise; they accept there will be disruption. But when you are told it is going to be rail under road, and you think, 'Oh, well, we are going to live with a bit of disruption for maybe a year or more', but then you find out that this is what is going to happen to you. This is one of the pictures I wanted to show. This is the backyard at 10 Beena Avenue now, and that is what it will be like with the sky rail. This picture is not in the document you have got. That is actually 10 Beena Avenue as well. That was provided late, so it is not printed in the document we have given you. But that is a different view; that is actually taken from the other way along there. That is up at Ella Street. That is with the watermark removed. Local trees are growing right underneath it. That is for the new position of the new Hughesdale station. It has been likened to a giant Dustbuster in the sky.

That is a view from the residence, which is similar to what Beata will be getting, from their front yard. And this is the tree that Ms Allan said will not be removed, because she said on 9 April that no red river gums will be removed, when in fact this red river gum and several of its brothers or sisters are located right there. They were probably starting their life around the same time as Captain Cook, and they are perfectly healthy. They can exist for another 150 years or more. If they put Hughesdale station where it belonged — in Hughesdale, and not east Murrumbena — then they could survive. Not only that, there is a very significant nature reserve just to the top left there, which is also potentially under threat by this particular proposal, and that is a very significant property. Sorry, I digressed from your question.

The CHAIR — No. That is just building the case for the need for the EES to be done.

Ms ARMATYS — Yes, absolutely.

Ms HUNT — Absolutely.

The CHAIR — I cannot understand any circumstance it would not be done given the evidence that we are hearing today.

Ms HUNT — We cannot see either. The triggers are huge. Earlier on — the department was on previously — —

The CHAIR — Ms Hunt, I might interrupt you. I am cognisant of the time, and I might hand over to fellow committee members to ensure that they have an opportunity to ask some questions. I understand that there is a lot to be said —

Ms HUNT — There is.

The CHAIR — but I will pass over to Ms Tierney for any questions.

Ms TIERNEY — Thank you, Chair. I also want to ask a couple of questions. In 1.2 you talk about, and you also spoke of this, that the elevated proposal was first touched upon in the media in January 2016 but identified by the government and the level crossing authority in February 2016. I know that you are aware of this document, where thousands of this document were provided to residents in their letterboxes months before the consultation. One of the four things mentioned — in fact it is the second dot point — talks about rail over road as an option.

Ms ARMATYS — Yes. We understand rail over road, but nobody foresaw that rail over road would be between 9 and 15 metres in the air, and 20 metres at the stations. Rail over road would suggest what Balaclava has got. Nowhere is this seen in Melbourne. This is not seen in any other state, except what Sydney are building.

Ms TIERNEY — So the issue you have is the magnitude?

Ms HUNT — Yes. Kilometres' worth, not just a bridge over a road, which is actually what is in the LXRA's report. That is just a combination of different things that came out after their report, but their report actually refers to rail over road, a bridge, not a huge thing from Grange Road through to Poath Road. That is 3.6, nearly 4 kilometres worth of bridge.

Ms TIERNEY — But at the time of the consultations is it not fair to say that there were a number of options, it was not just underground that was being discussed in the community?

Ms HUNT — The rail over road in terms of a bridge was not the preferred option that had been developed by the VicRoads consultation with the previous government, the previous administration. That is the preferred solution that they came up with. That is what the plans that they put together produced. They were then cancelled. Then we heard that they were going to go a different way, but when we go through the consultation period before June 2015 and up to August 2015 in some instances, we did not see a massive sky rail as a proposal. We saw a couple of pictures under urban design of some bike tracks going under some really big pillars, but a very short distance, but under no circumstances was it said, 'That is an option for you guys to have' — never.

Ms TIERNEY — So is there not an issue in terms of factual information on engineering that is contested in this space between your group and the engineers involved?

Ms HUNT — We would like to actually see the engineering information.

Ms ARMATYS — We do not have any of that.

Ms HUNT — We do not have any engineering information. We have a proposal. We have questions about the built form. They have spans between their pylons of 40 metres. We now believe, looking at what is happening in Sydney, that that is engineeringly not possible — certainly not to put freight trains up there that are in excess of 3000 tonnes. The LXRA admits to get up to 12.5 metres at Grange Road they will have to be full throttle from Caulfield to Grange Road, carrying huge, huge metal containers chockers — —

Actually going that way they probably will not be chockers, but coming back down the other way they will be. The noise impact of that has got to be huge. At the moment the freight trains just go along nicely. If they go under, they will go down a little bit and carry on. Going up to 12 — and I think at Poath Road it is going to be a similar height — where are the studies? Where are they showing that they can actually do this? They have no engineering documentation to prove that this can be done.

