

The Hon. Richard Wynne MP
Minister for Planning
Level 16, 8 Nicholson Street
East Melbourne VIC 3002
Email: Richard.Wynne@parliament.vic.gov.au

4 February, 2020

Ref:

██████████ ██████████

Dear Minister Wynne,

West Gate Tunnel Project and ██████████

As the media and public awareness of the severity of the West Gate Tunnel project escalates, Moorabool Shire Council (Council) is becoming increasingly concerned about the adequate mitigation options of adverse impacts to our community if ██████████ is approved as a disposal facility for the spoil.

Council appreciates the Ministers office receiving our letters (dated 1 November 2019 and 13 November 2019) and the follow-up meeting on 4 December 2019. Our concerns for the project were openly discussed and accepted at this meeting, however details regarding the approval process and appropriate mitigation are yet to be forthcoming from Government, West Gate Tunnel Authority, Transurban, John Holland or ██████████.

It is understood that this project and the management of the spoil has become highly controversial and there are commercial sensitivities currently in place. However, it is of the utmost importance to Council that the community, amenity, infrastructure and environment impacts are mitigated in such a way that does not allow for adverse impacts now and into the future.

Contaminated Soil

The potential risk for contaminated soil was highlighted in the Contaminated Soil and Spoil Management Technical Report prepared by Golder and Associates as part of the Environment Effects Statement (EES) process in 2017. It was also acknowledged in this report that there are no landfills that can accept Category A Prescribed Industrial Waste, and the management of PFAS contamination will need to be in consultation with the Environment Protection Agency (EPA). The potential offsite impacts due to the disposal of spoil was not acknowledged or considered in the EES for the project.

These potential offsite impacts are going to be significant if ██████████ is to receive large volumes of contaminated soil. At this stage, Council has not been provided with any information regarding the type or volume of soil proposed for disposal in our main town centre, Bacchus Marsh. Given the proximity to Bacchus Marsh, and considering the key issues previously raised, Council seeks urgent clarification on:

1. What classification of soil is proposed for [REDACTED]
2. What volumes are being considered?
3. How will the amendment to their current permit be processed?
4. Will there be consultation throughout this process?
5. How will impacts be mitigated?

Traffic Impact Assessment

It is understood that the proposed soil disposal may increase heavy vehicle movements to approximately one truck every six minutes. The local roads in their current state will not withstand this level of traffic. The increased truck movements raise significant safety concerns for Woolpack Road, Hopetoun Park Road, Bacchus Marsh Road, Bacchus Marsh-Geelong Road and the local roads adjacent to [REDACTED].

The gravel roads in the area are not wide enough to safely allow for two-way traffic. In addition, road pavements and structures have not been designed for the likely volumes of heavy vehicle movements. Council has recently awarded bridge barrier upgrade works that will necessitate full road closure for 8-10 weeks on Woolpack Road. This is the road currently used by trucks headed to [REDACTED]. Road upgrades would need to be reviewed for this proposal and acted on accordingly.

A traffic impact assessment and road safety audit of the current conditions would allow for an informed assessment of the impacts of increased movements. Council will require road upgrades and dilapidation deeds to be developed to compensate for the impact to the roads, including responsibility for repairs during and on completion of the increased traffic.

Maddingley Planning Study

The Maddingley Planning Study is an important strategic planning project for Council, as it will provide direction for future statutory planning decisions, by recommending an updated suite of planning controls for land within the study area and land within buffers (or separation distances) to the [REDACTED] Waste and Resource Recovery (WRR) Hub (i.e. the [REDACTED] site). The Maddingley Planning Study will also investigate options for non-sensitive land uses within the study area, determine appropriate zone and overlay controls for the study area, and identify existing infrastructure availability and future infrastructure requirements.

The purpose of the project is to provide the strategic foundation for potential changes to the Moorabool Planning Scheme that will better resolve the tension between industry and other uses. This framework will also allow appropriate new uses to establish and grow within a clear and robust planning framework.

Council has prepared the Maddingley Planning Study Background Report and carried out extensive community / stakeholder consultation in late 2019. The outcome of the consultation process is due to be reported to Council in March 2020, following which a draft Maddingley Planning Study will be prepared based upon the findings of the background report and consultation.

The Maddingley Planning Study Background Report did not consider any potential receipt of contaminated soil from major infrastructure projects. Council is concerned that any proposal to dispose of contaminated soil at the Maddingley WRR Hub could have significant and unknown ramifications for the Maddingley Planning Study project, and that this may delay the resolution of a complex array of strategic planning issues for the study area and surrounds.

Parwan Creek and Irrigation District

Parwan Creek flows through [REDACTED]. The creek flows into the Werribee River to the north east. The Werribee River provides water for irrigation districts at Bacchus Marsh and Werribee and water for urban areas. These waterways form part of the Port Phillip Catchment, which is administered by the Port Phillip and Westernport Catchment Management Authority and Melbourne Water. Groundwater aquifers also exist beneath the study area. Potential contamination of these waterways is a significant risk to the region and beyond.

This letter, read in conjunction with our previous correspondence, highlights the main concerns of Council and the surrounding community. Council understands this matter of excess spoil must be dealt with accordingly. However, we expect our concerns for our community to be a priority and to be kept informed in an open and transparent manner. We would like to embrace a co-ordinated approach to the assessment of this proposal and believe this would lead to the best outcomes for not only the project, but the surrounding community.

I appreciate your time on this matter and I look forward to hearing from you.

Kind Regards



Derek Madden
Chief Executive Officer

cc: The Hon. Jacinta Allan, Minister for Transport Infrastructure
Dr Kathy Wilkinson, CEO, Environmental Protection Authority Victoria