

TRANSCRIPT

STANDING COMMITTEE ON THE ECONOMY AND INFRASTRUCTURE

Inquiry into infrastructure projects

Melbourne — 4 May 2016

Members

Mr Joshua Morris — Chair

Ms Colleen Hartland

Mr Khalil Eideh — Deputy Chair

Mr Shaun Leane

Mr Nazih Elasmr

Mr Craig Ondarchie

Mr Bernie Finn

Staff

Secretary: Dr Christopher Gribbin

Witness

Mr Kevin Devlin, Chief Executive Officer, Level Crossing Removal Authority.

The CHAIR — I declare open the Standing Committee on the Economy and Infrastructure public hearing and extend a welcome to all those who are present here this evening. I will just begin by explaining that the committee is hearing evidence this evening in relation to the infrastructure inquiry. Your evidence today is being recorded. This hearing is to inform the second of at least six reports into the infrastructure projects, and witnesses present may well be invited to attend future hearings as the inquiry continues. All evidence taken 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. Mr Devlin, I might just get you to state your name and the capacity in which you here with us this evening.

Mr DEVLIN — Thanks, Chair. Kevin Devlin, CEO, Level Crossing Removal Authority.

The CHAIR — Thanks, Mr Devlin. I believe you have got some introductory comments that you might like to make. We would be very appreciative if you can keep those to about 5 minutes and then the committee will have some questions for you, to follow.

Visual presentation.

Mr DEVLIN — Not a problem. Just quickly, I wanted to give an update of where the program of works is at. So, just overall, the level crossing removal project, one level crossing has been completed. We have awarded over \$2.8 billion worth of contracts, which means 18 level crossings are in construction. The first 35 level crossings have been identified for removal by the government, with construction on those 35 sites to be either complete or underway by the end of 2018. At least 20 are on schedule to be complete by the end of 2018, and planning and consultation underway to deliver the balance of the program.

I will not dwell too long, but the list here provides the committee an update with those level crossings that are under construction, with the various completion dates proposed, particularly the North, Centre and McKinnon, which are due for completion in mid to late this year.

Level crossings contracts have been awarded for a number of level crossings on the Caulfield–Dandenong line, due for completion in late 2018. Thompsons Road and Melton Highway are in procurement or in pre-procurement phase, and those sites are also due for completion in late 2018. The balance of the additional crossings listed here are those that form part of the 35, and where planning and consultation has begun, and they will be under construction by the end of 2018 to various degrees. The balance of the program — those level crossing sites are the sites where early planning is underway and those are intended for completion by the end of 2022.

The other projects that the Level Crossing Removal Authority is also responsible for, by way of update for the committee, are the Cranbourne-Pakenham line upgrade, or CPLU. So a contract as part of the Caulfield to Dandenong level crossing removals was awarded to undertake those works: a significant 78-kilometre upgrade of the Cranbourne-Pakenham line for power signalling and other track modifications to enable the increased capacity and the additional high-capacity trains to use that line. The Mernda rail extension, just under \$600 million — the recent budget announced full funding for construction. The procurement process has commenced and completion is expected in 2019. Additionally the government has announced a duplication of the Hurstbridge line between Heidelberg and Rosanna at a cost just under \$140 million. Planning and consultation has yet to commence, but we are targeting completion in late 2018. So that is a quick update, Chair, on the work of the authority at the moment.

The CHAIR — Fabulous. Thank you, Mr Devlin. We will move into some questions from the committee now. I was hoping to ask you a question with regard to the Abbots Road, Dandenong South, level crossing removal. I have heard that the closing of the road rather than the removal of the level crossing itself has been discussed. Can you give me an update on where that is?

Mr DEVLIN — One option that was identified for the Abbots Road site was a realignment of the level crossing, so a construction on Remington Drive of a road bridge over the rail, which would mean the subsequent closure of Abbots Road. That is one of the options that we are looking at, along with the other four options — typical options of road over rail, rail over road, under road, over at Abbots Road itself. So we are going through the consultation phase, an options assessment phase, for those options. The government has not determined which of those options it will select, and we are out seeking feedback at the moment. We will go back to the community and local businesses in particular in a couple of months time with a further options assessment.

The CHAIR — So the closing of Abbots Road cannot be ruled out at this stage.

Mr DEVLIN — Not at this stage, no.

The CHAIR — So from what I understand there have been literally dozens of business owners who have told the LXRA that the closure of Abbots Road will have a material and detrimental impact on their businesses. I am wondering, how is this feedback is being taken into account when this decision is made?

Mr DEVLIN — We certainly have heard loud and clear from local businesses and councils that they have a strong preference not to close Abbots Road. We have said all along that that is only one of the five options at that particular site that we are looking at and we will take that feedback on board.

The CHAIR — So if the road closure of Abbots Road does go ahead, will business owners be compensated for this?

Mr DEVLIN — It would not be my expectation, no.

The CHAIR — So has the government made a decision on this or not, are you aware of?

Mr DEVLIN — No, as I mentioned, the government has made no decision on the preferred option at that site and we have still got engineering work, concept design work, that is ongoing, and investigations to inform that as well as ongoing community consultation. There is no doubt we have heard loud and clear that closing Abbots Road is not a preferred solution at that site, so we will certainly be making government very aware of that feedback. We looked at that option after it was raised with us as a potential option by Dandenong City Council and SEMMA, who is a Dandenong industry group, a manufacturing group, in that area, as a possible option, so we thought it would be worthwhile looking at that option. But I understand that certainly the community and particularly local businesses are strongly against that option, so we will take that into account.

The CHAIR — So has the LXRA informed the government of its view that it is not the preferred option to close Abbots Road?

Mr DEVLIN — No, we have not made any recommendation yet to the government about what the preferred option is at that site. We have advised government that we are in effect extending the consultation and option assessment period of that site to give all options further consideration before making a recommendation about which solution is best for that site.

The CHAIR — When can we expect that recommendation to be made to government about the preferred option for the Abbots Road level crossing?

Mr DEVLIN — That is a matter for deliberations with government at the moment, so no fixed date has been set for that decision by government.

The CHAIR — I understand that it will be up to the government to make a decision based upon your recommendation, but when would you expect your recommendation to go to government?

Mr DEVLIN — Certainly I think in the second half of this year. We have said to the community that we would be going back to the community with further options for presentation in the middle of this year, I think specifically June, so at some stage after that we would be expecting to make recommendations to government about that site.

The CHAIR — After June, okay, thank you. At what point with the Frankston line level crossing removal process is it expected a decision will be made about which method of crossing removal will be used?

Mr DEVLIN — The timing of the decision will be a matter for government, but we have been very clear with the community that we are out at the moment consulting and investigating, conducting investigations and doing design work on feasible options at that site, and that we would come back to the community mid this year — June/July we have said in our communications to date — with options. No preference will be indicated at that point. We will present multiple feasible options and stakeholders and the community will have an opportunity to provide feedback on those options. We would be looking at late this year to make some recommendations to government and government will need to make its own decisions on when it makes that

final determination and announce the preferred solution for Frankston, but I am not expecting it to be until late this year or early next year. Our timetable for Frankston, we have been very clear about: 2016 is the year of planning and consultation; 2017 is the year of procurement; and construction would commence in 2018.