Ms ARMATYS — I am of the view that this goes more than just the engineering; it goes to the urban design. Mr Woodcock has been out there pushing — is a good way to put it — his elevated rail as the way to resurrect all railroads and railway stations, so much so that in 2014, in May and June, he proposed nine railway stations along the —

I do not know that area of town, but you may. Moreland was mentioned, Reservoir, Ruthven — a whole stretch along there. He has indicated that these were designs that in his opinion should be elevated. It was by a council — Brimbank, I believe. The Brimbank council felt that that was not a proposal they were willing to accept at all. Brunswick was going to be another one. He wanted to rejuvenate areas and it did not get up. So all of a sudden, one year later, it is now being touted down the Cranbourne-Pakenham line with another government. Not to forget there is a Frankston group which has now formed as well, and they are very concerned that they will be getting elevated rail down there near the lovely beach areas.

Ms TIERNEY — Chair, I have some other questions too.

The CHAIR — Certainly.

Ms TIERNEY — I will get back to residents in a moment but I would just like some feedback on the fact that independent organisations such as the RACV, the Public Transport Users Association, the Bus Association Victoria, Bicycle Victoria, academics from Melbourne, Monash and RMIT, and the Victorian Government Architect have all supported the government's preferred design, and I ask you what your response to that is, keeping in mind that of course all of those organisations are not residents adjacent to the corridor. I would also put it out there that whilst you have put a case in terms of those people signing a petition, there are also a number of people who believe that the proposal does benefit the majority of people in the community.

Ms ARMATYS — I would like to tackle a couple of those. The bicycle paths, I find that quite interesting because there may be a bicycle path allegedly going underneath this viaduct but it is still going to be broken because there are roads to cross. They are called Poath Road, Murrumbeena Road — what comes after that?

Mrs BROWNING — Koornang.

Ms HUNT — Grange.

Ms ARMATYS — And Grange.

Ms TIERNEY — I am not talking about whether there is or there is not or whether the bike paths are potentially not connecting or whatever; I am just saying that these are the organisations that are fairly familiar with these sorts of issues and they are quite supportive of what the government is proposing.

Ms HUNT — I think they would probably be supportive too if it went the other way with cut and cover because you can create bypasses the same way. So the RACV, if it was going rail under road, which they supported previously, they would be supportive of that because it serves a purpose of moving people in their cars. The Public Transport Users Association I am sure would be supportive if it went rail under road because it would give a nice new railway line, better stations. It does not have to be elevated for those particular organisations to be happy about it. So I think if we came up with a proposal that showed them it could be done the other way, and we have — other groups have; we have not done that but other groups have, and obviously the previous government did — then I am sure they would be just as happy and they would come out just as much in support because their own people would be very happy with the result. It does not have to be up; it can be down.

Ms TIERNEY — Chair, I have a number of other questions but there obviously is not time for them. But there is one issue that was raised that I am particularly concerned about and that was an allegation that there has been identity theft and computer hacking and Facebook hacking. I would like to know whether people have taken that matter to the police.

Ms HUNT — Yes. It has been reported.

Ms TIERNEY — It has?

Ms HUNT — Yes.

Ms TIERNEY — How many cases? Do we know?

Ms HUNT — Two, as I understand. And one threat to a gentleman in Noble Park. That was a phone threat. There was also intimidation of a trader in Hughesdale by several people — —

Ms ARMATYS — Older people.

Ms HUNT — Older people, yes. And a lady who was in a shop by herself was intimidated, and they received three threatening phone calls advising that if they did not take the ‘No sky rail’ sign down or if they did not take the petitions out, then they would find bricks coming through their windows.

Ms TIERNEY — And the incident that we saw on our TV screens, I think it was in February, with you, Mrs Browning, have you been able to pursue that with the police?

Ms BROWNING — I have declined to give it any more air.

Ms HARTLAND — I would like to start off by saying that I actually understand your frustration because under the previous Liberal government with regional rail and the east–west link they treated local residents quite badly, so I understand what that feels like. One of the things that really frustrated me over the years is this lack of a standard about how community is consulted. Is this something that you would want governments to develop, and that there would be a commitment from all parties that for every project this would be the standard by which community would be consulted?

