

**1.11 SUBURBAN RAIL LOOP PROJECT**

Responsible Director: Peter Panagakos

**RECOMMENDATION**

*That Council:*

- 1. Notes the introduction of the Suburban Rail Loop Bill 2021 (Bill) which has now passed through both houses of parliament and accordingly, the SRLA has formally been established as a statutory body and amongst other matters grants the SRLA the power to enter on to and to acquire land and provides for the Minister the ability to declare an area of land to be a Suburban Rail Loop planning area.*
- 2. Notes that officers and Council's lawyers are currently reviewing the Bill and that a further report to Council discussing in more detail the effect of the Bill will be provided in due course.*
- 3. Notes the progress made by the SRLA with the completion of the studies for Stage One of the SRL project that form the Environmental Effects Statement (EES) and the dates for community consultation on the outcome of the studies and receipt of submissions.*
- 4. Notes that the exhibited documents of the EES will be on display from 5 November 2021 until 16 December 2021.*
- 5. Direct officers to commence a community consultation process on 5 November 2021 until 30 November 2021 to gather feedback on the outcome of the EES studies referred to in item 3 above.*
- 6. Notes that it will receive a further report at the December Council meeting on the outcome of the community consultation process together with a summary of the responses from the community and details of what Council through its lawyers and appointed experts will present to the EES hearings informed by officer assessment and any relevant applicable community views.*
- 7. Allocates \$500,000 from its 2021-22 budget to cover associated EES expenses including external consultancy, legal and design as part of stage one SRL EES process, ongoing discussions with SRLA regarding outcomes at the three locations and commencement of the Strategic planning for the three station locations that will continue beyond the 21/22 financial year.*
- 8. Notes that officers have completed investigations into alternative sites for car parking in the Glen Waverley Activity Centre and that Council's existing multi-level car park at 1-5 Bogong Avenue, Glen Waverley has been identified as the most appropriate location for provision of some of the additional car spaces.*
- 9. Resolves that Council's existing multi-level car park at 1-5 Bogong Avenue, Glen Waverley is the preferred location for the provision of some of the additional car spaces required to be provided noting as has been previously resolved by Council that the balance of the required car spaces is to be resolved with the SRLA as it is considered that there is a shared responsibility to accommodate those required car spaces.*

10. Notes that officers have commenced preparation and will release a tender for consultancy services to design an upgrade and extension to the preferred site noted in item 8 with Council to consider the awarding of any tender at a future Council meeting.
11. Notes that Officers have met with South East Volunteers regarding the property at 5 Myrtle Street, Glen Waverley and met with SRLA on the site and that the S223 Committee will be reconvened to further consider the lease matter with the Committee's recommendation being presented to a future Council meeting.

## **INTRODUCTION**

The purpose of this report is to update Council on the Suburban Rail Loop (SRL) project. The last update was provided to Council at the 29 June 2021 Council meeting. This report will provide and update and discuss:

1. The Suburban Rail Loop Bill 2021 (Bill) which was introduced to the parliament for Victoria on 07 September 2021.
2. An update on the Environmental Effects Statement (EES) process to be undertaken by the SRLA.
3. An update on the provision of some of the additional and replacement car parking and opportunities for further Activity Centre enhancements that may be included as part of the negotiations with SRLA;
4. Progressing a tender for design services to upgrade and extend the existing multi-level car park at 1-5 Bogong Avenue, Glen Waverley.
5. An update on discussions with South East Volunteers Incorporated (SEV) located at 5 Myrtle Street, Glen Waverley.

## **BACKGROUND**

A number of previous reports to Council have discussed various matters relating to the project including the announcement of the proposed station locations, Council's obligation and intentions regarding replacement and additional carparking. The last report to Council was on 29 June 2021 where Council resolved.

That Council:

1. Note the content of the letter to Council from the Suburban Rail Loop Authority (SRLA) dated March 2021, regarding the Suburban Rail Loop Stage One, Cheltenham to Box Hill project, provided in Attachment 1 to this report (the Letter) which advises:
  - a. that planning and design work undertaken by SRLA identifies that the following Council owned properties are likely to be required for stage one of the Suburban Rail Loop:
    1. 264-268 Clayton Road, Clayton (part)
    2. 31-39 Montclair Avenue, Glen Waverley
    3. 41-47 Montclair Avenue, Glen Waverley
    4. 155 Coleman Parade, Glen Waverley
    5. 5 Myrtle Street, Glen Waverley

