Incorporated document pursuant to section 6(2)(j) of the *Planning and Environment Act 1987*. 
1. INTRODUCTION

1.1. This document is an incorporated document in the Banyule, Boroondara, Manningham, Nillumbik, Whitehorse, Whittlesea and Yarra Planning Schemes (Planning Schemes) and is made pursuant to section 6(2)(j) of the Planning and Environment Act 1987.

1.2. This incorporated document facilitates the delivery of the North East Link Project (Project).

1.3. The control in clause 4 prevails over any contrary or inconsistent provision in the Planning Schemes.

2. PURPOSE

2.1. The purpose of the control in clause 4 is to permit and facilitate the use and development of the land described in clause 3 for the purposes of the Project, in accordance with clause 4.

3. LAND

3.1. The control contained in clause 4 applies to land affected by Specific Controls Overlay – Schedule X (SCOX) as shown on planning scheme maps in the Banyule, Boroondara, Manningham, Nillumbik, Whitehorse, Whittlesea and Yarra Planning Schemes (Project Land).

4. CONTROL

Exemption from Planning Scheme requirements

4.1. Despite any provision to the contrary, or any inconsistent provision, in the Planning Schemes, no planning permit is required for, and no provision in the Planning Schemes operates to prohibit, restrict or regulate the use or development of the Project Land for the purposes of, or related to, constructing, maintaining or operating the Project.

4.2. The use and development of the Project Land for the purposes of, or related to, the Project includes, but is not limited to:

(a) A freeway standard road connecting the Metropolitan Ring Road (M80) to the Eastern Freeway

(b) Twin road tunnels and associated infrastructure, including ventilation structures

(c) Improvements to and widening of the Metropolitan Ring Road and the Eastern Freeway to provide for additional lanes in each direction

(d) Elevated roads and road infrastructure, including gantries

(e) Interchanges and grade separations associated with road connections

(f) A dedicated busway in each direction along the Eastern Freeway together with associated infrastructure,

(g) A control centre and freeway maintenance facility

(h) Utility installation, relocation and associated services including relocation of electricity transmission towers, telecommunication towers, lines, cables and associated substations, relocation of water mains, water stations and sewers

(i) Construction and relocation of rail infrastructure and associated services

(j) Construction of at-grade or multi-level car parking facilities

(k) Earthworks and related structures, kerbs, channels, water and soil transfer and treatment structures, facilities and works, water quality facilities, retaining walls, noise walls and screening barriers, cuttings, batters and fill associated with the Project

(l) Any buildings or works or associated infrastructure or activities for the Project
Ancillary activities to the use and development of Project Land for the purposes of, or related to, the Project, including, but not limited to:

(i) Developing and using lay down areas for construction purposes
(ii) Constructing and using temporary site workshops and storage, administration and amenities buildings
(iii) Removing, destroying and lopping trees and vegetation, including native vegetation and dead vegetation
(iv) Demolishing and removing buildings, fixtures, structures and infrastructure
(v) Restoration and reinstatement works
(vi) Developing and using land for walking and cycling infrastructure and facilities, including shared use paths, pedestrian and cycling overpasses and bridges
(vii) Constructing or carrying out works for bridges, ramps, excavation, fences, temporary barriers, noise attenuation walls, stabilisation, creating bunds, mounds, landscaping, the salvage of artefacts, water treatment, water storage, flood mitigation and to alter drainage
(viii) Creating or altering access to a road in a Road Zone, Category 1
(ix) Creating or altering access to land in a Public Acquisition Overlay if the purpose of acquisition is for a Category 1 road
(x) Storage and assembly of materials and equipment required for the Project
(xi) Constructing and carrying out works to install, alter or relocate, drainage infrastructure, utility installations and services
(xii) Roadworks and constructing and using temporary access roads, diversion roads and vehicle parking areas
(xiii) Displaying construction, directional and business identification signs
(xiv) Stockpiling of excavation material
(xv) Subdividing and consolidating land in accordance with plan/s approved by the Minister for Planning.

Tunnel Land

4.3. Except where necessary to provide for infrastructure associated with minor utility installations, all buildings and works within the area shown as ‘Tunnel’ on the attached plan titled “Appendix 1 - Tunnel Plan” (Tunnel Plan) must be carried out at a depth greater than 15 metres below surface level.

Conditions

4.4. The use and development permitted by this incorporated document is subject to the following conditions:

In these conditions, reference to 'a stage' includes any stage or part of the Project, whether for construction or operation or both.

4.5. Environmental Management Framework

4.5.1. Prior to the commencement of development (excluding preparatory buildings and works under clause 4.104-9), an Environmental Management Framework (EMF) must be prepared to the satisfaction of the Minister for Planning. The EMF must include Environmental Performance Requirements (EPRs) addressing the following areas and any other relevant matters:

(a) Aboriginal cultural heritage;
(b) Air quality;
4.5.2. The EMF must:

(a) set out the process and timing for development of a Construction Environmental Management Plan, Site Environmental Implementation Plan, Operations Environmental Management Plan and other plans and procedures required by the EPRs as relevant to any stage of the Project, including the process and timing for consultation with relevant councils, Heritage Victoria, the Roads Corporation, Melbourne Water, Public Transport Development Authority, the Environment Protection Authority and the Head, Transport for Victoria, as relevant; and

(b) be accompanied by a statement explaining any difference between it (including the EPRs), and the EPRs recommended by the Minister matters set out in the Minister's Assessment dated [insert date] made pursuant to the EE Act and identify any aspect of the EMF that is not in accordance with the recommendations in the Minister's Assessment.

4.5.3. The EMF may be prepared and approved in stages (including separately for construction and operation) but the EMF for any stage must be approved before the commencement of development (excluding preparatory buildings and works under clause 4.104.9) for that stage.

4.5.4. The EMF may be amended from time to time, to the satisfaction of the Minister for Planning.

4.5.5. An application for approval of an amendment to the Environmental Performance Requirements must be accompanied by:

(a) Amended Environmental Performance Requirements and a schedule explaining the proposed amendments,

(b) A written statement from the North East Link Project explaining and supporting the proposed amendment, including:

i. a description of the form and extent of any consultation undertaken with relevant councils, relevant government agencies and other stakeholders concerning the proposed amendment;

ii. any written comments from relevant councils, relevant government agencies and other stakeholders; and
4.5.4.iii. a written response to comments from relevant councils, relevant government agencies and other stakeholders.

4.5.5.4.5.6. The EMF must be amended to update references and requirements following commencement of the Environment Protection (Amendment) Act 2018, to the satisfaction of the Minister for Planning. The amended EMF must be prepared in consultation with the Environment Protection Authority and the amended EMF must be submitted to the Minister for approval within 12 months of the commencement of the Environment Protection (Amendment) Act 2018.

4.5.6.4.5.7. The use and development of the Project must be carried out in accordance with the approved EMF (including the EPRS and all plans and procedures required by the EPRs).

4.6. Urban Design Strategy

4.6.1. Prior to commencement of development (excluding preparatory buildings and works under clause 4.104.9), an Urban Design Strategy (UDS) must be prepared to the satisfaction of the Minister for Planning.

4.6.2. The UDS must include:
   (a) An urban design vision;
   (b) Urban design principles and objectives;
   (c) Location-specific design directions or themes, including design guidelines.

4.6.3. The UDS must be accompanied with a statement explaining any differences between it, and the North East Link Urban Design Strategy April 2019, and must address all relevant matters set out in the Minister’s Assessment dated [insert date] under the Environment Effects Act 1978.

4.6.4. The UDS may be prepared and approved in stages but the UDS for any stage must be approved before the commencement of development (excluding preparatory buildings and works under clause 4.104.9) for that stage.

4.6.5. The UDS may be amended from time to time, to the satisfaction of the Minister for Planning.

4.6.6. The use and development for the Project must be carried out in accordance with the approved UDS.

4.7. Urban Design and Landscape Plans

4.7.1. Prior to the commencement of development of permanent above-ground buildings or structures (excluding preparatory buildings and works under clause 4.104.9), Urban Design and Landscape Plans (UDLP) must be prepared to the satisfaction of the Minister for Planning.

4.7.2. The UDLPs must show the final built form design for the Project and include where relevant:
   (a) A site layout plan that shows the location of permanent above-ground buildings and structures (including but not limited to proposed bridges, elevated roads, tunnel portals, ventilation structures, flood walls, noise walls, public transport infrastructure, and walking and cycling facilities);
   (b) Architectural plans, including sections and elevations, with materials and finishes;
   (c) Landscape plans, including sections and elevations, with plant species;

4.7.3. An UDLP must be accompanied by the following where relevant:
   (a) An explanation demonstrating how the UDLP is in accordance with the approved UDS.
(b) An explanation demonstrating how the UDLP is in accordance with the approved EPRs included in the EMF.

(c) A plan which shows the extent of the UDLP area in relation to any publicly available or approved UDLP(s).

(d) A plan which shows the boundary of the Project Land and location of areas to be used for construction compounds.

4.7.3a. Prior to the submission of an UDLP to the Minister for Planning for approval an Urban Design Advisory Panel must be established and must include representatives of the following organisations:

(a) the Office of the Victorian Government Architect
(b) Vic Roads
(c) Transport for Victoria
(d) NELP

4.7.4. Prior to the submission of an UDLP to the Minister for Planning for approval, an UDLP must be:

(a) Provided to the Urban Design Advisory Panel and relevant council/s for consultation.

(b) Where relevant, provided to the Roads Corporation, Public Transport Development Authority, Melbourne Water, Heritage Victoria and the Head, Transport for Victoria for consultation.

