Opening remarks

Group 1: Strategic planning, urban design and landscape and visual impact

Relevant evaluation objectives

1. The evaluation objective relevant to strategic planning is at section 4.2 of the scoping requirements, as follows:

   To increase transport capacity and improve connectivity to, from and through the northeast of Melbourne, particularly freight movement via the freeway network instead of local and arterial roads, while managing the effects of the project on the broader and local road, public transport, cycling and pedestrian transport networks.

2. The evaluation objective relevant to urban design and landscape and visual impact is at section 4.5 of the scoping requirements, as follows:

   To minimise adverse effects on landscape values, visual amenity, recreational and open space values and to maximise the enhancement of these values where opportunities exist.

EES

3. The following chapters of the EES, and technical reports, are relevant to strategic planning:

   (a) EES Chapter 2 – Project rationale;
   (b) EES Chapter 6 – Project development;
   (c) EES Chapter 13 – Land use planning; and
   (d) Technical Report E – Land use planning.

4. The following chapters of the EES, and technical reports, are relevant to urban design and landscape and visual impact:

   (a) EES Chapter 7 – Urban design;
   (b) EES Chapter 16 – Landscape and visual;
   (c) EES Attachment II – Urban Design Strategy (UDS); and
   (d) Technical Report H – Landscape and visual.
EPRs

5 The topic of strategic planning relates largely to the strategic rationale for the Project. As such, there are no EPRs directly relevant to this topic, because it is not an environmental impact that requires monitoring or control. LP3 – Minimise inconsistency with strategic land use plans has indirect relevance.

6 The following EPRs are relevant to urban design and landscape and visual impacts:

(a) AR1 - Develop and implement a Tree Removal Plan; AR2 - Implement a Tree Protection Plan(s) to protect trees to be retained; AR3 - Implement a Tree Canopy Replacement Plan insofar as they relate to maximising tree retention and providing a net gain in tree canopy;

(b) B2 - Minimise disruption to businesses from land acquisition and temporary occupation and SC1 - Reduce community disruption insofar as they relate to minimising the footprint of the Project or its built form impacts in the final design;

(c) LP1 – Minimise land use impacts; LP2 - Minimise impacts from location of new services and utilities; LP4 - Minimise overshadowing from noise walls and elevated structures insofar as they relate to the footprint and built form of the Project in the final design;

(d) LV1 - Design to be generally in accordance with the Urban Design Strategy; LV2 - Minimise landscape impacts during construction; LV3 - Minimise construction lighting impacts; LV4 - Minimise operation lighting impacts;

(e) SW8 - Minimise impacts from waterway modifications and SW11 - Adopt Water Sensitive Urban and Road Design;

(f) T1 – Optimise design performance insofar as it relates to pedestrian movements, bicycle connectivity, and shared use paths

7 Of those EPRs, NELP proposes to amend LV1 and LV2 so that they provide that the design is “to be in accordance with” the UDS. This would bring them into conformance with clause 4.6.6 of the Incorporated Document.

8 Allan Wyatt has made the following recommendations (at page 3 of his expert witness report):
• Ensure that any section of Koonung Creek that is not under the roadway (where a culvert will be required) is re-created as a naturalistic creek environment.
• Ensure that in sections where canopy trees cannot be used to screen noise walls that creepers be considered as a potential visual mitigation measure.

9 NELP agrees with those recommendations and submits that they would best be included as requirements within the UDS.

10 Kevin Begg has made the following recommendation (at page 47 of his expert witness statement):

• The following text from requirement 4A on page 53 should be reformatted from italic to standard text, to identify it as a core requirement: “New built form must provide sensitive interfaces with the adjoining Yarra Valley Parklands. Built form should be integrated into the landscape to minimise visual impact of flood mitigation and other structures”.

11 NELP agrees with that recommendation.

Witnesses

12 The following witnesses will give evidence relevant to the Group 1 topics:

(a) Michael Barlow (NELP) on strategic planning;
(b) Kevin Begg (NELP) and Craig Czarny (Cities of Manningham, Banyule, Boroondara and Whitehorse) on urban design;
(c) Allan Wyatt (NELP) and Steve Schutt (Cities of Manningham, Banyule, Boroondara and Whitehorse) on landscape and visual impact; and
(d) To the extent that their evidence deals with strategic planning as distinct from transport modelling or other matters, John Stone (Friends of Banyule), William McDougall and Terry Rawnsley (Cities of Banyule, Boroondara and Whitehorse).

Technical notes

13 The following technical notes are relevant to urban design and landscape and visual impact:

(a) TN9 relating to revised overshadowing mapping to include property boundaries; and
(b) TN23 relating to photomontages from ‘worst case’ vantage points.
Issues

14 The following general issues in relation to the Group 1 topics are raised by submitters or witnesses:

(a) Whether there is sufficient strategic support for the Project.
(b) The status of the UDS in the context of a reference project.
(c) The methodology employed in the Landscape and Visual Impact Assessment.
(d) The appropriateness of the characterisation of landscape setting and the visual character of the area.
(e) The acceptability of visual impacts, in particular from open space areas and residential areas.

15 There is ample strategic support for the Project. This is comprehensively dealt with in paragraphs 46 to 110 of NELP’s Part A submissions, and is supported by the evidence of Michael Barlow, as well as the evidence of John Kiriakidis.

16 Urban design, landscape and visual impact issues must be understood and assessed in light of the fact that the Project is a reference project, presenting one way in which the Project could be delivered within the Project Boundary while meeting the Project objectives. It is not a final design and does not represent the implementation of the UDS.

17 Rather, the UDS establishes the expectations of the Victorian Government for what contractors must achieve with their design. Its purposes (as set out on page 5 of that document) are to:

(a) Establish and communicate the urban design requirements for the Project;
(b) Ensure proposals are developed with integrated urban design solutions; and
(c) Provide the framework for a performance-based assessment of Urban Design and Landscape Plans.

18 It is therefore misconceived to attempt to critique the Reference Project against the requirements of the UDS.
It is enforceable through the draft Incorporated Document, clause 4.6.6 of which requires the use and development of land for the Project to be carried out in accordance with the approved UDS.

The visual impact of the Project must be assessed in the context of major freeway infrastructure within a highly urbanised environment. It must also be assessed on the basis, again, that this is a reference project rather than a final design. In that respect, the Landscape and Visual Impact Assessment (LVIA) within Technical Report H represents a conservative scenario. Through implementation of the EPRs, the final design can be expected to have a lesser ‘negative’ visual impact than is depicted in the LVIA.

NELP relies upon the evidence of Allan Wyatt to submit that the LVIA is fit for the purpose of assessing the visual impact of the Project at this stage of its development, and that the visual impact of the Project is acceptable subject to implementation of the EPRs.

In relation to the characterisation of landscape setting, the evidence of Mr Begg and Mr Wyatt will be that this is sufficient for the purpose of understanding the potential built form impacts of a freeway-standard road project of this size. NELP notes that the IAC’s independent advisor, Stephen Axford, considers this is appropriate to present a consistent character area from the perspective of a driver and, to the extent that he considers it to be too broad at the local level, this is addressed to a large extent in the Place Specific requirements of the UDS (hearing document 75, p13).

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