The CHAIR — So you would expect prior to the end of this calendar year that your recommendation would at least go to government.

Mr DEVLIN — That is our current forecast based on where we are today. That may change, but that is our best estimate at this point in time.

The CHAIR — I am interested. Have the LXRA and its contractors, when they have been undertaking preliminary works, drilling et cetera — have all the necessary required permits been granted for all the works that have been done thus far?

Mr DEVLIN — That is certainly our intention, that we have procedures in place where permits, where they are required to be granted, are sought as a matter of those early works.

The CHAIR — I have been made aware that in the City of Glen Eira there has been a letter written to the contrary of that, that states that there have been works that have been undertaken that have not been given the appropriate permits. You are not aware of this occurring?

Mr DEVLIN — No correspondence has been received by me from the City of Glen Eira about that. We are drilling 216 boreholes along that corridor within rail land, and no permit is required for the drilling of those boreholes. Now I think what is happening, I know what has been alleged — I am aware of what has been alleged — but I do not have any evidence that says that. Glen Eira has not directly complained to me. We have a strong relationship with Glen Eira. I think part of the issue is that the rail corridor and the road reserve is not fenced and we are doing boreholes within the rail corridor. Some of the boreholes are very close to the boundaries and it is hard for the community to ascertain exactly where that line is on cadastral survey because there is no current fencing in place in those areas. We have sought all permits and been granted those permits from council. Those permits are not, though, for the drilling of the holes. They are for asset protection permits, so essentially for vehicles to drive over the council reserve and access the rail reserve.

The CHAIR — So, if I could quote just in part from the letter I have. It says:

The works in the council road reserve have been commenced without the appropriate Asset Consent Permits in place.

So that is your understanding as well, that these permits were not in place at the time of the commencement of the works.

Mr DEVLIN — No, I am not aware of that letter. I have received no letter from council about that. Our intention is that all those holes are drilled within the rail reserve where we do not need permits. We have received the necessary asset protection permits for those works.

The CHAIR — I understand that you made reference earlier to the fact that there was not a fence in place at this particular time. I am assuming the LXRA do have surveyors in their employ.

Mr DEVLIN — Yes, we do.

The CHAIR — So those surveyors, it is part of their role to ensure that works are occurring in the appropriate places where permits and the like have been sought and approved?

Mr DEVLIN — All our contractors are required to comply with those procedures, and that is what I expect them to do. Where there are allegations that they are not, we will investigate. The contractors, as I understand it, measure the rail reserve approximately 15 metres from the outside of the track.

The CHAIR — I just wanted to further explore why no environment effects statement has been undertaken in relation to the sky rail project. On 20 April this committee heard from the Department of Economic Development, Jobs, Transport and Resources secretary, Richard Bolt, who informed us that, and I quote:

... no referral was required, that there was no trigger met to refer the matter to the planning minister for an EES.

Based on:

... the self-assessment done by the authority against the guidelines for the conduct of an EES ...

I found that quite unbelievable at the time, that there was not a trigger, just because the triggers that have been provided to us in the ministerial guidelines for assessment of environmental effects certainly state that:

... potential extensive or major effects on the health, safety or wellbeing of a human community, due to emissions to air or water or chemical hazards or displacement of residences —

which we are certainly well aware of — there is significant displacement of residences due to this project — is a trigger for an EES.

Now, I am hoping that you might be able to explain how it is that your authority's self-assessment — and obviously with the very real possibility of an unacceptable conflict of interest in being the project's proponent and also being the assessor of whether or not an EES is required. Will you provide the committee with this self-assessment and all its supporting documentation?

Mr DEVLIN — Well, I will have to take that on notice. That is a matter of the Legislative Council's request for documentation. That document is included in that, so that will be a matter for the decision by government as part of that order request.

The CHAIR — Obviously I think it is very important for this committee to undertake its work to be able to understand what decisions and what information was provided to your authority in — —

Mr DEVLIN — All I am prepared to say about that is that the authority, using expert technical, legal and planning advice, conducted that self-assessment in accordance with the ministerial guidelines for self-assessment under the Environment Effects Act, and that assessment resulted in no triggers warranting a referral to the Minister for Planning about an EES. So we have complied with the legal requirements under the planning laws, and that has been completed.

The CHAIR — So who made that decision? Was that a decision of yours as the CEO?

Mr DEVLIN — That is right, yes.

The CHAIR — So you are the person who made that decision?

Mr DEVLIN — Yes.

The CHAIR — Certainly this committee would be very, very keen to have that information. What the Council itself is doing is one thing, but this committee itself obviously has the capacity to subpoena documents and the like, and would be very keen to have access to that information to inform our report.

Mr DEVLIN — I am happy to take that on notice and assess that through the normal processes.

The CHAIR — Thank you, Mr Devlin. I might hand over now to Mr Eideh, who might have some questions.

Mr EIDEH — Hi, Kevin. I just have a few questions. First of all, I note that there has been debate about the merits of elevated rail solutions. Can you advise if there is any existing elevated train lines and train stations in Melbourne, and were there any independent assessments on whether they provide good urban design outcomes?

Mr DEVLIN — Sorry I just missed the — which crossings?

Mr EIDEH — Were there any independent assessments on whether they provide good urban design outcomes?

Mr DEVLIN — Certainly throughout all our design assessments and planning processes we consider urban design. We have established an urban design framework, and as part of each of the level crossings we have the Victorian government architect, who is part of our urban design review panels. So they are a key contributor to the assessment of our design work and planning for the removal of these level crossings, as well as our own architectural experts that we use to contribute to those considerations.

Mr EIDEH — Are there any existing elevated train lines and train stations in Melbourne?

Mr DEVLIN — There are many, and certainly the authority has spent much time researching local, national and international benchmarks and precedents around different forms of transport infrastructure, rail transport infrastructure, to enable us to find the best solution we can for a modern city. We think that the level crossing removal program will utilise all different forms of solutions to tackle what is a very difficult and complex undertaking — these infrastructure projects; it will need all those options used. And it will be a site by site basis on which those decisions are made, balancing all the local constraints and issues and benefits that can be provided.

Mr EIDEH — I have another question: if you can outline the disruption that would have occurred if all nine level crossings between Caulfield and Dandenong were being lowered under the road?

Mr DEVLIN — Certainly that was a key consideration for Caulfield–Dandenong. The challenge of understanding nine level crossings all in one go is nothing that has been attempted before, and the Caulfield-Dandenong line being the busiest rail line in Melbourne, certainly the level of disruption being caused is a key consideration for the appropriate construction methodology and selection of the design option. Other alternatives — other than the solution that is now to be built — would have resulted in months and months and millions of additional passenger disruptions on that line, and that has significant knock-on effects to community and businesses more broadly. So that has been a key consideration, as it is for all the level crossing removals. Our challenge in removing 50 level crossings is to keep Melbourne moving — and during this extremely intensive and complex undertaking.

Mr EIDEH — In relation to the Caulfield to Dandenong sky rail, if you would call it that, according to the *Age*, a survey by EY Sweeney indicated that 82 per cent of respondents supported the elevated rail design. Could you please provide details about who the respondents to that survey were and the methodology used in that survey?