(c) Made available for public inspection and comment on a clearly identifiable Project website for 15 business days. The website must set out details about the entity and contact details to which written comments can be directed during that time and specify the time and manner for the making of written comments. The period for comment must be a minimum of 30 days.

For the avoidance of doubt, consultation in accordance with (a) and (b) can occur prior to, during and after the public inspection and comment period in (c).

Before, or on the same day as an UDLP is made available in accordance with clause 4.7.3 and 4.7.4, a notice must be:

(i) provided to the owners and occupiers of land which is within the project area to which an UDLP applies;

(ii) provided to the owners and occupiers of land which are adjacent to the project boundary in the area to which an UDLP applies; and

(iii) published in a newspaper generally circulating in the area to which an UDLP applies—informing the community and the land owners and occupiers of the matters set out in clause 4.7.3 and 4.7.4.

4.7.3.4.7.5. An UDLP submitted to the Minister for Planning for approval under clause 4.7.1 must be accompanied by a summary of the consultation carried out under clause 4.7.4, all written comments received and a response to issues raised.

4.7.5.4.7.6. An UDLP may be prepared and approved in stages but a UDLP for any stage must be approved before the commencement of development (excluding any or all preparatory buildings and works under clause 4.104.9) for that stage.

4.7.4.4.7.7. An UDLP may be amended from time to time, to the satisfaction of the Minister for Planning. The Minister must require an application for approval of an amendment to an UDLP to comply with the requirements of clauses 4.7.2, 4.7.3, 4.7.4 and 4.7.5 unless, in the opinion of the Minister:

(a) the proposed amendment:

(i) would not result in a material detriment to any person; or
a person who may suffer a material detriment as a result of the Minister’s approval of the amendment has already been consulted in respect of the proposed amendment; and

(b) any proposed amendment does not involve any change to an approved Environmental Performance Requirement.

4.7.6.4.7.8. The use and development for the Project must be carried out generally in accordance with the approved UDLPs.

4.8. Approval of Plans

4.8.1. Prior to the commencement of any the works, the following plans must be submitted to and approved by the Minister for Planning:
(a) Construction Noise and Vibration Management Plan;
(b) Communications and Community Engagement Plan;

4.8.2. The use and development for the Project must be carried out generally in accordance with the approved plans.

4.8.3. The plans may be amended from time to time, to the satisfaction of the Minister for Planning.

4.8.4.9. Native vegetation

4.8.1.4.9.1. Native vegetation offsets for the removal of native vegetation to construct the Project must be provided in accordance with the Guidelines for the removal, destruction or lopping of native vegetation (Department of Environment, Land, Water and Planning 2017), except as otherwise agreed by the Secretary to the Department of Environment, Land, Water and Planning.

4.9.4.10. Preparatory buildings and works

4.9.1.4.10.1. Subject to 4.10.2, the following buildings and works may commence before approval of the documents under clauses 4.5 to 4.7.8:

(a) Preparatory buildings and works for the Project, including, but not limited to:

(i) Works, including vegetation removal, where, but for this incorporated document, a planning permit would not be required under the provisions of the Planning Schemes.

(ii) Investigating, testing and preparatory works to determine the suitability of land, and property condition surveys.

(iii) Creation of construction access points and working platforms.

(iv) Site establishment works, including temporary site fencing and hoarding, site offices, hardstands and laydown areas.

(v) Establishing temporary car parking sites.

(vi) Temporary relocation of walking and bicycle pathways and trails.

(vii) Construction, protection, modification, removal or relocation of electricity transmission towers on land that forms part of an existing electricity transmission easement area, minor utility installations, rail signalling, and overhead and associated infrastructure.

(viii) Establishment of environment and traffic controls.

(ix) Demolition to the minimum extent necessary to enable preparatory works.

(x) Salvaging and relocating of artefacts and other preparatory works required to be undertaken in accordance with the approved Cultural Heritage Management Plan (CHMP) prepared for the project under the Aboriginal Heritage Act 2006.
(xi) Salvaging Matted Flax-lily (*Dianella amoena*) and other preparatory works required to translocate Matted Flax-lily (*Dianella amoena*) in accordance with a Translocation Plan approved for the Project under the *Environment Protection and Biodiversity Conservation Act 1999*.

b) The removal, destruction or lopping of native vegetation to the minimum extent necessary to enable preparatory works, to the satisfaction of the Minister for Planning. Any native vegetation removed to enable preparatory works forms part of the total extent of native vegetation removal necessary for the construction of the project and native vegetation offsets must be provided in accordance with clause 4.8, except as otherwise agreed by the Secretary to DELWP.

4.10.2. Prior to the development and use of any construction compound, a Construction Compound Plan (CCP) must be submitted to and approved by the Minister for Planning. The CCP may be submitted and approved in stages. The plan must include:

(a) A plan showing the location of the compounds and the structures and activities proposed within those compounds;

(b) The duration of activity within each compound;

(c) Demonstration that any compounds proposed on land which is not to be permanently acquired are reasonably required in the location in which they are proposed, including demonstration that alternatives which reduce the impact of the compounds on such land (such as leasing offices in the nearby area) are not feasible or practical;

(d) Demonstration that the compounds (and activities within each compound) have been sited to avoid, then minimise, then mitigate, impacts on sensitive uses (including non-residential sensitive receptors such as schools and active recreation areas);

(e) An assessment of the acoustic and air quality impacts of the activities within the compounds on sensitive receptors (including non-residential sensitive receptors such as schools and active recreation areas);

(f) Demonstration that the activities proposed within the compounds are appropriate having regard to whether the land is flood prone;

(g) Construction compounds on school grounds must not be used for high impact construction activities, such as the receipt and storage of spoil and other hazardous materials, and the storage and testing of project machinery or other activities that are likely to exceed the noise levels for schools and active recreation areas [set out noise levels as per proposed NV3]; and

(h) Construction compounds in flood prone areas must not be used for the receipt and storage of spoil and other hazardous materials.

4.10.4.11. **Availability of approved plans and documents**

**4.10.1.4.11.1.** The current version of the following plans and documents must be available on a clearly identifiable project website during construction of the Project and for at least five years after the commencement of operation of the Project:

(a) Environmental Management Framework approved under clause 4.54.4;
(b) Urban Design Strategy approved under clause 4.6;
(c) Urban Design and Landscape Plans approved under clause 4.7; and
(d) Communications and Community Engagement Plan; and
(e) Construction Noise and Vibration Management Plan.
5. EXPIRY

5.1. The control in this document expires if any of the following circumstances apply:

(a) The development allowed by the control is not started by 31 December 2021.
(b) The development allowed by the control is not completed by 31 December 2030.
(c) The use allowed by the control is not started by 1 January 2031.
### Table - 1

**Recommended environmental performance requirements – version 5 (Clean version)**

<table>
<thead>
<tr>
<th>Applicable Legislation and Policy</th>
<th>EPR Code</th>
<th>Environmental Performance Requirement</th>
<th>Phase</th>
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</thead>
<tbody>
<tr>
<td><strong>1. Environmental Management (EMF)</strong></td>
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<tr>
<td></td>
<td>EMF2</td>
<td>Deliver project in accordance with an Environmental Strategy and Management Plans</td>
<td>All</td>
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<td></td>
<td>EMF3</td>
<td>Audit and report on environmental compliance</td>
<td>Design, Construction, operation</td>
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<tr>
<td>EPA Victoria Publication 480 Best Practice Environmental Management: Environmental Guidelines for Major Construction Sites (EPA Victoria 1996)</td>
<td>Prepare and implement an Environmental Strategy, Construction Environmental Management Plan (CEMP), Worksite Environmental Management Plans (WEMPs), Operation Environmental Management Plan (OEPM) (operator only) and other plans as required by the Environmental Performance Requirements (EPRs) and in accordance with the Environmental Management Framework (EMF). The Environmental Strategy, CEMP, WEMPs and OEPM must be developed in consultation with relevant stakeholders as listed in the EMF and as required by NELP or under any statutory approvals. The CEMP must be prepared with reference to EPA Victoria Publication 480 Best Practice Environmental Management: Environmental Guidelines for Major Construction Sites.</td>
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<td>Appoint an Independent Environmental Auditor (IEA) to: Review the Environmental Strategy, CEMP, WEMPs, OEPM and other plans required by the EPRs for compliance with the EMF and the EPRs. Undertake environmental audits of compliance with and implementation of the EPRs and the Environmental Strategy, CEMP, WEMPs, OEPM and other plans required by the EPRs. Audits must occur during construction and for two years after opening of North East Link, or as otherwise agreed with the Minister for Planning. A six monthly summary report must be provided to the Minister for Planning that summarises the findings of audits carried out during the reporting period. A close-out report must be provided to the MINister for Planning at the conclusion of the auditing and reporting period. The summary reports must be made publicly available on a project website for the period of construction and five years after opening of North East Link.</td>
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<td><strong>2. Aboriginal Heritage (AH)</strong></td>
<td>AH1</td>
<td>Comply with the Cultural Heritage Management Plan</td>
<td>Design, construction</td>
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<tr>
<td>Aboriginal Heritage Act 2006 Aboriginal Heritage Regulations 2007</td>
<td>Implement and comply with the Cultural Heritage Management Plan (CHMP) approved under the Aboriginal Heritage Act 2006.</td>
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<td><strong>3. Air Quality (AQ)</strong></td>
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<tr>
<td>Environment Protection Act 1970</td>
<td>AQ1</td>
<td>Implement a Dust and Air Quality Management and Monitoring Plan to minimise air quality impacts during construction</td>
<td>Construction</td>
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<tr>
<td>Environment Protection (Scheduled Premises) Regulations 2017 State Environment Protection Policy (SEPP) – Ambient Air Quality State Environment Protection Policy (SEPP) – Air Quality Management EPA Victoria Publication 480 Best Practice Environmental Management: Environmental Guidelines for Major Construction Sites (EPA Victoria 1996)</td>
<td>Prepare and implement a Dust and Air Quality Management and Monitoring Plan(s), in consultation with EPA, which sets out best practice measures and controls to minimise and monitor impacts on air quality during construction. The plan(s) must:</td>
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<td>• Set out how the project will monitor and control the emission of smoke, dust, fumes, odour and other pollution into the atmosphere during construction using best practice measures with reference to EPA Victoria Publication 480 Best Practice Environmental Management: Environmental Guidelines for Major Construction Sites and in accordance with the State Environment Protection Policy (Air Quality Management)</td>
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<td>• Identify the main sources of dust and airborne pollutants, and the location of sensitive land uses relevant to each construction area</td>
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<td>• Describe the monitoring requirements for each construction area, including particulate matter monitoring where deemed to be required, and with reference to sensitive receptors and utilising consistent and common monitoring across the project.</td>
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<td>• Describe the air quality triggers for investigation, the mitigation measures, and the processes for implementing appropriate controls</td>
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<td>AQ2</td>
<td>Design, construct and operate the permanent tunnel ventilation system to meet the requirements of the State Environment Protection Policy (Air Quality Management) and in accordance with the requirements of the EPA Victoria Works Approval and the EPA Victoria Licence.</td>
<td>Design, construction, operation</td>
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<td></td>
<td>In-tunnel air quality performance standards</td>
<td>Design, construct and operate an air quality performance standards</td>
<td>Design, construction, operation</td>
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<td>Design, construct and operate a dust and air quality performance standards</td>
<td>Design, construct and operate an air quality performance standards</td>
<td>Design, construction, operation</td>
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### 4. Arboriculture (AR)

