

TRANSCRIPT

STANDING COMMITTEE ON THE ECONOMY AND INFRASTRUCTURE

Inquiry into infrastructure projects

Melbourne — 20 September 2017

Members

Mr Bernie Finn — Chair

Mr Khalil Eideh — Deputy Chair

Mr Jeff Bourman

Mr Mark Gepp

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Mr Craig Ondarchie

Mr Luke O'Sullivan

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Mr Greg Barber

Ms Samantha Dunn

Mr Cesar Melhem

Mr Gordon Rich-Phillips

Witness

Acting Commander David Clayton, Divisional Superintendent, North-West Metro Division 1, Victoria Police.

The CHAIR — This committee is hearing evidence tonight in relation to the inquiry into infrastructure projects, and the evidence is being recorded. Welcome to the public hearing of the Economy and Infrastructure Committee. All evidence taken at this hearing is protected by parliamentary privilege; therefore you are protected against any action for what you say here tonight, but if you go outside and repeat the same things, those comments may not be protected by this privilege — in fact I would put a fair bit of money on it that they will not be. I ask you to address the committee for 5 to 10 minutes, and then we will have some questions. Thank you very much for giving your time to come in to speak with us tonight.

Acting Cmdr CLAYTON — Thank you. Good evening. I am appearing here on behalf of Victoria Police to provide evidence regarding disruption caused in the Melbourne CBD as a result of major infrastructure projects. My role within Victoria Police: my substantive position is the divisional superintendent, north-west metro division 1, which encompasses the local government areas of Melbourne and Yarra. In this role I am responsible for the policing services that address crime, road trauma, public order, community engagement and stakeholder engagement. Since 6 August this year I have been upgraded as the commander for the CBD and west, so I am the senior manager responsible for policing operational activities in Melbourne and the western suburbs.

As part of both of these roles, I have received regular monthly briefings internally on disruptions which have had a policing impact on the Melbourne CBD as a result of the Melbourne underground rail project. I am not, however, in a position to give evidence in respect of disruptions caused by any other projects referred to in the terms of reference. In particular I note that the committee is considering as part of this inquiry the western distributor project. It is my understanding that that is only in the concept stage, and Victoria Police have not yet been able to assess any possible issues or disruption.

In terms of engagement by Victoria Police, when the Melbourne underground rail project was formally announced in 2015 Victoria Police made an internal assessment of what enhanced and formalised engagement should be initiated to ensure that we had a broad understanding of the project and its potential impacts as well as what Victoria Police might need to influence so we could ensure that there were positive impacts in relation to road trauma and road safety. As a result, Victoria Police now regularly engages with VicRoads, the Melbourne Metro Rail Authority and other relevant stakeholders to receive information about the project and also to provide feedback.

In December 2016 the Melbourne Metro Rail Authority initiated an industry forum, and its title, I understand, is the ‘Vulnerable road users and construction sites meeting’, which brings together stakeholders to discuss vulnerable road users in the CBD and safety around trucks in particular. A representative for the north-west metro region attends these forums to discuss topics such as truck safety, the standards, public engagement and major project alignment with other projects.

In March of this year north-west metro command members, of which I am one member, received a briefing from the MMRA operations area in respect to project time lines, activities and risks. The road policing inspector for north-west metro region attends the MMRA traffic and transport working group each second Wednesday, as required, in which the Melbourne underground rail projects program of works which will have an impact on the community or congestion impacts are discussed a fortnightly basis. The road policing inspector also engages with Transport for Victoria and attends briefings in relation to advice given to agencies around coordination of all the major projects, including the Melbourne underground rail project and major milestones, public safety movements and disruptions. A recent example was the July meeting, which discussed the St Kilda Road tram network corridor upgrades.

In addition to these briefings and forums the MMRA provides regular newsletters and traffic alerts. These are both vetted by Victoria Police to assess impact and relevance for policing activities. They are then forwarded to local police for attention on an as-required basis.

In terms of specific issues identified by Victoria Police, in relation to the Melbourne underground rail project Victoria Police has identified that during the early works program there was little requirement to provide direction or consideration of any policing activities due to the road closure closures that took place in the CBD at Franklin and A’Beckett streets. The only observation in relation to this is that post the 16 January closure of Franklin Street the advertised impact of the closure on some parts of Victoria Street ran over the publicly advertised time. This caused a higher level of abnormal congestion during peak periods in that area.

To date the early works associated with service relocation across the CBD have not produced any evidence of increased road trauma during the construction phase, with some additional congestion being observed in areas around A'Beckett and Franklin streets, but nothing that has required any policing intervention.