Mr DEVLIN — Yes. So I mean we engaged EY Sweeney to undertake a survey on the wider community. We certainly were hearing loud and clear from the very local community, who are very close to the rail corridor. We also wanted to — as we said we would — hear from the broader community, train commuters and other people who this infrastructure is also being delivered for. We found strong support to the solution proposed through that process, so that has been fed into the consultation and feedback process.

Mr EIDEH — So 82 per cent is a positive sign?

Mr DEVLIN — Yes. I think 82 per cent was one of the numbers in the survey that showed that the wider community strongly supported what was being proposed.

The CHAIR — Before we do move on, I would just like to remind the gallery that it is important that we can hear exactly what is happening here. I understand that there may be emotion in the room and the like, but it is important that Mr Devlin has an opportunity to answer the questions that the committee does have to ask. So I thank the gallery for their understanding of that. Are you finished, Mr Eideh?

Mr EIDEH — Yes. I will just perhaps leave room for the other members.

The CHAIR — Certainly. Ms Hartland.

Ms HARTLAND — I have several questions. In previous hearings we have heard of the community concern about these little particulates?

Mr DEVLIN — Yes.

Ms HARTLAND — Can you give me an idea about how many freight trains currently use this line and how many would you expect, say, in five years?

Mr DEVLIN — I know that approximately 39 — I think approximately 35 V/Line services use the line currently, and 4 freight trains use it daily. I would stand to be corrected on that, but that is my understanding. I am not the best person to talk about the future projections. We are expecting the same service patterns to be operational at the end of this project, so those same 39 trains will be operating at the end, although certainly

with the works that we are doing there is a significant opportunity to increase capacity of services — Metro, V/Line and other — along this corridor. So we have done air quality assessments for that, however, and that shows that there is an improvement with the solution that is proposed. Compared to existing, there is certainly an improvement in air quality based on the elevated structure.

Ms HARTLAND — Can we have copies of those reports?

Mr DEVLIN — We will be making available that air quality assessment in due course, so I will take that on notice and assess that.

Ms HARTLAND — The same for noise studies that have been done already?

Mr DEVLIN — Yes.

Ms HARTLAND — And how you are going to mitigate noise along the line?

Mr DEVLIN — A preliminary noise assessment was released today, as a matter of fact, in response to and following through on our commitment as part of the community consultation. We certainly heard from the community they wanted more information — more detailed information — and we committed in that feedback report to provide that. We released the first part of that technical report today, so it is available on the website. Again that is further reinforcing what we were communicating during the consultation period, that there will be an improvement in noise, compared to existing, with the solution.

Ms HARTLAND — Can I take you a step back, because I live in Footscray along regional rail, and considering the debacle there was under the Brumby and Baillieu governments at the time in the way the community was treated, I was really surprised to see the same mistakes being made on regional rail for this project in terms of consultation. Can you step us through why it was that there was so little information given to the community and why it appears that there was nothing in languages other than English? We have received this from you today, but this is actually a market research study on attitudes towards the project rather than the community consultation program that is what I believed we asked for.

Mr DEVLIN — So the community consultation reports are available on the website. I understand that was what the committee had requested.

Ms HARTLAND — No, it was not.

Mr DEVLIN — If it was not, I can address that. The noise assessments are provided on the website as well. I consider that we provided extensive information to the community, particularly during the last extensive phase of consultation. As part of the newsletters and the information we had translation services offered on those information bulletins, for example, so there were opportunities for translation services to be provided. So that was certainly part of our standard practice.

Ms HARTLAND — So can we take this six months ago — or when were the community first notified that this would occur?

Mr DEVLIN — We started our first phase of consultation back in mid-last year on the removal of the nine level crossings on the Caulfield to Dandenong package, leading to the announcement of the preferred solution, I think in early February this year. We have just been through an intensive period of consultation on that option that we presented.

Ms HARTLAND — Right. So in February this year how did you tell people that part of the preferred option would be an elevated rail?

Mr DEVLIN — Prior to the government's announcement we doorknocked a number of the residents — there are 800 residents along the corridor — to inform them that the government was about to announce what its preferred solution was and announce a detailed consultation phase following that announcement.

Ms HARTLAND — It seems to me that the community does not feel like they were actually adequately told. Can you explain what this separation is from how the authority believes it consulted and what the community feels?

Mr DEVLIN — Well, we believe we have conducted consultation, and the first phase of the consultation was about what is important to the community to inform the development of the designs. At that stage we indicated that all options were being investigated, as we are doing for all other level crossing sites across Melbourne, that all options are on the table. We then moved to a very intensive period of consultation on the preferred solution in February. Thousands of people were doorknocked and contacted. We had over 1500 submissions received through that process and 170 one-on-one meetings, so it has been an intensive period of consultation that we have been through over the last 12 months.

Ms HARTLAND — I just wanted to ask one last very localised question for myself, but I still have a number of questions I would like to come back to, and that is in regard to Kororoit Creek, which I understand was 135 on the list and is now being done, which will close the Altona loop down for three months. But there is no effort being made, which would make sense to me, to duplicate the line at the same time as you are fixing the crossing. Can you give any explanation about why both sets of work were not done at the same time and why a project that was 135 on the list suddenly got jumped up?

Mr DEVLIN — Firstly, the list for me is very clear. The government made it very clear prior to the election the 50 level crossings that it was going to do. I have been tasked with delivering those 50, so the other list you are referring to is not a list that comes into consideration for the authority.

The second point about the duplication — again, we are not funded for the duplication. That would probably be a matter for the secretary or PTV to answer about the need for a future duplication of that corridor. We are certainly aware that duplication is required at some point into the future, and our design will take account of and provide for, or not preclude, the possibility of duplication of the Altona loop.

Thirdly, we have flagged that to remove the level crossing it could be up to three months of disruption to the line, but that we hope to improve on that to reduce that level of disruption. Like all level crossings, that is part of doing this work. Disruption is a key part of it, and that is why for Caulfield-Dandenong we have sought to try to minimise the disruption, because we know the communities do not like that level of disruption, and Kororoit Creek Road is no different.

Ms HARTLAND — I have got several more questions, but I will come around to those.

Mr FINN — Mr Devlin, thank you for your time this evening. You mentioned a few moments ago that residents were notified along the route of the lines that the sky rail will be built on, and that they were notified by doorknocking. How long before the government announced this project did the doorknocking take place?

Mr DEVLIN — The night before.

Mr FINN — The night before. So it would be fair to say the journalist who wrote the article that was on the front page of the *Herald Sun* the next day actually had the story before the residents did.

Mr DEVLIN — That is not a matter that I am able to comment on. I am not aware of — —

Mr FINN — You think that it is possible that the journalist was actually informed after the residents late Saturday night to get the front page of the *Herald Sun* the next day.

Mr DEVLIN — All I can say is that the Level Crossing Removal Authority did not brief the *Herald Sun*. That is a matter you might like to take up with the government.

Mr FINN — Right, we would love to do that at some stage. When did you personally first become aware of the proposed sky rail, as it has become known?

Mr DEVLIN — As I have mentioned, all options are being assessed at all various sites, and so it was an iterative process for Caulfield to Dandenong during the tender process. It was throughout that tender process that I became aware that tenderers were looking seriously at that option, and so, yes, as a result of the tender process the government announced that preferred solution at the conclusion of that process and announced the preferred bidder.