<table>
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<tr>
<th>EPR</th>
<th>Description</th>
<th>Details</th>
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</table>
| AR1 | Develop and implement a Tree Removal Plan | Develop and implement a Tree Removal Plan, as part of the CEMP, that identifies all trees within the project boundary and includes:
- Trees to be removed or retained as part of the works
- Confirmation of the condition and arboricultural value of the amenity trees to be removed
- The canopy area of all trees to be removed
- The procedure for tree removal that addresses the requirements of EPR FF1, EPR FF2 and EPR FF5. |
| AR2 | Implement a Tree Protection Plan(s) to protect trees to be retained | The CEMP must include a Tree Protection Plan(s), which is to be developed and implemented in accordance with Australian Standard AS4970-2009 Protection of Trees on Development Sites. The Tree Protection Plan(s) must provide details of any tree protection actions that will ensure that trees proposed to be retained are adequately protected from the impact of construction or related activities, prior to those works being undertaken. |
| AR3 | Implement a Tree Canopy Replacement Plan | Develop and implement a Tree Canopy Replacement Plan to replace the canopy of native vegetation and amenity plantings removed as a result of the project and achieve a net gain in tree canopy cover by 2045. The plan must:
- Show the location, size (including canopy spread) and species of replacement trees, in consultation with councils and other relevant land managers
- Specify requirements to support the long-term viability of all replacement plantings including appropriate soil requirements, establishment works and ongoing maintenance.
- Adopt a ratio of 2:1 for replacement of amenity plantings. |

### 5. Business (B)

<table>
<thead>
<tr>
<th>EPR</th>
<th>Description</th>
<th>Details</th>
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<tbody>
<tr>
<td>BNFW1</td>
<td>Business disruption mitigation plan</td>
<td>Prepare and implement a Business Disruption Mitigation Plan in accordance with the Victorian Small Business Engagement Guidelines (Victorian Small Business Commission) to ensure that business disruption for small businesses arising from the project is mitigated to the extent practicable.</td>
</tr>
</tbody>
</table>
| BNFW2 | Business Relocation Strategy | The State must develop and implement a Business Relocation Strategy to assist businesses directly affected by acquisition. The strategy must be developed in consultation with affected businesses, relevant local Councils, relevant local trader associations, and other affected stakeholders affected, immediately on approval of the EFM. The strategy must include, but not be limited to:
- The identification of affected businesses and other relevant stakeholders
- Provide a program to support the relocation of businesses including identifying services and support programs.
- The appointment of a specialised relocation advisor to support affected businesses.
- Procedures to disseminate information, including through the Business Liaison Group (EPR BS) regarding the business relocation strategy and services, key project milestones that may impact on business relocations, and other changes that may affect businesses during the closure of existing operations.
- Assistance in the provision of targeted marketing and promotional initiatives to build community and customer awareness for relocated businesses.
- Procedures to work with business and landowners to endeavour to reach agreement on the timeframe for possession of the land. |
### 6. Contamination and soil (CL)

**CL1 Implement a Spoil Management Plan**

*Procedures to engage with businesses and other stakeholders, and through which affected businesses and relevant local trader associations can provide comment or feedback in relation to the relocation strategy and its associated services.*

NELP should also work with councils to identify and assess the feasibility of alternative location options for displaced businesses.

Note: the requirements of this EPR are in addition to any rights or entitlements available under compulsory acquisition legislation.

<table>
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<tr>
<th>Risk</th>
<th>To be addressed</th>
<th>EPRs</th>
<th>Details</th>
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<tbody>
<tr>
<td>CL1</td>
<td>Implement a Spoil Management Plan (SMP) in accordance with relevant regulations, standards and best practice guidelines and with reference to the Spoil Management Strategy contained within the EES (Technical Report). The SMP must be developed in consultation with the EPA Victoria and include processes and measures to manage spoil. The SMP must define roles and responsibilities and include requirements and methods for:</td>
<td>EPR 85</td>
<td>Design, construction</td>
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</table>

#### EPR 85 Employee Assistance Strategy

The State must develop and implement an Employee Assistance Strategy to provide relevant workforce support measures for employees of businesses closing or relocating as a consequence of acquisition for the Project.

The strategy must include, but not be limited to:

- The identification of affected businesses and employees
- Provide a co-ordinated link to support services for affected employees (for example, access to a range of services such as training advice, careers advice, resume workshopping, advice on government entitlements, referral to other job support services, and skills assessments).
- The identification of relevant government agencies and support services

Procedures to disseminate information including through the Business Liaison Group (EPR B5), regarding the employee assistance strategy and services, key project milestones that may impact on business closures and relocations, and other changes that may affect businesses and their employees during the closure of existing operations.

**RNDW3 Employee Assistance Strategy**

- Design, construction

#### B2 Minimise disruption to businesses from land acquisition and temporary occupation

Minimise disruption to businesses from permanent acquisition or temporary occupation of land to the extent practicable, and work with affected businesses and land owners to endeavour to reach agreement on the terms for possession of the land in accordance with relevant legislation.

**RNDW3 Employee Assistance Strategy**

The State must develop and implement an Employee Assistance Strategy to provide relevant workforce support measures for employees of businesses closing or relocating as a consequence of acquisition for the Project.

The strategy must include, but not be limited to:

- The identification of affected businesses and employees
- Provide a co-ordinated link to support services for affected employees (for example, access to a range of services such as training advice, careers advice, resume workshopping, advice on government entitlements, referral to other job support services, and skills assessments).
- The identification of relevant government agencies and support services

Procedures to disseminate information including through the Business Liaison Group (EPR B5), regarding the employee assistance strategy and services, key project milestones that may impact on business closures and relocations, and other changes that may affect businesses and their employees during the closure of existing operations.

**RNDW3 Employee Assistance Strategy**

- Design, construction

#### B3 Minimise and remedy damage or impacts on third party property and infrastructure

Through detailed design and construction, and in consultation with relevant land owners and parties as necessary, design and construct the works to minimise, to the extent practicable, impacts to, and interference with, third party property and infrastructure and to ensure that infrastructure and property is protected during construction and operation. Any damage caused to property or infrastructure as a result of North East Link must be appropriately remedied in consultation with the property or asset owner.

**RNDW3 Employee Assistance Strategy**

- Design, construction

#### B4 Minimise access and amenity impacts on businesses

Any reduction in the level of access, amenity or function of any business or commercial facility must be minimised to the extent and duration necessary to carry out the relevant construction related works. Affected businesses and commercial facilities must be provided with adequate notification of potential impacts and temporary access arrangements. Emergency access must be maintained at all times. Access must be maintained for customers, delivery and waste removal unless there has been a prior arrangement with affected businesses.

All permanent access to business and commercial facilities affected by North East Link works is to be reinstated, or relocated as agreed with the relevant property owner, including associated landscaping and reinstatement works, and temporary access arrangements put in place for construction must be removed when relevant construction activities have ceased.

**RNDW3 Employee Assistance Strategy**

- Design, construction

#### B5 Protect utility assets

Protect or, where required, relocate utility assets to the reasonable satisfaction of the service provider and/or asset owners.

**RNDW3 Employee Assistance Strategy**

- Design, construction

#### B6 Business liaison groups

Contractors must participate in the Business Liaison Groups established and managed by the North East Link Project to facilitate business and stakeholder involvement for the construction phase of the project. Participation must include:

- Attendance at meetings
- Regular and timely reporting of design and construction activities and key project milestones
- Provision of advance notice about changes to traffic and parking conditions and the duration of impact
- Timely provision of relevant information, including response to issues raised by the group
- Regular reporting and monitoring of business community feedback, impacts and discussion of mitigation measures and their effectiveness
- Recording, managing and resolving complaints from affected businesses in accordance with the complaints management process required under EPR SC2.