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6. *1/29 & 2/29 Montclair Avenue, Glen Waverley*  
*(the Properties);*
    - b. *that the letter is not a formal notice of acquisition of the Properties. The potential formal acquisition process will not begin until the planning and environmental assessment process is completed, and the statutory approvals have been obtained which is currently anticipated to be 2022; and*
    - c. *that the above properties will not need to be vacated until at least late 2022.*
  2. *Notes that the intentions of the SRLA have a significant impact on Council's plans and commitment to provide for additional and replacement car spaces within the Glen Waverley Activity Centre and that Council:*
    - a. *Resolves it is no longer feasible to continue with the detailed design of the proposed carpark at 31 -39 Montclair Avenue, Glen Waverley.*
    - b. *Resolves to terminate Contract 2019147 Principal Consultancy Services – Detailed design for a mixed-use multi-level car park, 31-39 Montclair Avenue, Glen Waverley (Contract 2019147) and directs that officers write to Warren & Mahoney Architects to inform them of this decision.*
    - c. *Notes that officers have commenced preliminary work to identify alternative site(s) for the provision of replacement and additional car spaces.*
    - d. *Directs officers to write to the SRLA and advise that:*
      - I. *Given the possible acquisition of Council land where a carpark was to be constructed, Council considers that there is a joint responsibility (between Council and the SRLA) to find alternative locations for the replacement and additional car spaces that were planned to be provided at 31-39 Montclair Avenue, Glen Waverley. This is consistent with SRLA previous undertakings.*
      - II. *That the Council properties numbered 2 and 3 referred to in item 1(a) above, which will ultimately be acquired by the SRLA, be available for continued use as car parking for as long as possible prior to the commencement of the Suburban Rail Loop works.*
      - III. *With regard to Council's properties at 1 & 2/29 Montclair Avenue, Glen Waverley, that the SRLA as the acquiring authority deal directly with the Uniting Church of Australia and Director of Housing on all matters relating to the impact upon them as tenants resulting from the acquisition. The letter should clarify that this position is taken given the State Governments involvement in the use and development of these properties, and further clarify that this request does not fetter Council's rights and entitlements as the owner of the land as part of any compulsory acquisition process.*
      - IV. *Council expects full compensation for all works already undertaken and disrupted as a result of SRLA activities.*
      - V. *Council expects timely, transparent communication from SRLA in relation to its planning for delivery of the Suburban Rail Loop within the City of Monash. “*
  3. *Direct officers to continue to investigate alternative site options as referred to in item 2(c) above, (both with and exclusive of the SRLA) including options at Council's*
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*existing multi-deck car park at 1-5 Bogong Avenue, Glen Waverley, and report back to Council on any outcomes including outcome of discussions with the SRLA.*

- 4. Directs officers to meet with South East Volunteers Incorporated (SEV) located at 5 Myrtle Street, Glen Waverley to discuss the implications of the Letter to them and ascertain what their thoughts and intentions may be as a result.*
- 5. Directs officers to undertake the Actions outlined in the table in the body of this report as it relates to each property that the SRLA has advised that they may acquire as part of the project.*
- 6. That officers write to key stakeholders within the Activity Centre advising of points 1, 2 and 3 of this recommendation and prepare a media release regarding the same.*
- 7. Notes that officers will provide further reports to future Council meetings on the SRL project and the various matters the subject of this resolution at the appropriate time.*

## **DISCUSSION**

By way of a general update, officers have actioned Items 2, 3 and 6 of the 29 June 2021 resolutions. Specifically:

1. Contract 2019147 was terminated via letter to the consultants on 2 July 2021.
2. Officers have completed investigations into alternative sites for provision of car spaces including options for the existing multi-deck car park at 1-5 Bogong Avenue, Glen Waverley. This is discussed further in this report at clause 3; and
3. Letters were sent to key stakeholders (traders and residents within a 100m radius of the GWAC), and a media release with the relevant information was released.

## **Suburban Rail Loop Bill 2021**

On 7 September 2021, the Honourable Jacinta Allan MP being the Minister for Transport Infrastructure (which includes the SRLA) introduced the Suburban Rail Loop Bill 2021 (Bill) in the Parliament for Victoria. The Bill passed through both houses of parliament on 07 October 2021 and accordingly, the SRLA has formally been established as a statutory body.

Alert Digest No. 11 of 2021 issued by the “Scrutiny of Acts and Regulations Committee” of the Parliament of Victoria notes the purposes of the Bill as being to:

- Establish the Suburban Rail Loop Authority (Authority);
- Confer on the Authority appropriate functions and powers for it to plan and deliver the Suburban Rail Loop (Loop) and development associated with the Loop; and
- Confer on the Authority appropriate functions and powers to enable it to operate or manage the operation of the Loop or manage development associated with the Loop.