Mr FINN — So whose idea was it to have the sky rail? It came from the tenderers, the bidders, the government, the authority? Where did it come from?

Mr DEVLIN — I would not be able to say exactly who it was. As we have said all along, all options are being investigated and all solutions will probably end up being used across to deliver the 50 level crossings. So we investigated all options, as did the tenderers. So again, as I said, it was an iterative process arriving at what is on balance the best solution, and that is what they did.

Mr FINN — So you can understand why people would be just a tad cynical about your claim of community consultation, when in fact people were notified mere hours before the project was made public?

Mr DEVLIN — We consulted with the community in the six months prior to that about what was important to them, what are the issues of concern in the local areas, what they want to see as part of this infrastructure project, including the community tender advisory panel, and that was fed into the work on the development of the designs by the bidders to arrive at that end solution.

Mr FINN — When did you first put the idea of the sky rail? When did the authority — I should not personalise this — first put the idea of a sky rail to the community?

Mr DEVLIN — As we are doing at the moment, we are highlighting to the community that all options at each site are potentially a solution for that site. So, as I have mentioned, taking the rail over, the rail under, the road over and the road under are solutions that have been and will continue to be investigated for every single site. We want to be very clear and up-front with the community that all those solutions will be investigated. We consider we did that in the six months leading up to the announcement — that we were investigating all options — and then we announced the preferred and consulted on that preferred solution.

Mr FINN — Let me get this very clear. You raised the prospect of a sky rail with the community well before — months before in fact — the night that you doorknocked to tell them that it was happening.

Mr DEVLIN — We raised the prospect that all options were being investigated, and the newsletters are there on the website to see and the feedback report that we prepared in November is there to see for everyone. All those options were outlined, and images of those options. I accept that there were not designs put forward, but there were images and precedents, nationally and internationally, put forward to demonstrate all four different options of how you can remove level crossings, and that we were undertaking a process to determine on balance what was the best solution for this site, and that is what we did.

Mr FINN — Given your extensive consultation process presenting the sky rail proposal, why do you think the community was so shocked when it was made public?

Mr DEVLIN — I think that is because lots of the previous level crossings have been done as rail under and inevitably there was going to be a first where one of the other solutions was appropriate for that site, and this site was that. The community had been conditioned over previous years, over the last decade, for that option, but we made it very clear when we were engaged to deliver the 50 level crossings that doing them one by one, one a year, is very different to then trying to do all 50 over this eight-year period and still keep Melbourne moving. So we knew we had to look at different solutions, innovative solutions, to balance the level of disruption and respond to the unique challenges of every site.

Every site is different. Every site has different geological conditions. Every site has different traffic arrangements, business and shopping arrangements and residential arrangements, service utilities, flooding profiles, environmental considerations, vegetation considerations. There are just a huge amount of factors that go into determining any infrastructure project and what is the best solution for that site. The Level Crossing Removal Authority in being tasked to deliver those 50 has set about trying to do that, and, as I said, I think we will need to use all those four different forms of level crossings to get the best outcome for Melbourne.

Mr FINN — So from day one, from the establishment of the authority, the government gave you permission to consider sky rail?

Mr DEVLIN — There was no explicit permission given. What we said we would do — —

Mr FINN — Well, authorised you; said it was all right. I am sure there are other ways of putting it. Sorry, you are being clumsy.

Mr DEVLIN — As I said, there was no explicit permission. What we clearly said, and I think it is incumbent upon us as an engineering organisation, is that it would be negligent of us not to do the proper investigations and engineering considerations and look at what solution is best for every site, because the previous solutions that had been adopted were not necessarily going to be the right engineering outcome, community outcome or disruption outcome for all 50, and that is what we did from day one — look at all options.

Mr FINN — The report that was released this afternoon, should that not have been done months ago? Given the fact there will be no environment effects statement on this project, should this not have been released some time ago?

Mr DEVLIN — We consider we released extensive information that the noise was going to reduce — and fact sheets. We heard from the community that they wanted more detailed reports, and as we said in the consultation report that we released, we were listening to that feedback and said we would progressively release more detailed reports as the community requested. But it is saying the same thing, that noise is going to be less, that it is an improvement on what they have currently got. And there are some very straightforward reasons for that that do not necessarily require detailed assessments, but nevertheless those detailed assessments have been provided.

Mr FINN — So your view is that the sky rail will in fact provide less noise than currently caused by the rail line.

Mr DEVLIN — Correct.

Mr FINN — Has the financial impact on property values — which is probably impacted by the noise, but I will think about that for a moment and get back to you — short and long-term, considered both below and above road rail? Have you compared the two and the effect on property values of them? And what compensation will be offered to the affected property owners?

Mr DEVLIN — No detailed assessment has been done on the effects of property values as it is very difficult. We have consulted with the Property Council and valuers around whether there is any data to support either/or, whether there is in fact an increase when you build infrastructure, invest in infrastructure. There is anecdotally potentially the opposite effect — that it actually improves property values in local areas. So there is no work that we have been able to ascertain that gives a definitive view of that. But anecdotally we think that when you spend upwards of over \$1 billion of investment in infrastructure and improved facilities and stations, and increase capacity along the line by 42 per cent, with the community facilities that are going to be utilised in unlocking the land underneath the elevated structure that you will support improved local amenity and urban renewal. So we think there will be ultimately a positive impact out of this investment.

Mr FINN — Let me get this straight. In my own mind I want to be clear on this. You are of the view that the sky rail may in fact increase the value of the properties that it runs alongside or above?

Mr DEVLIN — To be clear we have no definitive view one way or the other of the degree to which it is positive or negative. All I am speculating is that based anecdotally on previous infrastructure investments that have been undertaken in Melbourne you can get positive outcomes with that infrastructure investment.

Mr FINN — When do you think you will have a definitive answer on that?

Mr DEVLIN — It is not something that we are investigating further.

Mr FINN — You are not investigating that — how can we even begin to talk about compensation if nobody is investigating it?

Mr DEVLIN — So at the moment the government has announced a voluntary purchase scheme for those people who feel that they are materially impacted by the solution, particularly those living right adjacent to the corridor and impacted by things like overshadowing. So that voluntary purchase scheme has been put in place to address that, but at this stage there is no form of compensation proposed more broadly than that voluntary purchase scheme.

Mr FINN — Thank you. I have a few more questions, Chair, but I will let others have a go and I will get back to them.

Mr LEANE — Mr Devlin, can you explain what impediments there may have been at Grange Road as far as going under, whether it is road under or rail under?

Mr DEVLIN — At Grange Road?

Mr LEANE — At Grange Road.

Mr DEVLIN — Certainly one of the key considerations at Grange Road was the high-pressure transmission gas main. They are very complex to relocate. It takes a huge amount of time and dollars to relocate those types of assets. That was one key consideration at Grange Road where we did not feel it was viable to take the rail alignment down into a cutting at that location and intercept such a critical asset.

Mr LEANE — What would be involved in relocating that asset if there was a decision for road under railway?