**RNDW3 Employee Assistance Strategy**

- Design, construction

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**Note:** The requirements of this EPR are in addition to any rights or entitlements available under compulsory acquisition legislation.
Occupational Health and Safety Regulations 2007
State Environment Protection Policy (SEPP) – Prevention and Management of Contamination of Land

- Management of hazardous substances, including health, safety and environment procedures that address risks associated with exposures to hazardous substances for visitors and general public; contain measures to control exposure in accordance with relevant regulations, standards and best practice guidance and to the requirements of WorkSafe and EPA Victoria; and include method statements detailing monitoring and reporting requirements

AS1940 Storage Handling of Flammable and Combustible Liquids
AS 4482.1-2005 Guide to the investigation and sampling of sites with potentially contaminated soil
EPA Victoria publications: 1698 Liquid Storage and Handling Guidelines
480 Environmental Guidelines for Major Construction Sites
655.1 Acid Sulfate Soil and Rock
EPA Publication 1624
Industrial Waste 2016

- Identifying where any contaminated or hazardous material is exposed during construction (notably through former landfills, service stations and industrial land) and how it will be made safe for the public and the environment. Beneficial uses of land and National Environment Protection (Assessment of Site Contamination) Measures 2013 guidance on criteria protective of those beneficial uses must be considered for the land uses in these areas. This must include methods for:
  - Construction of appropriate cover (soil, concrete, geofabric etc) such that no contamination is left exposed at the surface or where it may be readily accessed by the public and such that it cannot generate runoff or leachate during rain events
  - Maintenance of the cover
  - Identification of the nature and depth of the contaminants
  - Mitigating impacts during sub-surface works in those areas, eg drilling and excavation
  - Monitoring and reporting
  - Identifying locations and extent of any prescribed industrial waste (PW), other waste, and the method for characterising PW and other waste prior to excavation
  - Application of the Environment Protection Act 1970 waste management hierarchy, including:
    - Ongoing identification and, where practicable, adoption of options for the re-use of spoil
    - Identification of options for management of spoil
    - Identifying suitable sites for disposal of any waste. This includes identifying contingency arrangements for management of waste, where required, to address any identified capacity issues associated with the licensed landfill’s ability to receive PW and other waste
  - In areas used for temporary construction works, contamination attributable to the project must be appropriately remediated in consultation with the relevant land manager.

CL2 Minimise impacts from disturbance of acid sulfate soil

The SMP referenced in EPR CL1 must include requirements and methods to minimise impacts from disturbance of acid sulfate soil, including but not limited to:

- Characterising acid sulfate soil and rock prior to excavation
- Developing appropriate stockpile areas including lining, covering and runoff collection to prevent release of acid to the environment and impact to human health
- Identifying suitable sites for re-use management or disposal of acid sulfate soil and rock
- Preventing oxidation that could lead to acid formation if possible through cover and/or scheduling practices, ie ensuring acid sulfate soil and rock is not left in stockpiles for any length of time and/or addition of neutralising compounds.

Requirements and methods must be in accordance with the Industrial Waste Management Policy (Waste Acid Sulfate Soils), EPA Victoria Publication 655.1 Acid Sulfate Soil and Rock, and the Department of Sustainability and Environment’s Victorian Best Practice Guidelines for Assessing and Managing Coastal Acid Sulfate Soil.

CL3 Minimise odour impacts during spoil management

The SMP referenced in EPR CL1 must include requirements and methods for odour management (in accordance with EPA Victoria requirements) during the excavation, stockpiling and transportation of contaminated material including:

- Identifying the areas of contamination that may pose an odour risk
- Monitoring of the excavated material for possible odour risk
- Management measures to minimise odour.

CL4 Minimise risks from vapour and ground gas intrusion

Relevant North East Link sections must be designed and constructed to prevent ingress of vapours and gases associated with any construction that interfaces with landfill sites or contaminated areas. The plan must address vapour risks associated with excavation of impacted soils, extraction of impacted groundwater, open excavations and stockpiles and gases associated with landfills. This must include, where relevant:

- Securing of the excavation and stockpile area from the public and signage warning of open excavations
- Monitoring of vapours and odours while excavations are open and stockpiles remain onsite
- Mitigation measures to prevent fugitive releases of vapours and gases during construction.

CL5 Manage chemicals, fuels and hazardous materials

The CEMP and OEMP must include requirements for management of chemicals, fuels and hazardous materials including:

- Minimise chemical and fuel storage on site and store hazardous materials and dangerous goods in accordance with the relevant guidelines and requirements
- Comply with the Victorian WorkCover Authority and Australian Standard AS1940 Storage Handling of Flammable and Combustible Liquids and EPA Victoria publications 480 Environmental Guidelines for Major Construction Sites and 1698 Liquid Storage and Handling Guidelines
- Develop and implement management measures for hazardous materials and dangerous substances, including:
  - Creating and maintaining a dangerous goods register
<table>
<thead>
<tr>
<th>Environment Protection and Biodiversity Conservation Act 1999</th>
<th>FF1</th>
<th>Minimise impacts on flora and fauna</th>
<th>Construction</th>
</tr>
</thead>
<tbody>
<tr>
<td>Conservation, Forests and Lands Act 1987</td>
<td>FF2</td>
<td>Minimise and offset native vegetation removal</td>
<td>Design, construction</td>
</tr>
<tr>
<td>Flora and Fauna Guarantee Act 1988</td>
<td>FF3</td>
<td>Avoid introduction or spread of weeds and pathogens</td>
<td>Construction</td>
</tr>
<tr>
<td>Planning and Environment Act 1987</td>
<td>FF4</td>
<td>Protect aquatic habitat</td>
<td>Design, construction</td>
</tr>
<tr>
<td>Section Environment Protection and Biodiversity Conservation Act 1999 (Cth) or Flora and Fauna Guarantee Act 1988 listed threatened species</td>
<td>FF6</td>
<td>Implement a groundwater dependent ecosystem monitoring and mitigation plan</td>
<td>Construction, operation</td>
</tr>
</tbody>
</table>

### 7. Flora and Fauna (FF)

- A permit must be obtained to take and destroy flora species protected under the Flora and Fauna Guarantee Act 1988.

#### FF1: Minimise impacts on flora and fauna

- The CEMP must include requirements and methods for avoiding, where practicable, and otherwise minimising to the extent practicable for:
  - Managing fauna that may be displaced due to vegetation removal or encountered on site during construction works in compliance with the Wildlife Act 1975 and in consultation with public land managers where relevant.
  - Complying with the Fishers Act 1955.
  - Undertaking pre-clearing surveys and inspections to confirm the on-site location of fauna immediately prior to habitat removal or, where relevant, works on waterways, and to assist fauna to safety as necessary.
  - Contingency and reporting procedures for the event that a listed threatened species is identified in order to mitigate any potential for significant impacts on the listed threatened species.

#### FF2: Minimise and offset native vegetation removal

- The CEMP must include requirements and methods for avoiding, where practicable, and otherwise minimising to the extent practicable for:
  - Protecting aquatic habitat and impacts on habitat connectivity, in particular in relation to Environment Protection and Biodiversity Conservation Act 1999 (Cth) or Flora and Fauna Guarantee Act 1988 listed threatened species. This must include minimising removal of Matted Flax Lily, the locally endemic Flora and Fauna Guarantee Act 1988.
  - Maintaining topsoil in a condition suitable for growth of native vegetation where practicable and appropriate for the landscape and project location, best practice measures must be applied to retain and reinstate topsoil to support growing conditions for native vegetation where practicable and appropriate for the landscape and project location.

#### FF3: Avoid introduction or spread of weeds and pathogens

- The CEMP must include measures to avoid the spread or introduction of weeds and pathogens during construction, including vehicle and equipment hygiene.

#### FF4: Protect aquatic habitat

- Design, locate and construct structures to minimise short and long-term adverse impacts on riparian, riverbed and aquatic habitat in waterways and wetlands, including billabongs. The CEMP must contain and require implementation of measures to minimise adverse impacts from construction activities on riparian, riverbed and aquatic habitat and aquatic fauna connectivity.

#### FF5: Obtain Flora and Fauna Guarantee Act 1988 permits

- A permit must be obtained to take and destroy flora species protected under the Flora and Fauna Guarantee Act 1988.

#### FF6: Implement a groundwater dependent ecosystem monitoring and mitigation plan

- Prepare and implement a Groundwater Dependent Ecosystem Monitoring and Mitigation Plan. The Groundwater Dependent Ecosystem Monitoring and Mitigation Plan must be informed by the groundwater modelling and groundwater monitoring required by EPR CV1 and EPR CV2, and must include (but not be limited to):
  - Identification of Groundwater Dependent Ecosystems (GDEs) predicted to be impacted.
  - Details of the monitoring procedures and program for each relevant GDE including monitoring periods appropriate to each GDE.

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**Notes:**
- Disposing of any hazardous materials, including asbestos, in accordance with Industrial Waste Management Policies, regulations and relevant guidelines.
- Implementing requirements for the installation of huts and precautions to reduce the risk of spills.
- Contingency and emergency response procedures to handle fuel and chemical spills, including availability of on-site hydrocarbon spill kits.