A brief overview of the Bill is that it provides the Authority extensive powers to:

- Plan and deliver the Suburban Rail Loop project
- Operate passengers services via the Suburban Rail Loop
- The power to enter on to and to acquire land
- Via the Premier – declare Suburban Rail Loop project areas – beyond the initial station box areas
- Provide planning authority status and planning powers for declared Suburban Rail Loop project areas to deliver the Suburban Rail Loop project or other Suburban Rail Loop projects in the declared areas.
- Provides the Authority veto powers for planning scheme amendments in the declared project areas.
- Provides the Authority power to prepare an amendment to the planning scheme for declared project areas.

With these new powers, it is envisaged that the SRLA will undertake and be responsible for Strategic planning activities, inclusive of possible rezoning and changes to Council's Planning Scheme around each of the station precincts. The SRLA have indicated that the station precinct areas have a 1.6km radius from the station location, and whilst this does not necessarily mean that there will be change throughout this entire area, it likely will form part of the study area.

These areas, particularly with three station locations and including the fourth at Deakin in Burwood (within the City of Whitehorse), places a significant part of the Municipality essentially stretching from our southern to northern Municipal boundary within this planning area. Notably, it includes but not limited to the Clayton, Pinewood and Glen Waverley Activity centres, a large part of the Monash National employment cluster, the eastern and southern parts of the Huntingdale Industrial areas and the Industrial areas around Glen Waverley.

Officers will present a future report on the Bill in more detail, once more detailed analysis has been undertaken.

### **Environmental Effects Statement**

The previous report noted that an Environmental Effects Statement (EES) is to be prepared by the SRLA. The EES process includes a series of technical feasibility assessments of the SRL Project including the design and construction methodology of the project to achieve the Victorian Governments requirements and its impacts on wide range of areas, including:

- Traffic and transport
- Air quality
- Ground borne noise and vibration
- Social and community
- Human health
- Historical heritage

- Airborne noise
- Land use planning
- Business and retail
- Surface water
- Ecology
- Landscape and visual
- Land use
- Cultural heritage
- Ground movement
- Ground water
- Contaminated land
- Greenhouse gas
- Electromagnetic interference
- Arboriculture

The goal of the EES is to summarise the project design and construction methodology presented through the EES, identify any alternatives, technically analyse the potential impacts and their consequences, minimise, manage and monitor impacts and provide for public participation in the decision-making process.

The EES does not provide approval for the project. The EES provides the Victorian State Government with detailed advice on the environmental impacts of the project to assist in considering whether to proceed with the project or whether any refinements to the design are required.

The SRLA have completed the EES studies required for Stage One (Cheltenham to Box Hill as shown in the SRLA map below) and they are now preparing for community consultation on the results.



*SRLA map of Stage One*

### **Community Consultation**

The exhibited documents of the EES will be on public display from 5 November 2021 to 16 December 2021. During this period, stakeholders can make written submissions and present at the EES Inquiry Public Hearings established by the Minister for Planning. An inquiry report may make recommendations on the design

development. Any Minister's assessment may also make recommendations on design development.

While residents will be encouraged if they are inclined to provide their feedback as part of the SRLA consultation process to ensure that they have a role in the process should they wish, we are also wanting to encourage residents to provide their feedback to Council to allow us to develop a fully informed EES submission that not only considers Council's views but those of its community where relevant. To achieve this, it is proposed to run this consultation at the same time (albeit commencing a little earlier) as that being undertaken by the SRLA in November 2021.

The community consultation process will include direct letters (which will include a flyer to provide information on the EES process) to residents located within a 2km distance of the proposed three station locations and the Emergency Support Facility, use of the hive website, Council's website and articles in the Bulletin.

#### **Obligation for Car Parking & Investigation of options including Bogong Car Park Extension**

Council's obligation for replacement and additional car spaces as most recently report to Council remains at 706.

It has been acknowledged and resolved by Council that it is likely not possible with the land that SRLA intends or is likely to acquire as part of their project for Council to provide for all of the replacement and additional car spaces on Council owned land.

It has been estimated that with the preferred and in reality only feasible option which would see an extension to the existing Bogong Avenue carpark, that approximately 370 additional car spaces could be accommodated.