Mr DEVLIN — Look, without having relocated one of those before, generally you avoid relocating them at all cost because to try to manage the potential outages for such critical infrastructure is very difficult and it takes many years of planning and many processes to try to relocate those assets. So we feel that that asset is in the rail corridor for a reason. Rail corridors are used for lots of services for that reason, that they are there because they are an available space. Trying to reroute them through other areas can potentially require additional compulsory acquisition of land or significant disruption to roads and businesses and other services and assets. So that is something that throughout the whole level crossings, the 50 level crossings, we seek to avoid the significant disruption to those utilities. Again, if people say, 'Well, you move gas mains all the time', yes, you do, you move the small reticulation mains, but this is a high-pressure, 750 diameter gas main providing the bulk of Melbourne's gas services.

Mr LEANE — So the bulk of gas services. Can I ask on the Dandenong line removals what is your estimated workforce for that particular project? Have you got an estimated workforce of how many people will work on that?

Mr DEVLIN — We are thinking that over 2000 people will be working on the Caulfield to Dandenong project. I just even have to go to the — just as an example — North, Centre and McKinnon occupation that we are planning in the middle of this year. It is a massive undertaking. We have got 1000 people on per shift, and we are running three shifts during that 37-day occupation of the Frankston line, where there will be significant disruption, but that is a huge workforce to try and deliver these projects because they are extremely complex and logistically challenging jobs.

Mr LEANE — In that workforce will there be an opportunity for apprentices to partake? Will there be training?

Mr DEVLIN — Yes, as part of the Caulfield to Dandenong contract we have locked in requirements on the contractor to have 10 per cent apprentices and trainees as part of that, and they have also teamed up with Chisholm Institute to implement an accelerated apprenticeship scheme, to try and use automotive workers, for example, and younger people coming out of school to go through an accelerated program at Chisholm, work on the project and finish at the end of the project with a trade qualification. We think that is going to be a great outcome, particularly for the south-east suburbs. So that 10 per cent requirement is something that the contractors are required to do, and we also have a requirement for 2.5 per cent of our labour workforce, or labour hours, to be of an Indigenous background as well, to try to create opportunities for further Indigenous employment through these projects as well.

Mr LEANE — Can I move on to the Frankston line and North, McKinnon and Centre roads. You said that there will be a major occupation in the middle of this year. So at the end of that occupation will the road and the rail at each of those three sites be separated?

Mr DEVLIN — Yes. Not all of the works will be completed, but essentially the trains and the roads will be separated. There will be no boom gates at that point, and I think our contractor John Holland and the alliance team have done a very good job. They have accelerated that project essentially six months to get to that point, so we are very pleased with the progress of that particular site.

Mr LEANE — Further down that particular line you mentioned that there is some planning and consultation around the remaining proposed removals on that line.

Mr DEVLIN — Yes.

Mr LEANE — Are those removals being treated as one overall removal, or are those removals being treated as individual sites that may have different remedies, as in rail over, rail under, road over, road under?

Mr DEVLIN — Yes, the Frankston line is very different to the Caulfield–Dandenong line. I want to be very clear about that. Essentially they are eight separate sites, and so there will be potentially a different solution for each site, or our assessment will look at what is best for each site. They are not like Caulfield–Dandenong, where you have got, for example, four continuous level crossings, or in close proximity, so you have to consider the solution as a whole. On Frankston there are eight separate ones. So, yes, we are in the midst of doing those detailed investigations, and I suspect again there will be a mix of solutions used to address each of those eight level crossings, but it is still very early days in that process.

Mr LEANE — You suggest that there will be a mix of solutions, so any statement that anyone makes that indicates that there will be one elevated solution is wrong? Anyone who is saying that — —

Mr DEVLIN —

Yes, I need to be very clear. The authority has got no plans for elevating the whole Frankston line in a sky rail. It is a very different project. There are still 19 level crossings remaining on the Frankston line, whereas on the Caulfield–Dandenong all level crossings are being removed, and there are collective groupings, those three areas, on Caulfield–Dandenong. So they are very separate, and there are still many more level crossings remaining to be done that are not part of this 50. So, yes, there are no plans to elevate the whole Frankston line. We are just separating each of those eight level crossings, and they span a large distance.

Mr LEANE — So with Burke Road the rail and the road were separated in January?

Mr DEVLIN — Yes.

Mr LEANE — This January, and then there was a lag of completion works and so forth. How many people have complained about the grade separation at Burke Road since that separation has been done? How many complaints has the level crossing authority had?

Mr DEVLIN — Not too many, no. None about the completion.

Mr LEANE — I want to get on to some other works that the level crossing authority is undertaking. You mentioned that there had been a funding announcement around the Hurstbridge line.

Mr DEVLIN — Yes.

Mr LEANE — Can you give us further details of what that work actually involves?

Mr DEVLIN — Yes, I can. At the moment there is a significant bottleneck on the Hurstbridge line where there is a section of single track running, where there is only a single track section through the Rosanna 80-metre tunnel, an old tunnel section. Part of our works will be to duplicate that line between Heidelberg and Rosanna, and that will involve duplicating the 80-metre tunnel and duplicating a rail bridge that also spans one of the key roads — I cannot quite recall at the moment, but a significant rail bridge structure to duplicate the existing one that is there and the duplicating of the tunnel. So that will significantly improve reliability of that line and allow additional services to be running on the Hurstbridge line. So removing that bottleneck is very significant for the operating of the Clifton Hill group.

Mr LEANE — In the document that we were given today, the level crossing authority's survey which was done by EY Sweeney, *Community Sentiment Towards the Caulfield to Dandenong Level Crossing Removals*, I think there was an interesting breakdown as far as:

On balance ... three groups in the community were in favour of the planned removal of the level crossings via an elevated rail solution ...

The breakdown is that of the residents, 82 per cent were in favour versus 9 per cent opposed. My maths tell me that there were some people who did not have a view, which is fair. Train users: 77 per cent of people were in favour versus 5 per cent opposed, so obviously there were other people who did not have a view. Traders: 73 per cent in favour versus 15 per cent opposed, which makes the biggest group opposed, in the survey. Do you have an understanding or a breakdown around the reasons for those 15 per cent of traders having concerns about the project?

Mr DEVLIN — Not off —

Mr LEANE — Can you take that on notice?

Mr DEVLIN — I have to take that on notice and come back to you about the next level of detail.

The CHAIR — Mr Devlin, I just have a couple of further questions. One relates to the business case for all 50 level crossing removals. I refer back to when we last had you before our committee on 1 September, where you said:

Our next steps. We are progressing the 17 sites that have been identified and managing the construction impacts during the building of those sites. We are completing the program business case by late 2015 ...

I also refer to some correspondence from the minister, Jacinta Allan, to Ms Dee Ryall, the member for Ringwood, in which it states:

The LXRA is currently preparing an overarching business case —

and it goes on.

However, today the Auditor-General released a report *Managing and Reporting on the Performance and Cost of Capital Projects*. On page 19 of that report it states that:

Planning documents were prepared for all projects except the level crossing removal program. The government committed to remove 50 specific level crossings and the overall business case is currently being prepared for completion in mid-2016.

My confusion surrounds the discrepancy between those two dates. We heard from you last year that the business case was due to be completed before the end of the calendar year last year. However, the Auditor-General in his report today said that this same business case is due for completion mid this year. Can you provide some clarity around what is the status of the business case for the 50 level crossing removals?