In terms of the Melbourne underground rail project and the removal of trees, we were made aware that a number of trees were to be removed in Parkville, Melbourne CBD and South Yarra. There was no evidence that we saw of any additional congestion during the tree removal work around Grattan Street and Royal Parade, which occurred during March. There were no congestion issues caused by the removal of trees in the Melbourne CBD, which occurred during April. There was some disruption to the southbound traffic on St Kilda Road between Domain Road and Toorak Road as a result of tree removals over three days during June. Victoria Police had anticipated that there may have been some protest activity caused during the removal of mature trees as part of the early works, and therefore we worked with the agencies involved to ensure that exclusion zones were put in place, with minimal police presence, to ensure that the works were able to proceed in an unimpeded manner, which was achieved.

There has been an impact on the Melbourne East police station at 226 Flinders Lane as a result of the Melbourne underground rail project. We have had police vehicles relocated from a secure parking area, a public car park, which has now been closed, and soon there will be the unavailability of on-street parking for vehicles in nearby Swanston Street, which we use heavily. The lease for the site of the Melbourne East police station is due to expire in 2019, and it is the intention of Victoria Police to relocate this station to another inner-CBD site, in part due to the impacts of the Melbourne underground rail project. That is a bit of a summary of the impacts to date.

The CHAIR — Thank you very much indeed for that comprehensive briefing. I am just wondering if, when you offer advice, you are listened to, or is it just a one-way street?

Acting Cmdr CLAYTON — No. If we talk about the early works — the lead contractor was John Holland — the advice is very much taken on board. If we take, for example, the removal of trees, we have obviously seen over a period of time there is quite a history of activism, and we anticipated that there may have been some activism which may have caused disruption to road networks around St Kilda Road in particular, which was in evidence during the early works.

The CHAIR — There was some suggestion — and I am not exactly sure of the timing, whether it is coming or whether it has actually occurred — that traffic in Spencer Street would be impacted because of the laying of a new sewer. Are you are aware of that one?

Acting Cmdr CLAYTON — I am aware that Melbourne Water are proposing that the eastbound lanes of the southbound carriageway will be closed due to the duplication — I think it is — of the sewer there. So I would anticipate that there would be some disruption. However, we have got a very good relationship with the City of Melbourne, and in talking to the chief engineer of the City of Melbourne, his advice to me is that Spencer Street is not one of the major carriageways for the north–south traffic. It is more King Street. There will no doubt be some impact, but I am not in a position to talk about flows or anything like that.

The CHAIR — That surprises me, given that I have been stuck in Spencer Street many, many times. For the council to say it is not a major roadway I think is probably a little out of touch with reality. But anyway, that is the way it goes.

Acting Cmdr CLAYTON — It might be the volume of cars.

The CHAIR — How do you plan ahead for this disruption to traffic? It is obviously going to cause some major problems, and it has already in certain instances, but next year is going to be probably a particularly difficult period in a lot of ways. How do you plan ahead for that?

Acting Cmdr CLAYTON — From a policing perspective, the key is early engagement and understanding what our role in congestion is. Predominantly we would be concerned around vulnerable road users and the impact on them. The congestion per se is not something that we would delve into too greatly — to make the city flow, I think that is for others. In terms of ensuring that there is minimal harm to pedestrians, cyclists and other vulnerable road users, that is probably where our focus is, and that is where in the working groups we are trying

where possible to ensure there is as much separation as possible between heavy vehicles and pedestrians and cyclists.

Mr GEPP — Thank you, Acting Commander, for being here tonight. Just one question: I am just interested particularly in the decision-making. You have talked a lot about the consultation that goes on between all the relevant stakeholders and VicPol's role in that in terms of harm minimisation et cetera. Where does the decision-making lie? Is it done on a consensus basis? If you assess a risk and you say, 'We are actually going to put a stop to this', how does that work?

Acting Cmdr CLAYTON — Probably the works to date have not been that major, so from our perspective in terms of impacts the tree removal is probably the one where we have had more influence than anything else because we could see a potential protest activity. It is about the engagement at the appropriate level to reach an agreement on how something might be executed. For example, the tramways have a way of pruning trees and cutting them down. That might not be an effective way to do it if we think there is going to be protest activity. So for us we would suggest that they need to create exclusion zones, ensure that there is separation of their workers from any protest activity and have a safe environment for police. So in that environment tramways might reduce a lesser area to do their works. However, we would insist on road closure so that if there is protest activity, there is no opportunity for police, protesters or the public to be injured by moving vehicles, for example. Generally we can reach agreement around how we can do that.

Mr GEPP — Yes, consensus. And with road closures, particularly the bringing down of trees et cetera, do you play a specific role in the coordination with other emergency services, or do they have their own people at the table and they are all part of the stakeholder engagement?

Acting Cmdr CLAYTON — In terms of ensuring that there is the availability of an emergency response by all emergency services, each agency looks after themselves to a degree, with the lead authority.