**Operation:**
- Minimise contamination risks during operation
  - The CEMP must include requirements and methods for minimising contamination risks during operation and maintenance of North East Link including:
    - Maintaining relevant controls and preventing impacts during operation from contaminated material, odour, vapour and gas.
    - Maintaining controls implemented as part of North East Link to make any known areas of contamination or hazardous material that were exposed during construction (notably through former landfill) safe for the public and the environment.
    - Mitigating impacts during sub-surface works in any identified areas of contamination or hazardous materials, eg drilling and excavation.
    - Implementing contingency measures, where required, to address any potential contamination, odour, vapour or gas impacts or incidents.
• Specific procedures to monitor groundwater levels at GDE’s predicted to be impacted including monitoring as close as possible to the GDE (considering ecological and access constraints) and for aquatic GDEs monitoring the surface water levels and quality as appropriate
• Identification of relevant monitoring and management programs by Melbourne Water or other authorities and how these are referenced in the Groundwater Dependent Ecosystem Monitoring and Mitigation Plan
• Measures to mitigate monitored changes in water levels and quality that could impact the billabongs or other GDEs, which take into account the natural variability
• Where the survival of Groundwater Dependent Large Trees not requiring removal is predicted to be affected by groundwater drawdown during construction or operation based on groundwater modelling outputs, include measures to maintain the health of large trees
• In relation to any trees unlikely to survive during operation as a consequence of groundwater drawdown, processes for offsets to be obtained in accordance with EPR FF2.
• The process for review of the Plan, including how the groundwater modelling and monitoring under EPR GW1 and EPR GW2 will be considered and the GDE monitoring program and periods subsequently reviewed.

**FF7** Implement a salvage and translocation plan for Matted Flax-lily
Where direct impacts on Matted Flax-lily occur, a salvage and translocation plan must be developed and implemented to the satisfaction of the Department of Environment, Land, Water and Planning and the Commonwealth Department of Environment and Energy.

**FF8** Minimise intense noise and vibration impacts on Australian Grayling
The CEMP must include and require implementation of reasonable measures to avoid and mitigate intense noise and vibration impacts in or near the Yarra River (eg from activities such as pile driving and similar activities). This must include, to the extent practicable:
• Selection of work methods to minimise noise and vibration
• Avoiding activities that may generate intense noise and vibration and impact on the Australian Grayling during critical migration or breeding periods (March to June, September to November) as defined within the National Recovery Plan for the Australian Grayling Prototroctes maraena (Backhouse, G, Jackson, J & O’Connor, J 2008)
• Management and monitoring of noise and vibration in accordance with the CEMP [EPR IV4].

**FF9** Protect fauna habitat values in existing waterbodies that are modified for drainage purposes
Where existing waterbodies within or near the project boundary are to be modified for drainage purposes (for example Simpson’s Lake, billabongs, and the southernmost waterbody in the Freeway golf course), the CEMP must include and require implementation of measures to minimise impacts on waterbirds and other fauna that use the wetlands including:
• Retain dead and alive standing trees and other vegetation in and surrounding the waterbody
• As far as practicable, undertake activities outside the typical nesting period for waterbirds (typically Sept to Jan)
• Minimise the construction period to the extent practicable and refill the wetlands post construction if they have been drained.

### 8. Ground Movement (GM)

<table>
<thead>
<tr>
<th>GM1</th>
<th>Design and construction to be informed by a geotechnical model and assessment</th>
</tr>
</thead>
<tbody>
<tr>
<td>Design, construction</td>
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</tbody>
</table>

**GM1** Develop and maintain geological and groundwater model(s) (as per EPR GW1) to inform tunnel and trench design and the construction techniques to be applied for the various geological and groundwater conditions. The model(s) are to:
• Identify sensitive receptors that may be impacted by ground movement
• Inform monitoring of ground movement and ground water levels prior to construction to identify pre-existing movement
• Inform tunnel design and the construction techniques to be applied for the various geological and groundwater conditions
• Assess potential drawdowns and identify trigger levels for implementing additional mitigation measures to minimise potential primary consolidation settlement
• Assess potential ground movement from excavation and identify trigger levels for implementing additional mitigation measures to minimise potential ground movement.

**GM2** Implement a Ground Movement Plan to manage ground movement impacts
Develop and implement a Ground Movement Plan(s). The Ground Movement Plan must be informed by EPR GM1 and EPR GW1 (predictive model) and:
• Address the location of structures/assets which may be susceptible to damage by ground movement
• Identify baseline ground movement monitoring prior to construction. A baseline monitoring report is to be compiled summarising the results of the baseline surveys undertaken and included in the plan
• Identify appropriate ground movement impact acceptability criteria
• Identify appropriate mitigation measures should the geotechnical model (EPR GM1), predictive groundwater model (EPR GW1), or subsequent monitoring program indicate acceptability criteria may not be met
• Establish ground movement monitoring requirements for the area surrounding proposed project works to measure ground movement consistency with the anticipated ground movement in the predictive model.

**GM3** Conduct condition survey(s) of property and infrastructure predicted to be affected by ground movement based on the results of the geological and groundwater model (EPR GM1) or, where a property owner reasonably expects to be potentially affected and has requested a pre-construction condition survey. Develop and maintain a database of pre-construction and as-built condition information for each potentially affected structure identified as being in an area susceptible to damage (see EPR GM1) or where a property owner has requested a pre-construction condition survey, specifically including:
• A list of identified structures/assets which may be susceptible to damage resulting from ground movement resulting from project works
• Results of pre-construction condition surveys of structures, pavements, significant utilities and parklands to establish baseline conditions and potential vulnerabilities

**Construction**
<table>
<thead>
<tr>
<th>9. Groundwater (GW)</th>
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</thead>
<tbody>
<tr>
<td><strong>GW1</strong></td>
<td><strong>Design and construction to be informed by a groundwater model</strong></td>
</tr>
<tr>
<td>- Develop a predictive and numerical groundwater model in consultation with EPA Victoria, informed by field investigations, to predict changes in groundwater levels and flow and quality, as they are affected by construction, and develop mitigation strategies, as per EPR GW4. The groundwater model must be of a standard that is at least comparable to the modelling documented within the Report on Additional Groundwater Modelling prepared by GHD and dated July 2019 and must be updated to take account of any changes to construction techniques or operational design features, and additional monitoring data from EPR GW2. The groundwater model must be developed with a process that involves independent review by the Independent Environmental Auditor consistent with the Australian Groundwater Modelling Guidelines (June 2012).</td>
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<tr>
<td><strong>GW2</strong></td>
<td><strong>Monitor groundwater</strong></td>
</tr>
<tr>
<td>- Establish baseline water level and quality conditions throughout the study area, including the identification (where possible) of existing contaminant plume(s) that may be impacted by the project to the extent required to manage groundwater impacts to acceptable levels</td>
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</tr>
<tr>
<td>- Calibrate the predictive model prior to commencement of construction, manage construction activities, and verify the model predictions</td>
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</tr>
<tr>
<td>- Assess the adequacy of proposed design and construction methods, and where required, identify and implement any additional measures required to mitigate impacts from changes in groundwater levels, flow and quality. A post-construction groundwater monitoring program must be developed and implemented to:</td>
<td></td>
</tr>
<tr>
<td>- Confirm the acceptability of resultant water quality and water level recovery (and potential mounding) as predicted by the numerical groundwater model. Acceptability is to be assessed with consideration to the Groundwater Dependent Ecosystem Monitoring and Mitigation Plan (as required by EPR GW4) and other identified beneficial uses of groundwater.</td>
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</tr>
<tr>
<td>- Confirm the effectiveness of applied measures as identified in the Groundwater Management Plan (refer EPR GW4) and if required, identify and implement contingency measures to restore groundwater to an acceptable level. The duration of post-construction monitoring must be a minimum of two years or until acceptable restoration of groundwater has been confirmed by the Independent Environmental Auditor, in consultation with EPA Victoria and Melbourne Water. The pre-construction, construction and post-construction monitoring program(s) must be developed in consultation with EPA Victoria and Melbourne Water, and be consistent with EPA Victoria Publication 669 Hydrogeological assessment groundwater quality guidelines, EPA Victoria Publication 669 Groundwater Sampling Guidelines, and the State Environment Protection Policy (Waters).</td>
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</tr>
<tr>
<td><strong>GW3</strong></td>
<td><strong>Minimise changes to groundwater levels through tunnel and trench drainage design and construction methods</strong></td>
</tr>
<tr>
<td>- Design long term tunnel and trench drainage and adopt construction methods which minimise changes to groundwater levels during construction and operation to manage, mitigate and/or minimise to the extent practicable:</td>
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<tr>
<td>- Requirements for groundwater management and disposal</td>
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<tr>
<td>- Mobilisation of contaminated groundwater</td>
<td></td>
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<tr>
<td>- Dewatering and potential impacts of acid sulfate soils, including both unconsolidated sediments and lithified sedimentary rock</td>
<td></td>
</tr>
<tr>
<td>- Potential impacts on waterways and potential groundwater dependent ecosystems, including terrestrial ecosystems</td>
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<tr>
<td>- Any other adverse impacts of groundwater level changes such as subsidence.</td>
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</tr>
<tr>
<td>- Design and implement engineering control measures and/or ground treatment to limit to the extent practicable groundwater inflow and groundwater drawdown during excavation, construction and operation of tunnels and trenches, cross passages and subsurface excavations. The Groundwater Management Plan (as required by EPR GW4) must contain measures and/or controls to minimise groundwater inflow during construction to excavations and groundwater drawdowns, including contingency measures should monitoring indicate adverse impacts are occurring. These must include measures to:</td>
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<tr>
<td>- Manage, mitigate and minimise to the extent practicable reduction or loss of groundwater discharge to waterways or loss of water availability for terrestrial ecosystems</td>
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<tr>
<td>- Manage, mitigate and minimise the oxidation of acid sulfate soil materials and acidification of groundwater</td>
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<tr>
<td>- Manage, mitigate and minimise any movement of contamination that is identified</td>
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<tr>
<td>- Manage, mitigate and minimise impacts on beneficial uses and risk of vapour intrusion</td>
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</tr>
<tr>
<td>- Ensure that groundwater seepage is collected, treated and dispersed during construction in accordance with the Environment Protection Act 1970 waste management hierarchy and EPA Victoria requirements. Obtain a trade waste agreement from the relevant water authority where disposal to sewer is required. Groundwater discharge to waterways must be approved by the relevant authority prior to discharges occurring and meet the State Environment Protection Policy (Waters) requirements.</td>
<td></td>
</tr>
<tr>
<td><strong>GW4</strong></td>
<td><strong>Implement a Groundwater Management Plan to Protect groundwater quality and manage groundwater interception</strong></td>
</tr>
<tr>
<td>- Records of consultation with land owners in relation to the condition surveys</td>
<td></td>
</tr>
<tr>
<td>- Post-construction stage condition surveys conducted, where required, to ascertain if any damage has been caused as a result of project works. Pre- and post-condition assessments must be proactively shared with the property owner. All stakeholder engagement activities must be undertaken in accordance with the Communications and Community Engagement Plan (see EPR SC2).</td>
<td></td>
</tr>
<tr>
<td>- Rectify damage to properties and assets impacted by ground movement or settlement For properties and assets (including natural landscapes and parklands) damaged by ground movement caused by the project, undertake necessary repair works or other actions as agreed with the relevant property or asset owner (or land manager). For places listed on the Victorian Heritage Register, consultation with Heritage Victoria must be undertaken. Establish an independent mediation process for the assessment of claims for property and asset damage that cannot be agreed between the Project and the property or asset owner.</td>
<td></td>
</tr>
</tbody>
</table>
### 10. Historical Heritage (HH)