Mr DEVLIN — Happy to do so. When I last presented to the committee some time ago, that was my best estimate of where we would be with the program business case, but we have deliberately taken longer and extended the time frame for that business case. Essentially we view that until we have done further work arriving at the solutions for the whole 50, we cannot give a definitive view of the total program without that further work being done. So we are taking the time to do that further work on all the 50 to make sure we have a fully informed business case to present to government. So that is the update: we are taking some more time to make sure we get it right.

The CHAIR — So just to be clear, there is no completed business case for the 50 level crossing removals at this point?

Mr DEVLIN — Sorry, I missed that, Chair.

The CHAIR — There is no completed business case presently for the 50 level crossing removals?

Mr DEVLIN — No, we have not submitted a business case to government.

The CHAIR — So at this point in time is there a project description for all 50 level crossing removals?

Mr DEVLIN — So for the 19 that are under contract we submit a scoping document, a project proposal document, that goes through Treasury's high-value, high-risk procurement approval process to authorise the release of funds. So we have followed that process for those sites that have been contracted. But in terms of the overarching economic analysis of all 50 level crossings, that has been combined into one program business case which we are still doing some further work on.

The CHAIR — You just stated earlier that the delay of the completion of the business case was a deliberate decision. Can you tell me when that decision was made to delay the completion of the business case?

Mr DEVLIN — It was not a particular one-off decision other than since presenting to the committee previously we have been growing an organisation. As I mentioned to you last time, I started with three people not just 12 months ago. So we have been growing the organisation, and the more we have got into the program, the more challenges that have been presented. So we feel that we need more time to critically analyse all the solutions, all the 50. We were overly optimistic about how much we could do in a short space of time previously, and we have recalibrated where we are at. Accordingly, we have held back submission of that until we have done more work.

The CHAIR — One of the concerns that this committee has certainly heard previously with regard to another infrastructure project, being the western distributor, is that there have been concerns raised by community members that Transurban in its approach has effectively dragged out community consultation or not provided information to the community with the view that a final decision will be made without the appropriate input of the community up to that point. A decision will be made and bang, the community is stuck with a decision that they were not involved in making and their views were not really taken into account. I can understand that there may be some concerns in the community with regard to the dragging out of the business case as well, that this may indeed not facilitate the community understanding exactly what is going to be imposed upon them before it happens.

Mr DEVLIN — Quite the contrary. We are seeking to make sure that part of that planning work involves a consultation on those other sites so that we can factor some of that community consultation into the preparation of the business case, because ultimately the final position of the business case will be determined on the final preferred solution of every one of the 50 level crossings. We do not have that preferred solution for all 50 at this point in time, but we are certainly out there consulting across the board on the community's views at many of the sites.

The CHAIR — Has the Level Crossing Removal Authority learnt from the failings of the initial announcement of sky rail to the community that did not want it?

Mr DEVLIN — We are certainly taking on board feedback all the time and developing the organisation. As I said, it is a new organisation. We are still only just past 12 months, so we are continuing to learn and refine our processes. We were very clear at the start of Caulfield to Dandenong about the consultation process. We laid out a process at the beginning, in mid-2015, that that is the process we would be following, and we have stuck to that process. With the other level crossings we again — for Frankston — have been very clear about the consultation process we are undertaking, and we are delivering on that commitment.

The CHAIR — So with the business case that is yet to be completed, if the business case does not stack up, if the return for investment is not there, are the level crossings still going to be removed?

Mr DEVLIN — Well, I think that is potentially a matter for government, but my direction is — —

Interjections from gallery.

The CHAIR — Thank you. Thank you.

Mr DEVLIN — It is getting hard to concentrate.

The CHAIR — I can understand, Mr Devlin, and I would appreciate the gallery allowing both the committee members and Mr Devlin to concentrate on the work that we have at hand.

Mr DEVLIN — Could you ask the question again?

The CHAIR — So the question was: if the business case does not stack up, if the return for investment is not there in the business case, will the level crossings still be removed?

Mr DEVLIN — Well, again, that is a matter for government, but the government has been very clear with the authority that it is committed to delivering 50 level crossing removals, and that is what I have been tasked with doing. I think we know from past experiences that the previous level crossing removals that have been

undertaken have shown positive benefits, and we are confident that that will continue. I think we can put good faith in the previous work and in our preliminary work.

The CHAIR — There has been some discussion about the third and fourth lines for the Dandenong line. There has certainly been some discussion on it, and the Leader of the Government in the Council has certainly referred to these plans as well. Can you tell me: what is the state of these third and fourth lines? Where are they going to be? What is it going to look like? What is planned?

Mr DEVLIN — I need to be very clear that the third and fourth tracks are not part of the Caulfield to Dandenong project.

The CHAIR — Are you planning them, though, as part of the work you are doing?

Mr DEVLIN — No. What we have said all along is that the works we are doing with removing the nine level crossings will not preclude the third and fourth tracks being provided and will not mean that the infrastructure we are building would need to be demolished, for example, to make way for those third and fourth tracks. So it is commonly referred to as passive provision for many of the plans that PTV has for extending or expanding the rail network. I think the timing or the likelihood of those lines is a matter best put to PTV.

Again, I am a delivery authority. We were clear that one of the requirements from PTV was to make sure that we did not preclude the provision of third and fourth tracks. This government has made it clear it is not part of what we are doing here, and extensive planning, investigations and design work would need to be undertaken before you arrive at any decisions about those third and fourth tracks, their location or their provision, and we are not doing that.

The CHAIR — I was hoping to just ask a question about the preliminary noise reports that were released today. I am interested to know: how was the data about the current noise sourced for use in this report?

Mr DEVLIN — I will have to take that on notice and come back to you, but my understanding is that the consultants, who are extremely well respected consultants in this field, have various methodologies, accredited by the acoustic society of Australia. So there are set methodologies about how they go about doing these, and there are set noise levels for different types of vehicles or trains, but whether that was calibrated with on-site measurements, for example, I would have to come back to you and take that on notice and confirm.

The CHAIR — I wanted to ask you about a Mr Ian Woodcock. I am just wondering: does he have a role of the Level Crossing Removal Authority?

Mr DEVLIN — No, he does not have a formal role, but — —

The CHAIR — Does he have an informal role?

Mr DEVLIN — No, no, he does not have an informal role. We treat Mr Woodcock as a stakeholder from RMIT University. He approached us with his colleague from Melbourne University very early on, early last year, when I was first setting up the authority, to talk to me about the work that they had been doing over a number of years — the two — at Melbourne University and spoke about their plans and intentions for running their graduate students through some seminars and workshops and doing further work on looking at various ways to support level crossing removals in and around Melbourne. So we saw that as an academic piece of work, separate to us.

The CHAIR — Has Mr Woodcock been a key driver behind the sky rail solution?

Mr DEVLIN — No, not at all. He is just another stakeholder with a particular view, and I do not think we should single out people because they have one view or the other. We are trying to respect all sides of this argument.

The CHAIR — Just one final question from me, and then I will hand over. I am wondering about the sky rail solution. Is it your understanding that the reason behind the decision to go with sky rail was to facilitate the completion of the project prior to the 2018 election?

Mr DEVLIN — As I think I have mentioned before, there are a huge number of factors that went into — —

The CHAIR — Was that one of them?

Mr DEVLIN — Time is always one consideration in any project delivery exercise, but, as I said, disruption, engineering constraints, time, cost — all of those are key factors in trying to arrive at a solution that on balance is in the best interests of the whole Melbourne community.