Mr GEPP — That includes on the actual site itself? I understand you would have to brief VicPol resources to divert away from certain areas in the event that they have to dispatch, but into the site as well?

Acting Cmdr CLAYTON — I would have to take that question on notice, because into the site with a policing response generally there is very limited reason why we would be there.

Mr GEPP — It is more the other emergency services — okay.

Acting Cmdr CLAYTON — If there was an industrial accident with a fatality or protest activity —

Mr GEPP — Then it is all hands to the wheel.

Acting Cmdr CLAYTON — they are about the only scenarios where we would attend.

Mr GEPP — Okay. That is fine. No need to take it on notice. Thank you.

Mr BARBER — So when a contractor gets a permit to occupy the road for the purposes of works, are you issuing that permit, are you signing off on it or are you approving the approval of it? And can you enforce the permit or is it a council thing?

Acting Cmdr CLAYTON — We do not have a role in terms of road closures and permits.

Mr BARBER — From the point of view of road safety?

Acting Cmdr CLAYTON — No. The road authority manages that. We may be consulted in terms of what is going to occur, but the road authority manages that, whether it be VicRoads or the council.

Mr BARBER — Were you consulted about these council permits from the point of view of road safety, such that you could examine what was proposed and say, 'We think that's going to be dangerous if you do that'?

Acting Cmdr CLAYTON — Our road policing inspector and our senior sergeant from the highway patrol have been engaged in the appropriate networks to review those plans.

Mr BARBER — Because the early works that they did on Queensberry Street, which is around the corner from my office, they actually occupied the central median and they —

Acting Cmdr CLAYTON — I am familiar with that.

Mr BARBER — Yes. Good. What they did was they put up concrete barriers to enclose that central space, they put wire fences on top of that — you would have seen that before — and then what they did was they put up all this signage from the government saying, ‘How great it is that we are funding this project’. The result of that was that if you are coming in parallel and trying to turn right on Queensberry in either direction, the angle, you understand, of the signage actually blocks your view out and you cannot see down that road until your car is already out into the lane that you do not want to be in. Did you know about that signage when you viewed that, or was that something that might have been added later and should have perhaps been addressed?

Acting Cmdr CLAYTON — The Jersey barriers with the wire, I am not aware of whether we knew beforehand that that was the exact design. I can inquire from the people who have attended those meetings and provide a response, but I understand what your concern might be.

Mr BARBER — They look pretty scary to me, and I did not really know exactly who I should be addressing my concerns to, so thanks for that.

Mr ONDARCHIE — Acting Commander, thanks for coming in tonight. This has added another complexity to you running your business of divisions 1 and 2?

Acting Cmdr CLAYTON — It is pretty dynamic in the CBD. There is always something. Whether it be an event or infrastructure, there are always things going on. But yes, it adds another dimension to the work.

Mr ONDARCHIE — That is a good point you made. There are lots of things going on in the CBD. Whether it is an event, a rally, drug and alcohol problems or gang violence, there is always something happening in the CBD. Do you have enough police resources in divisions 1 and 2?

Acting Cmdr CLAYTON — In division 1 the resources we have enable us to effect the policing operations we need. If there are events or additional resources required, Victoria Police operationally is structured so that we can have surge resources available on a needs basis, which is what we do every Friday and Saturday night — we draw resources from across the organisation. Division 1, like all divisions, would appreciate more resources, but the chief commissioner allocates the resources as he sees fit.

Mr ONDARCHIE — How many vacancies do you have in division 1?

Acting Cmdr CLAYTON — At the moment it is just the normal churn. We would have people arriving and people leaving to other positions. We would have somewhere in the order of 30.

Mr ONDARCHIE — How long does it normally take to fill those?

Acting Cmdr CLAYTON — Depending on the rank, constables a month, senior constables about the same. It depends on the cycle. Obviously as we are putting additional police numbers on, sometimes it might take a little bit longer. I could not answer specifically how long.

Mr ONDARCHIE — Mr Barber touched on what is going on in inner Melbourne, but a lot of people are moving into apartments. There are a lot of people here. On the ratio that police have applied before on the number of coppers per people, are you meeting the sort of ratios you would look for?

Acting Cmdr CLAYTON — We are well ahead.

Mr ONDARCHIE — In your division?

Acting Cmdr CLAYTON — In the City of Melbourne we are well ahead of the rates of police per population compared to the suburbs.

Mr ONDARCHIE — Do you have some suburbs in your —

Acting Cmdr CLAYTON — Division 1 takes in Melbourne, Docklands, Southbank, North Melbourne and Kensington. Yarra is obviously Richmond, Collingwood and Fitzroy.

Mr ONDARCHIE — Have you got enough down there in Collingwood and Richmond?

Acting Cmdr CLAYTON — We have got the number of police which is the same as we have elsewhere. Obviously there are times when you would like more, and we get them from surge resources, but there are adequate police numbers.