#### HH1

**Design and construct to minimise impacts on heritage**

- Undertake detailed design of the permanent and temporary works to minimise impacts where practicable, on the cultural heritage values of heritage places in consultation with Heritage Victoria and/or local councils (as applicable).
- Prior to commencement of works that affect heritage places, structures or features, develop and implement in consultation with the relevant heritage authority:
  - Physical protection measures for heritage places, structures or features as appropriate
  - Where required, a methodology for any required dismantling, storage or reinstatement of heritage fabric (with reference to the ICONOMIS Burra Charter 2013).

**Guidelines for Investigating Historical Archaeological Artefacts and Sites, Heritage Victoria 2014**

#### HH2

**Implement an Archaeological Management Plan to avoid and minimise impacts on historic archaeological sites and values**

- Develop and implement an Archaeological Management Plan in consultation with Heritage Victoria detailng measures to avoid, minimise, mitigate and manage disturbance of archaeological sites and values affected by the project. Undertake investigations in accordance with the Guidelines for Investigating Historical Archaeological Artefacts and Sites, Heritage Victoria 2015 and to the satisfaction of the Executive Director, Heritage Victoria.
- The Archaeological Management Plan must include:
  - Requirements for background historical research, excavation methodology, research design, reporting and artefact management, artefact conservation, and analysis
  - Protocols for managing previously unidentified historical archaeological sites discovered during the works.

#### HH3

**Monitor condition of heritage sites**

- Undertake pre-construction and post construction condition survey(s) in accordance with EPR GM3 for heritage places at risk of impact from settlement and structural integrity disturbance as a result of the project. Measures to manage and monitor potential vibration impacts on heritage places during construction must be implemented in accordance with the Construction Noise and Vibration Management Plan required by EPR NV4. Report the results of monitoring for heritage places to the Executive Director, Heritage Victoria and take remedial action, if required, to the satisfaction of the Executive Director, Heritage Victoria.

#### HH4

**Undertake archival photographic recording**

- Prior to construction, undertake archival photographic recording of all heritage places demolished or modified by the works in accordance with Heritage Victoria’s specification for the archival photographic recording of heritage places or alternative applicable Heritage Victoria guidelines as updated, to the satisfaction of the Executive Director, Heritage Victoria.

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### Groundwater Management Plan

A Groundwater Management Plan must be developed in consultation with EPA Victoria and implemented to protect groundwater quality and manage interception of groundwater including documenting the measures required to achieve EPR GW2 and EPR GW3. The Groundwater Management Plan must be informed by the groundwater modelling required by EPR GW1 and updated where required in response to modelling results, new information resulting from the monitoring programs required by GW2 and assessment of the adequacy or effectiveness of controls.

The Groundwater Management Plan must include requirements and construction methods to protect groundwater quality including where appropriate, but not limited to:

- Selection and use of sealing products, caulking products, lubricating products and chemical grouts during construction that will not diminish the groundwater quality
- Selection and use of fluids for artificial recharge activities that will not diminish the groundwater quality
- Requirements to ensure compatibility of construction material with groundwater quality to provide long term durability for infrastructure design life
- Design and development of drainage infrastructure that minimises clogging and maintenance risks from dissolved constituents in groundwater precipitating out of solution
- Measures to assess, remove and dispose of contaminated groundwater and impacted soils associated with excavation and construction
- Reinjection borefields for hydraulic control of drawdowns (or contaminated groundwater plumes)
- Remedial grouting

The Groundwater Management Plan must include requirements and methods for management of groundwater interception during construction where appropriate, but not limited to:

- Identification, treatment, disposal and handling of contaminated seepage water and/or slurries including vapours in accordance with relevant legislation and guidelines
- Assessment of barrier/damming effects
- Subsidence management
- Dewatering and potential impacts on acid sulfate soils, including both unconsolidated sediments and lithified sedimentary rock
- Protection of waterways and potential groundwater dependent ecosystems
- Management of unexpected contaminated groundwater eg using treatments, hydraulic controls, grouting and exclusion methods
- Management of possible impact to groundwater monitoring and management by third parties of existing contamination plumes
- Contingency actions when interventions are required.

The Groundwater Management Plan must also include a review to confirm the status of potential use of extraction bores within the estimated construction drawdown area. Where required, measures must be developed and implemented, to the satisfaction of Southern Rural Water, to maintain water supply to identified, impacted groundwater users.

#### GW5

**Manage groundwater during operation**

- Prepare as part of the OEMP and implement measures for management, monitoring, reuse where possible and disposal of groundwater inflows during operation that comply with relevant legislation and guidelines (and include provisions of EPR FF6 where relevant), including but not limited to:
  - State Environment Protection Policy (Waters)
  - State Environment Protection Policy (Prevention and Management of Contaminated Land)
  - Water Act 1989 and Water Industry Regulations 2006
- The OEMP must include contingency measures and emergency response plans if unexpected groundwater contamination is encountered and requires disposal.

A trade waste agreement from the relevant water authority must be obtained in accordance with regulatory requirements, where disposal to sewer is proposed. Approval from EPA and the relevant water authority (as required) must be obtained in accordance with regulatory requirements, where discharge to waterways is proposed.

### 19. Subsidence

- **Development of the Structural Geology Data Base**: Develop the Structural Geology Data Base (SGDB) as required in Section 2.7.6 of the CPM. The SGDB must include:
  - A comprehensive database of all structural geological features identified on site
  - A compilation of all geological and geotechnical reports
  - A compilation of all structural geological maps
  - A compilation of all geotechnical data
  - A compilation of all geological and geotechnical data

### 20. Water Quality

- **Groundwater Quality Monitoring Plan**: Develop a Groundwater Quality Monitoring Plan that complies with the requirements of Section 2.7.6 of the CPM. The Plan must:
  - Include a comprehensive overview of all groundwater quality monitoring activities
  - Include a detailed description of all groundwater quality monitoring methods and techniques
  - Include a detailed description of all groundwater quality monitoring equipment and instrumentation
  - Include a detailed description of all groundwater quality monitoring protocols and procedures
  - Include a detailed description of all groundwater quality monitoring results and interpretations
  - Include a detailed description of all groundwater quality monitoring reports and publications

### 21. Contingency Plan

- **Emergency Response Plan**: Develop an Emergency Response Plan that complies with the requirements of Section 2.7.6 of the CPM. The Plan must:
  - Include a comprehensive overview of all emergency response activities
  - Include a detailed description of all emergency response methods and techniques
  - Include a detailed description of all emergency response equipment and instrumentation
  - Include a detailed description of all emergency response protocols and procedures
  - Include a detailed description of all emergency response results and interpretations
  - Include a detailed description of all emergency response reports and publications

### 22. Environmental Impact Assessment

- **Environmental Impact Assessment Plan**: Develop an Environmental Impact Assessment Plan that complies with the requirements of Section 2.7.6 of the CPM. The Plan must:
  - Include a comprehensive overview of all environmental impact assessment activities
  - Include a detailed description of all environmental impact assessment methods and techniques
  - Include a detailed description of all environmental impact assessment equipment and instrumentation
  - Include a detailed description of all environmental impact assessment protocols and procedures
  - Include a detailed description of all environmental impact assessment results and interpretations
  - Include a detailed description of all environmental impact assessment reports and publications

### 23. Cultural Heritage

- **Cultural Heritage Management Plan**: Develop a Cultural Heritage Management Plan that complies with the requirements of Section 2.7.6 of the CPM. The Plan must:
  - Include a comprehensive overview of all cultural heritage management activities
  - Include a detailed description of all cultural heritage management methods and techniques
  - Include a detailed description of all cultural heritage management equipment and instrumentation
  - Include a detailed description of all cultural heritage management protocols and procedures
  - Include a detailed description of all cultural heritage management results and interpretations
  - Include a detailed description of all cultural heritage management reports and publications
Marcellin changes to EPRs – IAC Version – NELP version 5 (12/15 September 2019)

11. Land Use Planning (LP)

**LP1** Minimise land use impacts

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:
  - Parks and reserves
  - Significant landscapes around the Yarra River
  - Other sensitive land uses such as educational facilities
  - Recreational and community facilities
  - Residential properties
  - Commercial and industrial sites.

- Consolidate or minimise the fragmentation of, and provide access to, residual land parcels to support future viable land use to the extent practicable.

- Adopt an integrated approach to the Manningham interchange which supports viable future land uses (such as commercial and industrial) and includes maximising the developable area at surface level to the extent practicable.

