

### **1. Why is an elevated pedestrian crossing over Gardiners Creek required?**

The current Gardiners Creek crossing is not safe and is not compliant with the Disability Discrimination Act 1992 (DDA). The University received a complaint through the Victorian Equal Opportunity & Human Rights Commission regarding the discriminatory nature of the current crossing over the Gardiners Creek Reserve.

It discriminates against staff, students and the public with particular disabilities. Deakin needs as a matter of urgency to address this issue of discrimination and be able to provide everybody with safe and convenient access to both sides of the Burwood campus by constructing the proposed Gardiners Creek elevated crossing over the reserve.

### **2. Why did the University submit a planning permit application to the City of Whitehorse and also pursue a Ministerial Planning Scheme Amendment with the Minister for Planning?**

Deakin University was confident that its planning permit application for the new improved design for the Burwood Link, which will be a lighter, narrower, less obtrusive and more environmentally sustainable crossing than the previous bridge design which was supported by the Victorian Civil and Administrative Tribunal, would be successful.

However, the University was also mindful that like all planning processes, which can include referrals to VCAT, timelines can be prolonged.

Given the urgency of addressing these safety and discrimination matters and the fact that there had already been extensive community consultation on the previous design which obtained a planning permit, Deakin sought the support of the Minister for Planning for a ministerial amendment to the Whitehorse Planning Scheme to ensure that this vital new link joining the two sides of the Burwood Campus could be expedited as soon as possible.

### **3. What will happen to Planning Application WH/2015/818 lodged with the City of Whitehorse?**

Deakin University has withdrawn Planning Application WH/2015/818.

### **4. What is the impact of the Planning Scheme Amendment C210 to the Whitehorse Planning Scheme and why is it required?**

Ministerial Amendment C210 to the Whitehorse Planning Scheme came into effect on 14 January 2016. This amendment modifies the Schedules to Clause 52.03 and Clause 81.01 to insert a new incorporated document titled, *Deakin University, Burwood Link Project November 2015*, to facilitate the construction of the 'Deakin University, Burwood, Burwood Link Project'.

It also amends the Schedule to Clause 61.01 so that the Minister for Planning is the Responsible Authority for administering and enforcing the scheme for the 'Deakin University, Burwood Link Project'.

### 5. Wasn't a permit for an elevated pedestrian bridge across Gardiners Creek approved a few years ago?

In 2010, the Victorian Civil Administrative Appeals Tribunal (VCAT) instructed the City of Whitehorse to approve a permit for a new bridge to be built.

However, following consultation with the community about the design, size, weight, and impact of the bridge on the Gardiners Creek environs, Deakin allowed this permit to expire with a view to undertaking a new design in an effort to address concerns raised by community members and the Whitehorse City Council.

### 6. Has the University considered safety of the people using the Burwood Link?

The new design specifically provides for improved personal safety both during the day and at night with improved lighting and CCTV security that is compliant with the Victoria Police guidelines on *Crime Prevention Through Environmental Design*.

### 7. What is different about the new bridge design?

The new proposed Link will be a different structure from the previous one that was rejected by some in the community. The new Link has been purposely designed to:

- be much lighter
- be less imposing and less visually obtrusive for the environment
- have only 1 pylon in the creek reserve rather than 4
- be more environmentally sustainable
- require considerably less vegetation removal.

Element	Burwood Link	Interconnect (Previous proposal)
Width	Constant 4m link over the reserve, splayed to 6.4m at western end	Varying width ranging from 4.3m to 10m. The average in the reserve is 6.3m
Support structures within the Crown reserve	1 "V" shaped	4 supports
Proposed number of trees to be impacted (removal or trimmed) within the Crown reserve.	Approx. 19 trees (No planning listed trees and mostly re-vegetation)	Approx. 85 trees
Height of Truss and balustrade	3.8m	9.3m
Maximum height above ground level	14.4m	11.6m to 12.0m
Length within Crown Reserve	113m	119m
Total Length of link	245m	200m
Approximate amount of steel	150 tonnes	300 tonnes

### **8. Will use of the Burwood Link be restricted to University students and staff?**

No. The Link will be open to the entire community to use at all times.

It will be a structure that not only assists students and staff to move from one campus to another, but will also provide better access to the University and its facilities, such as the library and gymnasium. It will allow everybody in the community to move freely from Elgar Road to Burwood Highway and vice versa.

The Link will allow for staff, students and the community to safely cross the creek with ease whilst allowing others in the community to continue to use the Gardiners Creek recreational trails for bike riding, physical exercise and dog walking. This separation will not only reduce the impact on creek reserve users but will assist in addressing cultural differences for some overseas students relating to their attitudes to dogs.

