

# Submission Cover Sheet

North East Link Project EES IAC

# 818

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Request to be heard?: yes

**Full Name:** Shaun La Motte

**Organisation:**

**Affected property:** 50 Eram Road

**Attachment 1:**

**Attachment 2:**

**Attachment 3:**

**Comments:** Please see attached documents x 2

# North East Link Submission from The La Motte Family

50 Eram Road, Box Hill North 3129

My name is Shaun La Motte I live at 50 Eram Road Box Hill North with my Wife Nicole and our 3 Children. Our home is located on a quiet street with a fantastic sense of community and involvement with each other. Upon relocating to Melbourne from regional Victoria some 8 years ago Nicole and I spent a significant amount of time searching for the perfect property within the Eastern suburbs of Melbourne. We decided on our Eram Road property for several reasons however one of the main reasons was the green belt and shared use path located at the rear of the property, yes there is a sound wall beyond the greenery and path, but it was hardly noticeable.

Our children and all the other neighbourhood kids all play together and the area behind our homes is heavily utilised for this purpose, in fact two of my three children learnt to ride their bikes on the path.

Another key feature of our property is the generous backyard which we utilise for recreation, relaxation and working in our garden.

My family and I are extremely concerned with the current design proposal, particularly regarding the proposed relocation of the sound wall. Our concerns include, but are not limited to:

- visual impact;
- resultant overshadowing;
- increase noise levels;
- social and increased health risks; and
- the significant reduction in the value of our property.

I address these issues below with reference to EPR's and official NEL documents:

## **Visual:**

The visual impact will be extreme as our property backs onto the shared path. The sound wall will be extremely close to the rear of our property, further it will be significantly higher, and all vegetation will be removed making the wall the dominant feature of the landscape. We have made design changes to our home to ensure our outlook is focussed on the extensive developed trees at the rear of our property. If the proposed development proceeds as planned, we will be looking at a wall as opposed to established trees and associated wildlife. The proposed plan appears to be in stark contrast to EPR LV1.

## **EPR LV1 – Design to be generally in accordance with the Urban Design Strategy**

- Avoid or minimise landscape and visual, overlooking, and shading (with reference to EPR LP4) impacts in extent, duration and intensity.
- Maximise opportunities for enhancement of public and private receptors including public amenity, open space and facilities, and heritage places resulting from the project.

## **Chapter 16 Landscape and Visual (p. 64)**

Table 16-9

Viewpoint number and location	Proposed change	Potential impact year 0	Potential impact year 3	Potential impact year 10
VPK – Eram Road, Box Hill North	The current view looks north towards the Eastern freeway and consists of established vegetation to the rear of the property adjacent to the shared use path. There are views through the vegetation to the existing concrete 3.5 m high noise wall. The proposed noise wall would be approximately 2 m closer to the viewpoint. The existing vegetation would be removed. A noise wall would run along the south side of the shared use path adjacent to the back fence of the residential properties.	High – the proposed 8 m high noise wall would be visually dominant and there would be significant visual change.	High – there would be no change from year 0	High – there would be no change from year 0

The information above suggests the sound wall will be moved approximately 2 metres closer to the rear of my property however as our submission process has evolved we have become aware that said wall will be exponentially closer (potentially some 15 to 20 metres closer) than what has been published above thereby converting a usable green space to nothing more than an eyesore and wasteland.

This clearly does not comply with EPR AR1.

Tree retention must be maximised to the extent practicable, through detailed design and selection of construction methods to minimise canopy loss, and in accordance the EPR FF1, including by retaining trees where practicable and minimising potential impacts to trees.

As noted above the shared path behind our property is a well-established green space, alive with native wildlife, further it provides a visually appealing backdrop to our homes and back yards. Further EPR LP1 states:

The project must be designed and constructed to:

- Minimise the design footprint and avoid, to the extent practicable, any temporary and permanent impacts on the following land uses:
  - Recreational and community facilities
  - Residential properties

In summary to this point the proposed design suggests that the sound wall will be moved closer to my home, all vegetation will be removed thereby removing the current buffer to the view of the sound wall. Clearly the visual impact will be devastating. Further the severity of the impact of the sound wall will not reduce overtime (as has been the case with the current green space) The wall will remain as a blight on the landscape forevermore. This clearly does not meet the guidelines outlined above.

### **Overshadowing:**

Another significant issue from the design proposal is extreme overshadowing.

The map in [Technical report E Land use planning \(p.256\)](#) outlines the new shading over Eram Road if the proposed noise wall is implemented. This overshadowing will have a devastating effect on me and my family. My backyard and garden will be in constant shade as will my children's bedrooms which are at the rear of my home some 10 metres from our rear fence.

I further note that we were in the process of installing solar panels (at significant personal expense) on our home for both environmental and potential longer-term financial benefits. We have obviously placed this project on hold due to the proposed project.