**LP1A** Adopt an integrated planning approach to the Eastern Freeway/Bulleen Road interchange which:

- Provides appropriate access to the Park and Ride facility;
- Provides the Manningham Hotel with appropriate access;
- Does not provide a shared access between Marcellin College and Manningham Hotel;
- Retains the entirety of Marcellin College’s Bulleen Road frontage in the long term ( recognising that part of that frontage may be an elevated road).

**LP2** Minimise impacts from location of new services and utilities

New above ground services and utility infrastructure are to be located in a way that minimises impacts to existing residential areas, public open space and recreational facilities. This must include considering options to co-locate infrastructure where practicable.

**LP3** Minimise inconsistency with strategic land use plans

The project must avoid and minimise, to the extent practicable, impacts on residential, commercial, industrial, open space and community facilities land uses from project development and operations which are inconsistent with strategic land use policy. Development of the project must have regard to relevant strategic land use plans and consultation must occur with land managers and/or authorities responsible for the implementation of the relevant strategic land use plans and policies.

**LP4** Minimise overshadowing from noise walls and elevated structures and overhanging from 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.

Unless with the consent of an affected landowner or in exceptional circumstances, the extent of additional overshadowing of residential properties from non-transparent structures:

- Should be no greater than the existing shadowing of secluded private open spaces associated with residential properties cast by existing structures including existing noise walls and other structures (e.g. elevated walkways) between the hours of 9:00 am to 3:00 pm as measured on September 22.
- If additional overshadowing occurs it must not be greater than 50% of the secluded private open space or 40 sq.m, whichever is the greater, between the hours of 9:00 am to 3:00 pm as measured on September 22.

Overhanging from elevated structures, especially within a distance of 15 metres to secluded private open space and habitable room windows of residential properties, must be minimised through detailed design as far practicable.

**LP NEW1** Open Space Replacement

The State must develop and implement a strategy with the objective to replace public open space permanently required for the Project. The strategy should include:

- The definition of the public open space required for the Project (noting that this will not include land within a Road Zone).
- The identification of options to acquire private land or re-purpose land in public ownership for use as public open space. This will include:
  - The assessment of the suitability of the land for public open space
  - A general plan for the future use of the land (e.g. active open space, conservation land etc.)
- A program identifying the timing of the acquisition or re-purposing of the identified new public open space sites and the process to be used to ensure fair procedures with the aim of completing the acquisition/re-purposing and development program by the completion of construction of the Project.

12. Landscape and Visual (LV)

**LV1** Landscape and Visual (LV)

Design to be in accordance with the Urban Design Strategy: Urban Design and Landscape Plans must be developed and implemented for permanent above-ground buildings or structures (excluding preparatory buildings and works) in accordance with the North East Link Project – Incorporated Document. The design response must be in accordance with the North East Link Urban Design Strategy and, to the extent practicable.
Mitigation Guideline (2015)

New South Wales Roads and Maritime Services

NV1

Achieve traffic noise objectives

Design and construct the works to meet the following L10 traffic noise objectives.

<table>
<thead>
<tr>
<th>Aspect</th>
<th>External traffic noise levels</th>
</tr>
</thead>
<tbody>
<tr>
<td>(a) Traffic noise from North East Link Project Roads* must be no greater than:</td>
<td></td>
</tr>
<tr>
<td>- 63 dBA (L10,18hr) measured between 6 am and midnight at Category A buildings**</td>
<td></td>
</tr>
<tr>
<td>- 63 dBA (L10,12hr) measured between 6 am and 6 pm at Category B buildings**</td>
<td></td>
</tr>
<tr>
<td>(b) For Category A and Category B buildings on non-Project Roads which:</td>
<td></td>
</tr>
<tr>
<td>- directly intersect with North East Link project roads, and</td>
<td></td>
</tr>
<tr>
<td>- total traffic noise for the design year and with Project exceeds the thresholds listed in paragraph (a).</td>
<td></td>
</tr>
</tbody>
</table>

The combined noise from North East Link Project Roads and non-Project Roads must not be more than 2 dBA higher than the predicted traffic noise level under the design year ‘no nothing’ scenario. Non-Project Roads must be modelled for a distance of 100 m from the intersection with North East Link Project Roads or to the first traffic intersection (whichever is the lesser).

Apply at

The noise criteria in paragraphs (a) and (b) above are to apply to the lowest habitable level of Category A buildings and Category B buildings at both the year of opening and 10 years thereafter (the design year). Traffic noise mitigation measures must be maintained throughout this period. For the purposes of this EPR, Category A buildings and Category B buildings to be considered are those that are either existing or known to have planning approval prior to exhibition of the North East Link Environmental Effects Statement.

Where external traffic noise cannot be mitigated through project design solutions to meet the criteria outlined in paragraphs (a) and (b), at property treatments may be required to ensure an equivalent internal level of attenuation is provided to the building. At-property treatments would be undertaken with reference to section 7.3 of the NSW Road and Maritime Services document ‘Noise Mitigation Guidelines 2015 – Roads and Maritime Services’, and in consultation with the owner of the relevant building. In circumstances where at-property treatments are proposed, the Independent Environmental Auditor must review the project design solutions to confirm that the criteria outlined in paragraphs (a) and (b) could not be achieved by the adoption of reasonable and feasible detailed design measures.

* Project Roads are defined to be the M80 Ring Road (east of Plenty Road), the Greensborough Bypass (west of the Plenty River bridge and up to the M80 interchange with North East Link), the upgrade of the Eastern Freeway (between Hoddle Street and Springfield Road) and the new North East Link freeway (connecting the M80 Ring Road to the Eastern Freeway), including all access ramps.

** Category A buildings and Category B buildings means:
- Category A Buildings – Residential dwellings, aged persons homes, hospitals, motels, caravan parks and other buildings of a residential nature
- Category B Buildings – Schools (including buildings within the Carey Sports Complex), kindergartens, libraries and other noise-sensitive community buildings.

NV2

Monitor traffic noise

Traffic noise monitoring must be carried out at least the following time periods:

- Design, construction
- Design, operation
Baseline traffic noise must be re-measured after project award and prior to construction works.
Traffic must be re-measured within six months of project opening during normal traffic flows (outside school or public holidays). For the purpose of determining compliance, the measurements conducted after project opening must be adjusted to the 10 year traffic flows.
Traffic noise must be re-measured 10 years after project opening.
All traffic noise monitoring must be undertaken in accordance with the VicRoads Traffic Noise Measurement Requirements for Acoustic Consultants – September 2011, to verify conformance with the external traffic noise objectives set out in EPR NV1. The adequacy of the monitoring program is to be verified by the Independent Environmental Auditor.
Remedial action must be taken as soon as practicable in the event that the measured traffic noise levels demonstrate that the external traffic noise objectives set out in EPR NV1 are not met.

Minimise construction noise impacts to sensitive receptors

Construction noise and vibration must be managed in accordance with the Construction Noise and Vibration Management Plan (CNVMP) required by EPR NV4.

Non-residential sensitive receptors

For sensitive land uses (based on AS/NZS 2107:2016) implement management actions as per EPR NV4 if construction noise is predicted to or does exceed the internal and external noise management levels set out in the table below, and a noise sensitive receptor is, or is predicted to be, adversely impacted. If construction exceeds the noise management levels below, in determining whether a noise sensitive receptor is, or is predicted to be, adversely impacted:

- Consider the duration of construction noise
- Consider the existing ambient noise levels
- Consult with the owner or operator of the noise sensitive receptor
- Consider any specific acoustic requirements of land uses listed below to determine whether a noise sensitive receptor is adversely impacted.

<table>
<thead>
<tr>
<th>Land use</th>
<th>Construction noise management level, $L_{A90}$ applies when properties are in use</th>
</tr>
</thead>
<tbody>
<tr>
<td>Classrooms in schools and other educational institutions</td>
<td>Internal noise level 45 dB(A)</td>
</tr>
<tr>
<td>Hospital wards and operating theatres</td>
<td>Internal noise level 45 dB(A)</td>
</tr>
<tr>
<td>Places of worship</td>
<td>Internal noise level 45 dB(A)</td>
</tr>
<tr>
<td>Active recreation areas characterised by sporting activities and activities which generate their own noise, making them less sensitive to external noise intrusion</td>
<td>External noise level 65 dB(A)</td>
</tr>
<tr>
<td>Passive recreation areas characterised by contemplative activities that generate little noise and where benefits are compromised by external noise intrusion, for example reading, meditation</td>
<td>External noise level 60 dB(A)</td>
</tr>
<tr>
<td>Community centres</td>
<td>Depends on the intended use of the centre. Refer to the recommended maximum internal levels in AS/NZS 2107:2016 for specific uses</td>
</tr>
<tr>
<td>Industrial premises</td>
<td>External noise level 75 dB(A)</td>
</tr>
<tr>
<td>Offices, retail outlets</td>
<td>External noise level 70 dB(A)</td>
</tr>
<tr>
<td>Other noise sensitive land uses as identified in AS/NZS 2107:2016</td>
<td>Refer to the noise levels in AS/NZS 2107:2016</td>
</tr>
</tbody>
</table>

Residential receptors

For residential dwellings, management actions must be implemented as per EPR NV4 if noise from construction works during normal working hours is predicted to or does exceed the noise management levels for normal working hours below.

Noise from construction works during weekend/evening work hours and the night period must meet the weekend/evening and night period noise guideline targets in the table below unless they are Unavoidable Works verified by the Independent Environmental Auditor as per EPR NV4. All reasonable strategies to mitigate the impacts of such Unavoidable Works must be applied.