Ms ARMATYS — It would have to be a better standard than what this Cranbourne-Pakenham line so-called — they are more like a marketing program more than a consultation. Certainly it has to be better than this because this many people have signed a petition; there are a lot of angry people. And not just those like us who abut or face it; there is the wider population. It certainly is something that I believe should be formulated so that authorities do follow guidelines and actually do consult with — when it says ‘key stakeholders’, we are the key stakeholders but not one of us was included in any surveys or focus groups or on the community tender advisory panel.

Ms HARTLAND — My experience of both the previous Liberal-Nationals government and the government now is that there is an unwillingness to consult and what is actually happening is information sessions. It seems to be this standard now that happens for every project, and all governments do it. They call it consultation when in fact you are just being given information. Do you find that one of the frustrations in what is happening?

Ms ARMATYS — That is exactly it.

Ms HUNT — Very frustrating.

Ms ARMATYS — Very frustrating.

Ms HUNT — The other issue with this is that it was a proposal. It is not a declared project; it is a proposal, but we had no alternatives. We have no choice whatsoever, and for those who cannot speak or read English very well there was nothing. Our group actually put out multilanguage pamphlets because the LXRA put out everything in English with maybe a couple of things along the bottom there about going to see a translator.

Ms ARMATYS — I feel for those further down the Cranbourne-Pakenham line, where you have a lot more multiculturalism and a lot of non-English speaking down there.

Ms HUNT — Yes. They do not know. They are not engaged with the process as much because they are not as aware, and a lot of them have not been able to understand what is going on. A lot of them think it is a bridge. My own sister, who should know how sky rail obsessed I am, thought it was still just some bridges going over the road.

Mr FINN — I am fascinated by this compensation that has been offered. I assume that the compensation that has been offered is by way of offering to buy homes — is that right, yes? — and that some have been offered that compensation and others have not. What are the criteria for getting an offer that you cannot refuse?

Ms BROWNING — Under the voluntary purchase scheme, which has now been made public on the Level Crossing Removal Authority’s page, there are three criteria that are bullet-pointed. That is that the home is a residence, that it must be abutting the railway line, and the third one escapes me — I have had a memory blank. It also mentions noise impact, visual impact and overshadowing, so there are numerous criteria. There is randomness as to who has been given this voluntary purchase letter and who has not. It seems to me that it is a strange scheme where it is open to some but not open to others. It seems to be very random, and it has a lot of people asking questions: Why me? Why not them?

Mr FINN — So despite the criteria on the website, there does not seem to be any rhyme or reason as to who gets an offer and who does not?

Ms BROWNING — You could be living on the same street and one home gets it and the other does not.

Mr FINN — And that is happening?

Ms BROWNING — Yes.

Ms HUNT — Yes, it has, particularly in Blackwood Street in Carnegie. The houses that actually fall into the urban village precinct so they could be multiunit development get it; the house next door, which falls just outside, does not get it. In Ricourt Avenue there are some houses at the end of the street that did not get it because, with the proposed moving of the Hughesdale station into East Murrumbeena, that takes the precinct further along Ricourt and so those houses that fall into that did get it, the ones that fall out of it do not get it.

Ms ARMATYS — And with respect to Railway Parade, which faces the rail line, our problem will be when the third and fourth lines come, because we heard during our one-on-one session with the LXRA engineer that third and fourth line, if they do come into existence in 10 to 12 years, will be on the south side, which is straight into our homes, so we are going to be in a problem thereafter.

Mr FINN — And I would imagine, given the sound impact that the sky rail will have, that it will affect many, many, many more people than have had offers for their homes.

Ms ARMATYS — Absolutely. You are going to have hearing issues, so there will be compensation down the line in the future. You are going to have respiratory issues — and as a nurse of 30 years standing, I understand the health concerns that are going to come in the future. The maintenance of this track alone to prevent these fumes causing respiratory problems or, God forbid, cancer of any sort, and we need some sort of study or something showing us that we will be safe. We need measures to indicate that living across from a sky rail is not going to hurt us or cause our life span to be less, because our homes are not going to be acquired and we will be there, looking at it and dealing with the particles of diesel fumes, which, according to the LXRA, will just disappear into the ether outwards, but we know from chemistry 101 that they are going to come down.

Mr FINN — I imagine that 2016 has been a major jolt for all your lives.

Ms BROWNING — Yes

Ms HUNT — Yes.

Ms ARMATYS — Oh, yes.

Mr FINN — What has been the effect on your respective communities to get a doorknock on the Saturday night or the Saturday afternoon and to have it on the front page of the *Herald Sun* the next morning?

