

**BRETT SUMMERS, PROJECT DIRECTOR, LEVEL CROSSING AUTHORITY**

**INTERVIEW WITH JON FAINE**

**MELBOURNE RADIO ABC 774**

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**FAINE**

You may or may not have been listening yesterday when on the open line, Jan from Caulfield called in to tell us about her tussle with the Level Crossing Removal Authority.

She told us that her home in Caulfield was significantly impacted by the Sky Train proposal but I said to her, well surely then your house is one of those that they're going to compulsorily acquire

This was her answer:

**[audio played]**

**Jan**

No, I'm not, they've told me I don't have any impact. Where my head is, is going to be 11m from a 7m high brick wall with ascending and descending trains

Jan from Caulfield yesterday, so we put in a call to the Level Crossing Removal Authority who are in charge of the Sky Rail proposals which you might remember the history of this, the Treasurer and the Premier on this program have both agreed that it would be only fair if affected residents whose homes were significantly impacted were given the chance to sell their homes to the Government

Brett Summers is Project Director with the Level Crossing Removal Authority, Mr Summers good morning to you

**BRETT SUMMERS**

Good morning Jon thanks for having me on

**FAINE**

Have you had a look at where this family live in Caulfield East, just near the railway line?

**BRETT SUMMERS**

Ah yes we have had a look at where ah John and

**FAINE**

No, not we, have you?

**BRETT SUMMERS**

I have had a look, yes Jon

**FAINE**

And?

**BRETT SUMMERS**

And we have made the initial assessment against the criteria that has been published and is available on the website, and at the moment, Jan and her husband John don't meet the initial criteria

**FAINE**

Then there's something wrong with the criteria Mr Summers, I've had a look and it is inconceivable that what the Premier and Treasurer committed to does not cover families like this

Their house is absolutely in the shadow of your massive Sky Rail ramp

**BRETT SUMMERS**

We're in the process of making that assessment in relation to how far away the train line is, and how high the train line is from the property but there is a road that separates the property from the train line

**FAINE**

[talking over]

Their front fence and the drive way to their house is one width, one car width away from where your construction is going to be

**BRETT SUMMERS**

And that's why we've encouraged Jan to write back to us and tell us about her unique, individual circumstance

**FAINE**

They're not unique and individual, there's her neighbours as well

That street is exactly what the Treasurer and the Premier had in mind when they said properties that are immediately adjacent to the construction site will have the opportunity to get out

How can you not include a street like this?

**BRETT SUMMERS**

The criteria is for those properties that share a boundary with the rail corridor

**FAINE**

Well that's a lousy criteria and that's far too limiting and not what the Premier promised

**BRETT SUMMERS**

Ah, um, I'm pretty sure the Premier promised that it was residential properties that abut the rail corridor and it's not necessarily properties that have a road in-between the rail corridor and the residential property

**FAINE**

They live in Lorne St. Lorne Street is itself the boundary of the railway line, in other words there is their front room, there's the footpath, the street that they get into their drive way from and then the rail way line.

They are immediately impacted by this, you couldn't possibly argue they're not

**BRETT SUMMERS**

Ah we're not arguing that they're not impacted, we have assessed against the criteria that's been published and we've encouraged Jan and John to respond to us and to talk about some individual circumstances as well

**FAINE**

They're not a street away, they're not another house distance away, their houses are the first row of houses next to the railway line

That's what the Treasurer and the Premier, I don't remember them using the word abutting Mr Summers, that may have been introduced later, but when the initial commitment was made it was for people in exactly this situation

**BRETT SUMMERS**

Look, the criteria has a very specific criteria about sharing a boundary with the rail corridor

**FAINE**

Well I don't know who drew up those criteria but that's not what the Treasurer and the Premier committed to on this program when they first made the concession

The word abut was not used

**BRETT SUMMERS**

I, I can't comment on that Jon because I haven't heard that audio

**FAINE**

I understand you may be bound by the criteria but if there's been a bit of sleight of hand in-between the initial commitment and the introduction of criteria, well let's just deal with that head on, let's not shirk it or avoid it

**BRETT SUMMERS**

There's hasn't been any sleight of hand, we've been very upfront about the criteria, um, and one of those key criteria again is sharing a boundary with the rail corridor

**FAINE**

So there's about a dozen houses along this one particular street, which is almost in the junction of the two rail way lines here, just after Caulfield Station Brett Summers, so are you able, do you have the authority on behalf of the Level Crossing Removal organisation, do you have the authority to say yes we will look at this one particular street if it's been left out for some curious reason?

**BRETT SUMMERS**

We, we are currently looking at that street and um other streets that have very similar circumstances

**FAINE**

So Girdwood Avenue for instance as well as Lorne St?

**BRETT SUMMERS**

Girdwood Avenue is another one of those streets that we are currently investigating

**FAINE**

It would be bizarre would it not if the people on Rosstown Road, whose back fence adjoins the railway line, they were included but the people on Girdwood Avenue whose front fence is ah, a very narrow street away from the railway line are excluded, that would be bizarre

**BRETT SUMMERS**

I wouldn't say it was bizarre Jon because of the very fact that there is a street that separates the property from the rail corridor

**FAINE**

I don't see what the difference is Mr Summers, I think it's the Level Crossing Removal Authority trying to avoid helping out people who the original intention was to help them

**BRETT SUMMERS**

We're certainly not trying to avoid anything, we are trying to help out those properties that are impacted by the project but they are very different circumstances

Sharing a property boundary where the rail line is on the immediate other side of your fence is a very different circumstance to having a local road that separates your property from the train line

**FAINE**

Well there are houses in Rosstown Rd that are actually further away from the rail way line in distance even though they've got long backyards the house is actually further from the line than some of the houses in Girdwood Avenue and Lorne St that you're talking about that are closer but there's a very narrow ribbon of tarmac, of bitumen, between them

It doesn't make sense

**BRETT SUMMERS**

The sharing of the property boundary Jon is just one criteria

As I spoke about before there is further criteria such as how high the rail line is and how far away the rail line is from the actual property

**FAINE**

Are you suggesting though that you will review the decision to refuse Jan and her husband the opportunity of selling?

**BRETT SUMMERS**

So Jan and John, we are in the process of reviewing the decision because we have contacted Jan and asked for some additional information

**FAINE**

We'll keep in touch on it and thank you indeed for your responses this morning

**BRETT SUMMERS**

No worries, thanks Jon

**FAINE**

Brett Summers, Project Director for the Level Crossing Removal Authority responding to Jan from Caulfield's impassioned plea on the open line yesterday.

[ends]