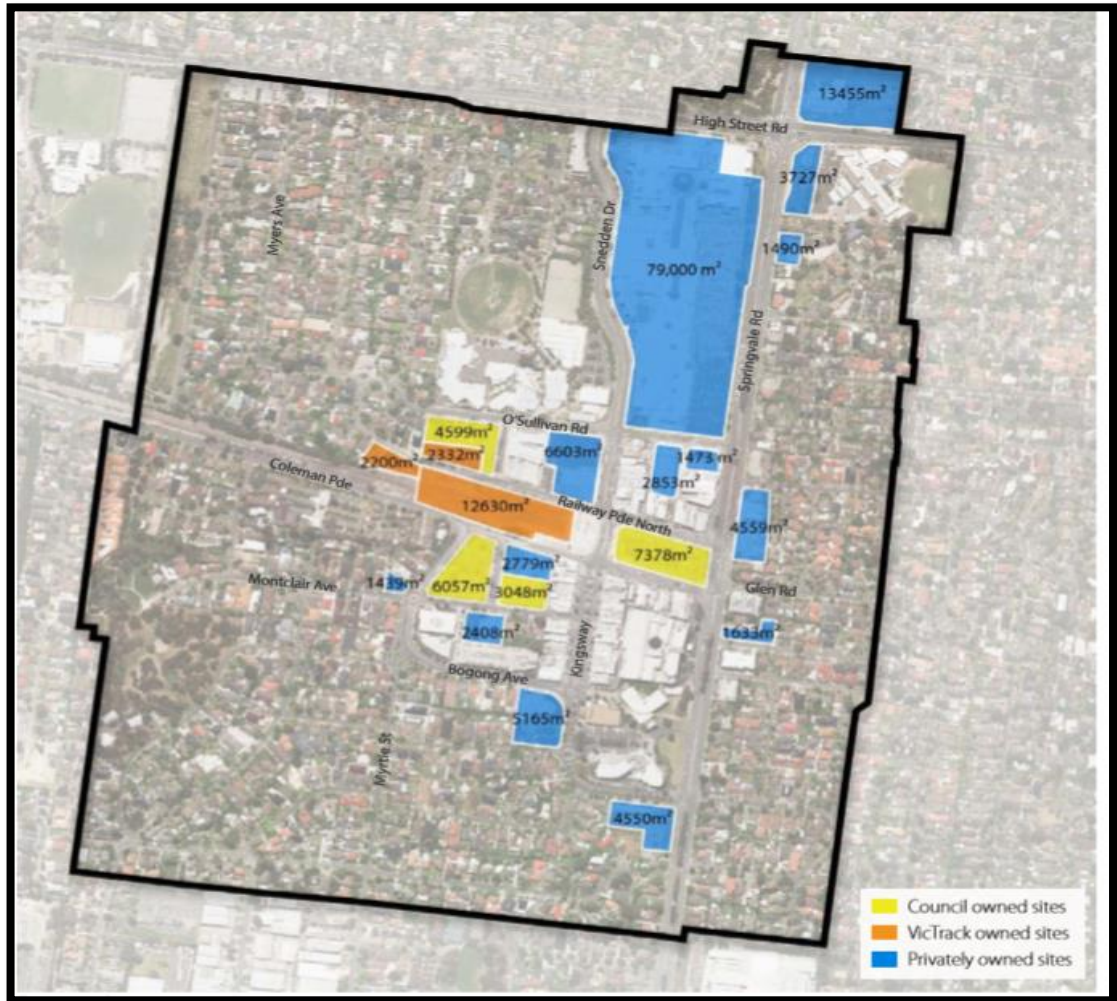
As previously discussed and resolved, providing the remaining 336 car spaces remains to be resolved with the SRLA where it is considered that there is and remains in the circumstances a joint responsibility. These discussions are ongoing, and a final position and resolution is yet to be presented to Council for consideration. Initial discussions with the possibilities however were encouraging.

#### **Alternative Site Investigations**

When the interest of the SRLA in Council's land at 31-39 Montclair Avenue, Glen Waverley became known, officers began to investigate and consider alternative sites for car parking in the GWAC understanding that our preferred location where parking was being planned.

As a starting point, reference was made to the GWAC Structure Plan which includes a useful map that shows redevelopment site opportunities - some of which are currently used for car parking – refer Map 1 below.

This map was used to identify sites for further assessment.



Map 1 – GWAC Structure Plan – Redevelopment Site Opportunities

It is evident from the above map that with the loss of the Council land to the SRLA in Montclair Avenue, other suitable available sites within the GWAC was limited. Feedback from traders, in line with Council resolution was a preference for the additional carparking to be located south of the rail line closest to where the main activity is. In the current situation, it is perhaps unavoidable that some of the car spaces may need to be located north of the railway line.