Ms BROWNING — Utterly devastating. The effects that this is having on the communities are utterly devastating. It is like being hit by a natural disaster, and people are just reeling from it. As the days and the weeks have gone on, I think there is a general doom and gloom that has descended over the communities of Murrumbeena, Carnegie, Hughesdale, and I am sure Noble Park and Clayton, and that is that people do not know what to do. They do not know what is coming, they have got many questions that are unanswered, and they really do feel like they are being kept in the dark.

Ms ARMATYS — We were in the middle of renovations. We do not know. Do we go forward? Do we sit in a half-renovated house? What do we do? I have respiratory problems. I am very concerned, and I need to see

what those reports are. I do not know: will I be able to live there? My health will have to come first. Nobody knows what is anticipated. The uncertainty is even harder because there is a scheduled date of completion. We feel this has been so rushed forward that none of us has had a minute to breathe.

In eight weeks LOTI has been formed. We have canvassed a petition. We have got a documents motion in Parliament. I have dedicated a lot of help to the team through doing as much as I can and decreasing nursing shifts wherever I could to try to help them formulate things. So everyone out there is just doing their best to try to keep the spirit up, but certainly people are very concerned. It is almost like a depression, a cloud, has come over them.

Ms HUNT — The depression is a really big thing. On the compensation, just quickly, the Premier is on record as saying there would be no compensation, there would be no need for buyouts, everybody would love it.

Mr FINN — He said that before about another project.

Ms HUNT — Yes, he did. Anyway, yes, it is so wonderful, we have got it turned around — a lot of that was forced on him by Jon Faine and a lady who is actually in the audience today.

But the depression is a big thing. What the LXRA was doing at the start of these one-on-one sessions is deplorable. They were going into people's homes. They were showing them these pictures, and not only the pictures that we showed up here before, they were actually taking them down so they could look up and see what it was going to be like in their backyard — they stopped doing that. They would not let people take pictures. One lady was not allowed to have somebody with her until she insisted that she had someone with her. She is still waiting, and she was one of the first people. She is still waiting today to get her pictures from the LXRA. They were offering no counselling whatsoever. It was not until I went absolutely ballistic at them down at Noble Park that they put on a service. They give them three sessions. That is almost an insult too, because the first session is a consult over the phone and then you have to come into the city to do it. So depression is big. We have had people having to resign from their work because they just cannot cope. It is a huge issue. The effect on the residents, if it is not an environmental impact, I do not know what is.

Mr FINN — So we are talking about a major mental health issue — —

Ms BROWNING — Major mental health issues, yes. One resident in the community has on no less than two occasions been taken to hospital in an ambulance due to the stress and anxiety this has brought on.

Ms HUNT — She is very impacted.

Ms BROWNING — Very impacted. There are residents who are under doctors who were once happy, thriving people in the community. Now they are seeing counsellors on a regular basis and taking antidepressants because this has completely turned their worlds upside down.

Ms ARMATYS — It is also putting stress on relationships between husband and wife, partners, with children. It is affecting the family in the entirety. Until this came out it was a very happy community, a quiet community with identity and character. Look, it is not Toorak, but we love it and we do not want the sky rail in it.

Mr FINN — Thank you, and good luck.

The CHAIR — Ms Tierney, any further questions?

Ms TIERNEY — I will submit them in writing

Ms HARTLAND — I have one final one, and it is probably more information for you than it is a question. In regard to diesel particulates, as you would know, they are now classified by the World Health Organisation as a carcinogen. I asked the previous Liberal health minister, who is in the room, on four occasions for a study to be done on Francis Street where we have a number of childcare centres and primary schools, and he refused to do that because he did not seem to think it was a major problem. My question to you is: you do see diesel particulates as a major health concern for your community?

Ms ARMATYS — Absolutely.

Ms HUNT — There is a childcare centre that is right on it; there are actually a couple. There are two old-age home facilities. I just do not think it has been given any due consideration by any government. We are an apolitical group. The majority of our members actually voted for the government to come in. They are the most disheartened, the most disillusioned of the group. We have been branded as being aligned with certain parties. We will speak to whoever will speak to us. We are proud to say that we will talk to anybody who wants to listen to us, because Premier Andrews is not listening to us.

The CHAIR — Thank you for coming before us today and for providing evidence. I think some committee members may provide some questions to you in writing that we would be very pleased to see some responses to. Thanks again for your attendance here today.

Ms BROWNING — Thank you for your time.

Witnesses withdrew.