This clearly does not meet EPR LP4:

[EPR LP4 – Minimise overshadowing from noise walls and elevated structures](#)

Overshadowing from elevated structures and noise walls to residential properties (including existing solar panels), community facilities, open spaces, waterways and valuable natural habitats must be minimised through detailed design.

Further, the EES acknowledges that overshadowing will be an issue for some residents and states:

### **Environmental Effects Statement Summary Report - Land use planning p. 45**

The installation of noise walls and elevated structures would potentially cause increased overshadowing at up to 45 residential dwellings along the southern side of the M80 Ring Road, isolated locations along the Greensborough Bypass and along the southern side of the Eastern Freeway. During the detailed design phase, the project would be required to minimise any overshadowing from elevated structures and noise walls. This could include lowering the height and changing the position of structures, and using materials that allow more light to reach rooftop solar panels.

### **Noise:**

The proposed noise wall between Tram Road/Station Street and Middleborough Road does not meet best practice. Solid noise walls with no breaks are most effective. The proposed wall has breaks at number 30 and number 60 Eram Road. These proposed breaks in conjunction with moving the noise wall closer to the rear of our homes will actually increase noise in our home.

[Technical report C Table 9-6 \(p. 77\)](#) illustrates the noise monitoring data collected from a residence in Eram Road. It demonstrates that currently the existing (2018) levels are 55 dBA whereas with the project (2036) the levels will be to 66 dBA. Therefore, the noise levels will increase with this new wall, rather than decrease.

There are two factors which caused these negative results:

1. Noise mitigation is most effective when it is closest to the source i.e. in this case, the Eastern Freeway
2. The two gaps in the noise wall construction will significantly raise the noise levels, as opposed to if it had been one solid noise wall.

The EES also addresses this as an area of concern, stating:

[Environmental Effects Statement Summary Report Noise p. 39](#)

Following the application of mitigation measures (such as low noise pavements and noise walls), 159 noise-sensitive buildings were assessed as potentially exceeding the 63dBA traffic noise limit set by the EPRs. These properties would experience a noticeable noise increase (between 2 dBA and 5 dBA), with one property experiencing a noise increase of between 5 dBA and 10 dBA. These properties would qualify for further at-property noise treatments to mitigate impacts such as glazing upgrades and insulation.

This does not comply with EPR NV1 Achieve traffic noise objectives.

EPR NV13 would need to be adhered to in order to reduce / mitigate the noise as much as possible.

I have previously outlined the demographic of my family unit. All my children are currently studying and will continue to do so for a significant time to come. Further both my wife and I regularly work from home as is the new normal in Australian work places. We are all extremely concerned with the increased noise levels both during the construction phase as well as the ongoing and increased noise levels should the proposed plan proceed. Consequently, I request upgrades to insulation and double glazing be installed at my property at the expense of the project.

### **Social and Health:**

The existing shared path is utilised extensively. My family and I use it daily, it plays a major role in our lives and allows us to enjoy family and community time as well as providing a space where we can be physically active and keep fit.

If the design proposal was to proceed we would not utilise the path. Further I would not allow my children to utilise a path that was framed by a freeway both for safety and health reasons. The safety reason speaks for themselves. My point on health is in relation to one of my children suffering with chronic asthma. Consequently, having him use a path that is more exposed to car fumes and pollutants clearly poses an increased health risk as it does for all potential users of said path however in his case the outcomes could be life threatening.

I draw your attention to the below:

[Environmental Effects Statement Summary Report Social and Community p. 43](#)

North East Link is expected to deliver significant social and community benefits, including...improved walking and cycling connections...

Really.... If the proposed design is implemented I and any other rational person would disagree.

### **Property value:**

I have had extensive discussions with many local real estate agents. All these agents have confirmed that we will suffer a significant loss in the value to our property should the current design proposal proceed. It should be noted that If an alternative design proposal was adopted (as detailed in the Eram Road resident streets proposal) our property value would be maintained or even potentially improve.

Please refer to the attached from Fletchers Real Estate.

### **Conclusion:**

My Family and I recognise the potential positive impact the North East Link Project could have in relation to traffic congestion in this part of Melbourne. However, the proposed plan for the stretch between Tram Road/Station Street and Middleborough Road requires significant review both in reference to the devastating effect it will have on me, my family and all residents along Eram Road and in its inability to meet the published EPRs.

Through community collaboration you have an opportunity to apply some smart thinking and provide well-developed outcomes that improve the lives of your constituents. Surely this must be a better outcome than seeing another group of disgruntled homeowners simply complaining about being “bulldozed over” by another State Government Project.

# FLETCHERS

6 June 2019

Mr Shaun La Motte  
50 Eram Road  
Box Hill North VIC 3129

Dear Shaun,

In our professional opinion, the movement of the Eastern Freeway sound barriers closer to the rear of properties on Eram Road would have a significantly negative impact on the value of the effected properties.

If we can be of any further assistance please feel free to contact me anytime.

Kind regards,



**Ben Strimling** CAR (BCom)  
Property Consultant  
Blackburn Office

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