### **9. Is this crossing going to be a road or is it a pedestrian bridge only?**

The proposed structure will be a **pedestrian crossing only**.

The only motorised vehicles will be wheel chairs, the occasional maintenance (golf style) buggies and emergency vehicles such as ambulances. Deakin will install control measures to prevent unauthorised vehicle access to the Link.

### **10. What is the impact of the Burwood Link on the existing Gardiners Creek Crown Land Reserve open space?**

There will be minimal loss of open space associated with the proposed Burwood link. The Burwood Link will have only one support physically landing on the existing reserve.

The area beneath the elevated bridge will still be totally accessible to the community and as part of the improved design there is greater clearance between the underside of the structure and the ground, to address any perceptions of being “closed in.”

Far from putting pressure on parkland, it will remove over 40,000 crossings per week from Gardiners Creek, which will help remove congestion for those using the Gardiners Creek reserve.

### **11. Can the recreational trails in the Gardiners Creek reserve be used during construction of the Link?**

The design of the Link has also addressed construction methods that minimise disruption to the creek reserve and its users. The structure will be prefabricated off site and craned into place from University land. It is proposed that construction within the creek reserve will be limited to the construction of the one support pylon structure. It is intended that there will be minimal, short-term only disruption for creek reserve users, and it is proposed that at least one of the existing paths along the creek be maintained at all times allowing for continuing access by creek reserve users.

**12. A bridge option was put forward by the Gardiners Creek Crossing Reference Group (GCCRG) that would have satisfied some people with disabilities. Why wasn't this option, the "Switchback Option", accepted by the University?**

The preferred option of the GCCRG, which was established by the University and included community members, was not accepted by the University because it was not the best possible outcome for people with a disability and would have had a greater impact in the creek corridor.

The preferred crossing under this option would have resulted in connecting a ramp system of over 100m in length with a vertical rise of over 16 metres. Due to physical fatigue levels of people with varying types of disabilities, the Building Code of Australia sets a maximum vertical rise limit of 3.6 metres to enable reasonable use of the ramp run without causing physical duress, harm or injury.

Experts reviewed this bridge option and the advice obtained indicated that considerable earth removal from the Reserve would be required, which would significantly alter the Reserve and adversely impact the Gardiners Creek environmental features in this location.

**13. Is Deakin negligent in failing to provide an accessible campus for students, staff and the general public?**

Deakin University takes seriously its duty of care to students, staff and members of the public who use the Burwood campus and its facilities, and is committed to resolve the current unsatisfactory access which is discriminating against staff, students and the public by not having a compliant DDA crossing over Gardiner's Creek.

The University was also obliged to address a complaint through the Victorian Equal Opportunity & Human Rights Commission regarding the discriminatory nature of the current crossing over the Gardiners Creek Reserve.

**14. How many people with a disability live in the University residential accommodation on the Elgar Road side of Gardiners Creek?**

The number of people with a disability is not the issue. If one person is suffering discrimination, as a community we should say that it is not acceptable and take measures to address the issue.

The current crossing is not compliant under the Disability and Discrimination Act (1992).

The University does not know how many people with particular disabilities have inquired about accommodation with Deakin and then have withdrawn their interest once they have seen the difficulties in moving from one side of the campus to the other across the Creek.

Deakin has an obligation to its staff, students and the broader community to provide a safe and accessible crossing that is compliant with the Disability & Discrimination Act.

### **15. Will the University be responsible for and maintain the Link?**

Yes.

The University will be responsible for the funding and construction of the proposed Burwood Link and all ongoing maintenance at no cost to State or Local Government.

The University will work closely with the Whitehorse City Council in relation to matters such as graffiti removal, rubbish removal, and other routine maintenance issues indirectly associated with the Link stratum that may impact on the Gardiners Creek reserve at ground level.

### **16. How does Deakin propose to address the vegetation removal associated with the construction of the Burwood Link?**

The Burwood Link has been specifically designed to significantly reduce the need for vegetation removal. No remnant native vegetation is within the area of the Link. It is intended that any required vegetation off sets will be facilitated by a third party offset provider such as the State Government's Bushbroker Scheme.

Deakin will also remediate any area impacted by the construction of the one support column in the reserve, and is happy to work with the Whitehorse City Council, Melbourne Water and community groups on remediating/replanting other degraded areas within the Gardiners Creek reserve.

### **If you require further Information**

Deakin is fully committed to keeping the community informed during the construction period and intends to hold community information sessions, communicate regularly to the local community, and have information freely available at the Deakin University library and on the University's website at [www.deakin.edu.au/burwood-link](http://www.deakin.edu.au/burwood-link)

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