The CHAIR — Can I suggest that you might like to get the forces lined up on Saturday week down at the Punt Road area? Because I think there is going to be a lot of activity down there.

Mr ONDARCHIE — Lots of weeping and crying people.

Mr GEPP — That is an excellent point, Chair.

Acting Cmdr CLAYTON — We are planning for Saturday and Saturday week.

The CHAIR — Magnificent.

Acting Cmdr CLAYTON — All contingencies are covered.

The CHAIR — So are we.

Mr LEANE — There are too many Richmond supporters on this committee. Thanks very much. I have got to say I am a big fan of the assistant commissioner of the —

Acting Cmdr CLAYTON — I could share with you some anecdotes, but this is probably not the forum.

Mr LEANE — It probably makes for a bit of conflict of interest.

Mr ONDARCHIE — Is he a big fan of yours?

Mr LEANE — That is a very good question. I suppose it is nothing new for VicPol to be interacting with different agencies and different departments around planned program works that may affect the road network or other activities. It has been something that VicPol has done for a very long time as far as there may be works on a set of traffic lights that need to be turned off — you know, the program of works it involves, discussions with VicPol and others about when that happens, how that happens, the safest way for your members and for the public to deal with that. This is nothing new. This is something that has gone on forever.

Acting Cmdr CLAYTON — It might not be new, but I think the scale of this project is something that perhaps we have not seen before or for a very long time.

Mr LEANE — As far as the Melbourne Metro —

Acting Cmdr CLAYTON — Yes, the underground rail loop.

Mr LEANE — Yes. As you mentioned before, it is a matter of having a very close, strong working relationship with the metro authority, VicPol and, I suppose, others to make sure that VicPol knows the program, is ahead and can give input and also give notice about certain activities.

Acting Cmdr CLAYTON — Yes, especially when it comes to the underground rail loop. With the removal of the soil, there are going to be huge numbers of heavy vehicle movements in the CBD and the impact that they have on the CBD in terms of the safety. But there will be issues around noise that we will be called to deal with because of the increase in residents and all the rest of it, so it is about anticipating that.

Already I know down at St Kilda Road that some residents were unhappy with some works that were going on and the noise. So it is about the range of things we might be drawn into. The earlier we have advice around the program, we can assess what the potential impacts might be and what we might need to put in place and plan for.

Mr LEANE — Fantastic. Thanks for your time.

Mr O'SULLIVAN — Thank you, Acting Commander, for coming in. Acting Commander, I am a regional MP from northern Victoria, so I want to talk about a couple of disruptions that country people experience when they come from the country into the city, and there are a couple in particular.

In terms of some of the works that are being undertaken in terms of changes to road surfaces and lanes and so forth — I find it confusing myself and I am up and down the highway quite regularly, so those people who are not up and down as much would find it even more confusing — in some areas you have got existing white lines and then you have got roads that have been changed, barriers put up, and then you have got these yellow lines put in. At times you are not quite sure which lines you are meant to be in. I understand you are meant to be in the yellow ones, but the white lines — the existing lines — are still there. People have said to me that they get a bit confused and are not quite sure which lane they are meant to be in. Is that something that police have got a concern about as well?

Acting Cmdr CLAYTON — It has not been brought to my attention. I suppose that the closest example of that is probably the Tulla widening and the works there.

Mr O'SULLIVAN — And down the Monash as well.

Acting Cmdr CLAYTON — Yes, the Monash as well, particularly. To my knowledge there has not been anything that I am aware of, but I can take the question on notice and try to get some data around it if you would like. It is not something that I am familiar with.

Mr O'SULLIVAN — Yes. If I could offer some advice, get the old white lines painted black and just have the yellow ones there. I think it would make it safer.

Mr GEPP — It is really confusing.

Acting Cmdr CLAYTON — It makes a lot of sense.

The CHAIR — Yellow and black is a very good combination this time of year.

Acting Cmdr CLAYTON — I think it is a matter for the road authority generally.

Mr O'SULLIVAN — Yes, but when it becomes a safety issue, do the police step in and say to VicRoads —

Acting Cmdr CLAYTON — If we had a particular concern, through our regular liaison meetings we would certainly raise it with them.

Mr ONDARCHIE — I have a vehicle that has automatic lane identification, and these yellow and white lines confuse the hell out of this thing, so it moves it all over the road, and I do not drink.

Mr GEPP — Use your mirrors, Mr Ondarchie. That is what the rest of us do. In plain cars we use our mirrors.

The CHAIR — Acting Commander, thank you very much for joining us this evening. We do appreciate your time and your contribution to our deliberations, and we wish you well for the next week or two particularly.

Acting Cmdr CLAYTON — Thank you.

Witness withdrew.