The CHAIR — Are you aware, though, specifically, whether or not the timing around the next state election was a factor in the decision to select sky rail?

Mr DEVLIN — I do not think that is for me to speculate on the timing, other than that the government made it very clear that they were committed to getting on and wanted the Level Crossing Removal Authority to deliver this program — 20 level crossings by the end of 2018 and 50 by 2022. They did not want to waste a day and wanted us to get on with it, and that is exactly what we did.

The CHAIR — I do not want you to speculate. I just wanted you to state whether or not you are aware of whether or not the government's decision was influenced by wanting to have the project completed by the November 2018 election — your knowledge of that.

Mr DEVLIN — Again, as I have said, time is one of the considerations by government, but the degree to which they took that on is not for me to try and guess what the — —

The CHAIR — Not guess, but what do you know of the — —

Mr DEVLIN — I do not know how much weight they put into that variable in the solution.

Ms HARTLAND — It is a question for government.

Mr LEANE — It is not the government.

The CHAIR — No, I understand that.

Mr LEANE — You might as well ask him to speculate about anything.

The CHAIR — Well, we would not want to do that.

Mr LEANE — I do not think you should.

Mr EIDEH — My understanding is that the Melbourne Metro Rail Authority has stated that Mr Tattersall recently visited London and Hong Kong to inspect underground rail projects there. What lessons for Victoria have come from those visits? Did we learn anything from that?

Mr DEVLIN — I am yet to get a debrief from Evan Tattersall, the CEO of Melbourne Metro Rail Authority, about that. I was keen to do that, but I understand that was an extremely valuable trip. Hopefully a number of the lessons learnt there, from particularly Crossrail in London, can be applied to the Melbourne Metro to deliver an even better outcome. I myself have not had a detailed debrief from Evan.

Mr EIDEH — It would be an interesting lesson to learn in a sense.

Mr DEVLIN — I think it is always important to learn from overseas practices. As Australia we are still a very small population, and there are a lot of lessons to be learnt from international best practice. We should be doing more of that — understanding what opportunities there are to improve not just infrastructure delivery but other areas from international expertise.

Ms HARTLAND — I have got about another five questions, but the others I will put on notice via the committee. Cost-benefit analysis: has there been one prepared comparing elevated rail with a tunnel or a cut and cover?

Mr DEVLIN — Not a detailed cost-benefit analysis, no.

Ms HARTLAND — Can you supply the committee with whatever analysis was done?

Mr DEVLIN — I will take that on notice and assess it through the normal processes.

Ms HARTLAND — Also, in relation to diesel, diesel engines are able to go through rail tunnel, as I understand it. Is that correct?

Mr DEVLIN — With extensive fire, life and safety provisions built in, potentially they can, but it is not standard practice.

Ms HARTLAND — One of the issues that has been raised is the government talking about the amount of open space that is going to be created because of this. Who will actually create that open space and then maintain it? Having been a local council person, often government offers new pieces of land but then council ends up being responsible for it. So who will actually be the designated people who will maintain it if this goes ahead?

Mr DEVLIN — The government has announced an open space expert advisory panel to advise it on the design and maintenance practices and some of those matters that you are indicating. We will also be talking with local councils, VicTrack and Metro about the most appropriate body to maintain it. In addition, the government has also announced it is establishing a trust to ensure that the ongoing maintenance will be undertaken by whoever that responsible party is and to oversee that. They have seeded that trust with \$15 million, which is a significant investment to seed that trust to ensure the ongoing maintenance of the facilities and open space being provided.

Ms HARTLAND — Could you supply the committee with details about that trust?

Mr DEVLIN — Yes, I can provide some details.

Ms HARTLAND — That would be good. Bicycle lanes is another issue that has been raised with me. That was, again, something the government said would be really good about this, but as far as I can see from the mapping they are not going to be continuous. So what work has been done about bicycle tracks along the elevated rail and along the rail in general?

Mr DEVLIN — So certainly we are providing 12 kilometres of additional cycling paths, shared walking paths and walking paths as part of the project. We are connecting a few missing links, including connection to the EastLink Trail. So cycling and pedestrian movement along that corridor is going to be a key part of the project and a key benefit to communities, more distant commuters and cycling commuters. I can provide some more detail about that. There will still be, as all shared paths have, some need to cross at signalised crossings along the way.

Ms HARTLAND — Again, about the design and analysis in terms of crime prevention, because as we know a lot of open space needs particular treatments about lighting et cetera, what planning has been done around that?

Mr DEVLIN — Over the next two years that will be the last piece of work done towards the end of the project, so we will have time to do that. There will be further detailed design work, and the expert advisory panel has been deliberately put together with some of that key expertise, whether that be police or landscape architects, to try to strike the right balance. Again, there are lots of precedents we can use to look at what is best practice in that space. It is about the finer details of those treatments that really go to making sure that it is a very good outcome. We are going to have lighting. CCTV cameras and those sort of things will be part of what we are doing in those community spaces.

Ms HARTLAND — With all of those things, what role will community have as a stakeholder in these?

Mr DEVLIN — With those open spaces and community facilities there are going to be ongoing opportunities for consultation, as there are in all infrastructure projects during the delivery phase where you are working through with council and with communities on the detailed design of those treatments. That is what we will be doing, particularly over the next 12 to 18 months.

Ms HARTLAND — Also in regard to this document, and as I said, it is actually a market survey about attitudes of people towards the project, can you supply the committee with the actual consultation process — when you had the first conversations, you know, so that we have an absolute time line of what the authority

believes that they did in terms of the consultation? Because I think what we need to do as a committee is to be able to line that up with what the community feels did or did not happen. There is just this huge chasm about what people believe did or did not happen, so we actually need to see the time lines.

Mr DEVLIN — All right. I can put a time line together to spell out the two key consultation reports — the one from November and the one just recently released.

Ms HARTLAND — So not just from November, but from the very beginning of this process.

Mr DEVLIN — Prior to it. Yes.

Mr FINN — Mr Devlin, will tenderers for the level crossing removals be requested to present their bids as rail above or below road in their conceptual designs or both?

Mr DEVLIN — It depends on the particular site, but I suspect most of the level crossings will have a reference design that goes out. Normal practice is to have a reference design as part of that tender process, so I expect that that will continue.

Mr FINN — Will any environmental studies be released to the public on comparison between the above and below-road concepts?

Mr DEVLIN — Not as a generic piece of work. But if of the 50 level crossings there are various sites where those options are being presented, then we will be describing the pros and cons of each option as part of our presentation of the options.

Mr FINN — Now I refer to the Wilson family at 25 Rosstown Road, Carnegie, immediately adjacent to the proposed sky rail. I particularly refer to an information session that I understand you attended in your capacity as the authority boss, and you were approached by Mr Wilson at that particular gathering. Is it a fact that you then admitted to Mr Wilson that the government would ultimately build a third and a fourth line? Its trajectory would move the rail line south, overhanging the properties on Rosstown Road, like Mr Wilson's at 25 and Mr Savage's property at 27 Rosstown Road, and would trigger compulsory acquisition.