With the preferred location being south of the rail line, and the ideal locations being unavailable given the SRLA intention to acquire, and in the absence of acquiring land (acknowledging that there are no land holdings large enough, there are essentially two locations that could be considered.

These are an addition to the Bogong Avenue carpark and the central carpark site. The central carpark site has long been held by Council including in strategic and structure planning work as the missing gap in the streetscape that if developed appropriately would not only unify the north and south parts of Kingsway and the activity centre, but also become a focal point and destination. Its value to the



continued vitality of the activity centre is significantly more than a carpark. Further, it is not considered that this vision and key site should be compromised and in turn the activity centre to solve a problem that has been imposed upon Council.

This left the existing carpark at Bogong Avenue, Glen Waverley. Acknowledging however that it could not provide for the total required number of replacement and additional car spaces, and that SRLA would need to be part of this solution.

Understanding this, a feasibility study was completed on this site primarily to confirm the ability of the existing structure to be extended and compare costs of an extension to a new build.

The report recommends that Council put its efforts into delivering approximately 370 car spaces at the Bogong Avenue multi deck car park and continue to engage with SRLA for delivery of the balance of the car spaces. A report will be presented to a future Council meeting when further information is known. The Bogong Avenue car park is also an option that may allow the delivery of additional car spaces prior to the loss of the land at Montclair Avenue, understanding that there will be disruption to the availability of existing car parking at Bogong Avenue. Details of this will be considered by Council as and should the recommendations of this report be accepted.

### **Next Steps**

The next steps with the preferred option is to proceed to tender for a consultancy services to complete the detailed design process. This process will include:

- Architectural services
- Structural engineering services
- Traffic and Transport services including analysing the GWAC for other car parking improvement opportunities during construction.
- Obtaining a planning permit for the works;
- Attending to community consultation;
- Preparation of construction drawings;
- Preparation of a tender for construction; and
- Construction stage services.

In order to meet the mid – 2024 completion of construction timeframe, Council will need to release a tender for the consultancy services before the end of this calendar year, and preparation for this has commenced.

### **South East Volunteers (SEV) 5 Myrtle Street, Glen Waverley**

Officers met with SEV in July 2021 to discuss the implications of the SRLA letter with them and to ascertain their thoughts and their future intentions. SEV have advised

officers of their desire to remain at the property under the terms of the proposed lease agreement.

Officers advised SEV that even with a lease in place, if one were to be granted, the lease would remain with the owner of the property being the SRLA should they acquire the land and not Council. In these circumstances, the process and options for occupancy are not just between Council and SEV, but also SRLA should they carry through with acquisition.

Officers are currently awaiting feedback from the SRLA on the matter following a recent meeting on the issue. The S223 Committee will be brought back together to consider the position of SEV and the feedback from SRLA for the Committee to make a recommendation to Council.

### ***POLICY IMPLICATIONS***

The SRL project and the social, economic and environmental benefits that will come from the anticipated level of investment is consistent with Council and State Government Policies.

### **GENDER IMPACT ASSESSMENT**

With regards to the SRL Project, consideration to a gender impact assessment will be the responsibility of the SRLA. Progressing the Bogong Car Park project is considered to have direct impact on the Monash community, a gender impact assessment may be undertaken as part of this work.

### ***FINANCIAL IMPLICATIONS***

Council will need to allocate approximately \$500,000 from its 2021-22 budget to cover associated EES expenses including external consultancy, legal and design as part of stage one SRL EES process.

With the car parking design process, there are funds available from the now abandoned Montclair Avenue car park proposal in the current budget for consultancy works to prepare the detailed design for the preferred site. Once the tender process has been completed and should Council adopt the recommendations of this report, a report to Council on the tender process will follow.

### ***CONCLUSION***

This report provides an update to Council on a number of matters included within the Suburban Rail Loop (SRL) project including;

- The Suburban Rail Loop Bill 2021 (Bill) which has now passed through both houses of parliament and accordingly formalises the SRLA as a statutory body.

- An update on the Environmental Effects Statement (EES) process to be undertaken by the SRLA and directing Officers to commence a community consultation process to gain feedback from the community.
- An update on the provision of some of the additional and replacement car parking and opportunities for further Activity Centre enhancements that may be included as part of the negotiations with SRLA;
- Progressing a tender for design services to upgrade and extend the existing multi-level car park at 1-5 Bogong Avenue, Glen Waverley.
- An update on discussions with South East Volunteers Incorporated (SEV) located at 5 Myrtle Street, Glen Waverley.