Mr DEVLIN — So going back to the issue of the third and fourth track then, what we do know is that in the section between Grange Road and Poath Road the reservation is not wide enough for third and fourth track. I think that is what I was communicating to Mr Wilson, so there would potentially need to be compulsory acquisition in the future for third and fourth track. But again the government has made no decision on whether to put one north, one south, two north or two south. That will ultimately be a decision following further planning work. I think Mr Wilson was living south, so there is that potential, but again this project is not delivering that third and fourth track. But certainly PTV network development plans show a future need for a third and fourth track. Like lots of the rail corridors in Melbourne, some of the corridors are not wide enough for future widenings, as are road reservations as well.

Mr FINN — So you did discuss with Mr Wilson compulsory acquisition?

Mr DEVLIN — Yes. No, so I recall discussing that issue with him.

Mr FINN — And you raised the issue of compulsory acquisition I assume with relation to his property?

Mr DEVLIN — No. As I said, the rail reservation is not wide enough, and potentially a future project team or government would need to use compulsory acquisition to acquire land along that corridor, but that is clearly not part of this project, although the government has announced a voluntary purchase scheme. The matter for the third and fourth track and when they are required is a matter that I would refer to PTV.

Mr FINN — I understand from what I am told that you became quite animated during this discussion and you punched a map indicating where the third and fourth lines would go. In this context I have to ask why the government business case does not contain details of the third and fourth lines and all the models along the line are designed to hoodwink — if I can use that term — the community into believing this is a two-line project when in fact that is not strictly correct.

Mr DEVLIN — I would refute that I was animated, but I want to be very clear that this project is not about a third and fourth track. But as I have said, we are aware that there is potential need for a third and fourth track on that corridor in accordance with PTV's network development plans, and as a requirement of our project, as in many infrastructure projects, you need to give consideration to the future plans and upgrades of that infrastructure, whether it be road or rail. We are aware that a third and fourth track is a potential need on that corridor at some time in the future, so we set about ensuring that the works we did did not preclude the provision of that third and fourth track, but it is not part of this project.

Mr FINN — How far away do you think that third and fourth line might be?

Mr DEVLIN — That would be a question you would need to refer to PTV. I am the delivery authority; the future provision of infrastructure is not something that I can comment on.

Mr FINN — So it is not, as some have suggested, an attempt by your authority to bring down property prices with line 1 and 2 and then make a killing, having bought the adjoining properties for line 3 and 4? You do not accept that that is a realistic proposition?

Mr DEVLIN — No, I do not accept that.

The CHAIR — Mr Leane?

Mr LEANE — We have got till 8.30?

The CHAIR — Yes.

Mr LEANE — Okay. I will make sure we do not go past that. I just have a few questions of interest as far as Main Road, St Albans. I appreciate, and I have it put on the record, that this was a level crossing that was planned by the previous government before this government took over. I think we would all be bipartisan at the moment in that that site has quite a tragic history in as far as 16 deaths have occurred at that particular level crossing site. I appreciate that in your world of engineers the project is finished when the last bit of shrub is put in and the path is done, but could you give us two completion dates — one when the actual road and the rail will be separated and one when you think that particular alliance under your purview will actually completely finish the project?

Mr DEVLIN — At this stage, this coming January we will be doing an occupation at Main Road, so at the end of January we are confident of having the level crossing removed, and then works will be totally completed by mid-2017. The works are progressing very well on Main Road. It is slow going out there given the ground conditions, but the contractors are making very good progress and performing well. Recently I think they completed over Easter Furlong Road, for example, which had been done together, and completed the road bridge. So the two road bridges are actually in place, and they are currently digging out underneath those two road bridges.

Mr LEANE — I understand there have been people in the community lobbying for a long time, and I accept that this was a project that was going to go ahead under the previous government and this government. I understand there has been a bit of a discussion around the people that have been directly affected, unfortunately, by this level crossing's history who would like to see some sort of marker or something when your alliance leaves that maybe marks the unfortunate history. Could you give us any details of how that is being accommodated?

Mr DEVLIN — We are looking at consulting with the community about an appropriate recognition of the history of those sites and in particular people who have lost their lives, so we think there is a very good opportunity with what we are doing with the new civic infrastructure with the station, the forecourts and the areas, whether that be community art or some sort of opportunity to certainly provide a reminder of its history, and it is something we will consult with the community about and hopefully engage some local artists to recognise that appropriately.

Mr LEANE — And in that process in particular I hope there would be an onus on involving or consulting, as I said, the people that have been affected by history.

Mr DEVLIN — Yes, and particularly, without going into it too much here, we would certainly look to families of those to be part of that.

Mr LEANE — I appreciate that governments of all flavours have removed level crossings, and the previous government removed Springvale Road, Springvale, which was quite popular when it was done, and Mitcham Road, Mitcham, and I think I have probably forgotten one or two. Mr Morris asked you around the cost-benefit of the whole project and separate projects, and you said you can rely on previous projects — and I am happy for you to take this on notice because these were not your projects. So far as the recent projects, Springvale Road and Mitcham Road, there must have been a cost-benefit there on top of the social benefit, the obvious social benefit, of what we were just discussing before.

Ms HARTLAND — Regional rail would be another example.

Mr LEANE — That would be another example as well. Now, I appreciate that they were not projects that were under your authority, but maybe if that is something you could take on notice: what those particular cost benefits were rated at for those particular ones?

Mr DEVLIN — Yes, I can certainly review that and come back and advise the committee on the benefit-cost ratios for those projects, and certainly in particular we recognise that there are certainly additional benefits that traditional BCR methodologies do not capture that have probably been delivered for those local communities and that those outcomes have been very positive for the community.

Mr LEANE — Mr Morris, that has taken me to 8.29 p.m.

The CHAIR — Well done, Mr Leane.

Just one final question: with regard to the track 3 and 4 planning, was that part of the tender that has just been signed? Was that part of the tender that they needed to plan for that?

Mr DEVLIN — No. Well, they need to demonstrate how they have not precluded the provision of that third and fourth track, and in particular we have been trying to make sure that people are clear that, for example, it is not going to propose to infill the structure, and that would clearly not be sensible. You would need to demolish the stations if you put it in between. So the bidders were required to outline how the infrastructure they are providing would not need to be disrupted or disturbed in building a future third and fourth track.

The CHAIR — Okay. One final one on the ministerial guidelines for assessment of environmental effects, which we discussed before. Obviously there are individual potential environmental effects, so single environmental effects that can trigger automatically. And then there is also a combination of potential environmental effects, so where you have two or more that would trigger an EES.

Mr DEVLIN — Correct, yes.

The CHAIR — Where there is a combination of potential environmental effects, was any single one of those triggered through the review that you did?

Mr DEVLIN — I do not think it is appropriate for me to speculate on that, given you have requested the document and that is under consideration by the Legislative Council. In me discussing it, I would be giving you the contents of that.

The CHAIR — By logical deduction, though, if there was not, you would say no, so I think we probably have our answer there. Mr Devlin, thank you for that. At that point, unless there are any final questions from the committee, I will thank you, Mr Devlin, for coming along this evening. I will inform you that you will receive a transcript of this evening's evidence for you to proofread, and that evidence will eventually make its way onto the committee's website. But once again, thank you for coming along this evening. I close our hearing.

Mr DEVLIN — Thank you, Chair.

Committee adjourned.