<table>
<thead>
<tr>
<th>Time of day</th>
<th>Construction noise guideline targets</th>
</tr>
</thead>
<tbody>
<tr>
<td>Normal working hours:</td>
<td></td>
</tr>
<tr>
<td>7 am – 6 pm Monday to Friday</td>
<td>Noise affected: Background $L_{A90} = 10$ dB</td>
</tr>
<tr>
<td>7 am – 1 pm Saturday</td>
<td>Highly noise affected: 75 dB(A) Source: NSW Interim Construction Noise Guideline (ICNG) Chapter 4.1.1 Table 2</td>
</tr>
<tr>
<td></td>
<td>The noise affected level represents the point above which there may be some community reaction to noise</td>
</tr>
<tr>
<td></td>
<td>The highly noise affected level represents the point above which there may be strong community reaction to noise</td>
</tr>
</tbody>
</table>

Weekend/evening work hours: 6 pm – 10 pm Monday to Friday
| Noise level at any residential premises not to exceed background noise ($L_{A90}$) by: |                                                                                             |
| 10 dB(A) or more for up to 18 months |                                                                                             |

Due to the nature of the page, only the content related to ASHRAE Chapter 48 Sound and Vibration Control Standards, German Standard DIN 4150 - Part 3: Structural Vibration in Buildings - Effects on Structures (2016) British Standard BS6472:2008 Guide to evaluation of human exposure to vibration in buildings and Vibration sources other than blasting is provided.
Unavoidable Works

Unavoidable Works must be verified by the Independent Environmental Auditor for each instance they are undertaken, as per EPR NV4 and include the following:

- The delivery of oversized plant or structures that police or other authorities determine require special arrangements to transport along public roads
- Emergency work to avoid the loss of life or damage to property, or to prevent environmental harm
- Maintenance and repair of public infrastructure where disruption to essential services and/or considerations of worker safety do not allow work within standard hours
- Tunnelling works including mined excavation elements and the activities that are required to support tunnelling works (ie spoil treatment facilities)
- Road and rail occupations or works that would cause a major traffic hazard
- Other works where a contractor demonstrates and justifies a need to operate outside normal working hours and exceed the noise guideline targets such as work that once started cannot practically be stopped.

Where construction vibration guidelines are not proposed by the asset owner, reference should be made to the relevant sections of German Standard DIN 4150 – Part 3 – Structural Vibration in Buildings – Effects on Structures (2016) for guideline assessment procedures for buried pipework or underground infrastructure. The integrity of the asset should be reviewed and assessed (by the contractor, in conjunction with the asset owner) and verified by the Independent Environmental Auditor for each instance they are undertaken. Details of Unavoidable Works must be made publicly available. For emergency Unavoidable Work, a rationale must be provided and updated as appropriate on a six monthly basis, and verified by the Independent Environmental Auditor.

<table>
<thead>
<tr>
<th>Line</th>
<th>Lining material</th>
<th>Guideline values for vi, max in mm/s perpendicular to lining surface</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Reinforced or sprayed concrete, tubbing segments</td>
<td>80</td>
</tr>
</tbody>
</table>

Notes:
- Where any reference is made to the rating background level (RBL) or background Load (Lavg), the ‘average background’ over the assessment period as per Victorian noise policy practices is to be used. This applies to all receivers and all times periods.

Table 2: Guideline values for vi, max for evaluating the effects of short-term vibration on the lining of underground cavities.
Marcellin changes to EPRs – IAC Version – NELP version 5 (12/15 September 2019)

Concrete, stone 60
Masonry 40

Note: The guideline values were measured during nearby mine blasting operations and apply only to the lining of underground structures, but not to any associated installations.

Table 3 Guideline values for vi, max, for evaluating the effects of short-term vibration on buried pipework

<table>
<thead>
<tr>
<th>Line</th>
<th>Lining material</th>
<th>Guideline values for vi, max in mm/s perpendicular to lining surface</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Steel, welded</td>
<td>vi, max: 100</td>
</tr>
<tr>
<td>2</td>
<td>Vitrified clay, concrete, reinforced concrete, prestressed concrete, metal (with or without flange)</td>
<td>vi, max: 80</td>
</tr>
<tr>
<td>3</td>
<td>Masonry, plastics</td>
<td>vi, max: 50</td>
</tr>
</tbody>
</table>

Design permanent tunnel ventilation system and relevant fixed infrastructure to meet EPA requirements for noise

Design and implement the permanent tunnel ventilation system and relevant fixed infrastructure that is subject to State Environment Protection Policy (Control of Noise from Commerce, Industry and Trade) No. N-1 (SEPP N-1) to achieve compliance with SEPP N-1 and in accordance with the Works Approval.

Where SEPP N-1 does not apply, design and implement the permanent tunnel ventilation system to comply with the internal Satisfactory Recommended Design Sound Levels as defined in AS/NZS 2107 for teaching purposes.

Provide detailed design of the tunnel ventilation system to the satisfaction of EPA Victoria prior to commencement of the works permitted by the Works Approval.

Design, construction

Monitor noise from tunnel ventilation system and relevant fixed infrastructure

Measure noise from the permanent tunnel ventilation system and relevant fixed infrastructure that is subject to State Environment Protection Policy (Control of Noise from Commerce, Industry and Trade) No. N-1 (SEPP N-1) on commencing road operation and monitor noise from the tunnel ventilation system post opening of the North East Link, as agreed with EPA Victoria, to verify compliance with SEPP N-1 and the EPA Victoria Licence. Identify and implement contingency measures to be implemented if noise level limits are not met.

Operation

Minimise construction vibration impacts on amenity

Implement management actions if the following guideline target levels for vibration from construction activity to protect human comfort of occupied buildings (including heritage buildings) are not achieved (levels are calculated from the British Standard BS6472-1:2008 Guide to evaluation of human exposure to vibration in buildings. Vibration sources other than blasting).

Type of space occupancy | Vibration Dose Values (m/s²)
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Day (7am to 10 pm)</td>
</tr>
<tr>
<td></td>
<td>Preferred Value</td>
</tr>
<tr>
<td>Residential</td>
<td>0.2</td>
</tr>
<tr>
<td>Offices, schools, educational institutions, places of worship</td>
<td>0.4</td>
</tr>
<tr>
<td>Workshops</td>
<td>0.8</td>
</tr>
</tbody>
</table>

Notes:
1. The Guideline Targets are non-mandatory; they are goals that should be sought to be achieved through the application of practicable mitigation measures. If exceeded then management actions would be required.
2. The Vibration Dose Values may be converted to Peak Particle Velocities within a noise and vibration construction management plan.
3. For the purpose of this EPR, the guideline target levels for ‘offices, schools, educational institutions, places of worship’ also apply to the Heide Museum of Modern Art and the outdoor sculpture exhibition area at Heide Museum of Modern Art.

Minimise construction vibration impacts on structures

Construction vibration targets for structures based on German Standard DIN 4150 – Part 3 – Structural Vibration in Buildings - Effects on Structures (2016) must be adopted. All sections of the German Standard DIN 4150 – Part 3 – Structural Vibration in Buildings - Effects on Structures (2016) standard apply, noting the guideline levels detailed in Section 5 and Section 6 (and any references sections).

An overview of the key vibration guidelines values is presented below. In all cases, the supporting documentation within the Standard which describes, clarifies and sometimes modifies the tables below must be considered.

Table 1 — Guideline values for vibration velocity, vi, max, for evaluating the effects of short-term vibration on structures

<table>
<thead>
<tr>
<th>Type of space occupancy</th>
<th>Vibration Dose Values (m/s²)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Day (7am to 10 pm)</td>
</tr>
<tr>
<td></td>
<td>Preferred Value</td>
</tr>
<tr>
<td>Residential</td>
<td>0.2</td>
</tr>
<tr>
<td>Offices, schools, educational institutions, places of worship</td>
<td>0.4</td>
</tr>
<tr>
<td>Workshops</td>
<td>0.8</td>
</tr>
</tbody>
</table>
### Type of structure

<table>
<thead>
<tr>
<th>Guideline values for ( v_{i, \text{max}} ) in mm/s</th>
</tr>
</thead>
<tbody>
<tr>
<td>Foundation, all directions, ( i = x, y, z ), at a frequency of</td>
</tr>
<tr>
<td>Topmost floor, horizontal direction, ( i = x, y )</td>
</tr>
<tr>
<td>Floor slabs, vertical direction, ( i = z )</td>
</tr>
<tr>
<td>1 Hz to 10 Hz</td>
</tr>
<tr>
<td>Column Line</td>
</tr>
<tr>
<td>1</td>
</tr>
<tr>
<td>2</td>
</tr>
<tr>
<td>3</td>
</tr>
</tbody>
</table>

Note: Even if guideline values as in line 1, columns 2 to 5, are complied with, minor damage cannot be excluded.

(a) At frequencies above 100 Hz, the guideline values for 100 Hz can be applied as minimum values.

(b) Paragraph 2 of 5.1.2 must be observed.

### Table 4 — Guideline values for \( v_{i, \text{max}} \), for evaluating the effects of long-term vibration on buildings

<table>
<thead>
<tr>
<th>Type of building</th>
<th>Guideline values for ( v_{i, \text{max}} ), in mm/s</th>
</tr>
</thead>
<tbody>
<tr>
<td>Topmost floor, horizontal direction, all frequencies</td>
<td></td>
</tr>
<tr>
<td>Floor slab, vertical direction, all frequencies</td>
<td></td>
</tr>
<tr>
<td>Column Line</td>
<td>1</td>
</tr>
<tr>
<td>1</td>
<td>Buildings used for commercial purposes, industrial buildings, and buildings of similar design</td>
</tr>
<tr>
<td>2</td>
<td>Residential buildings and buildings of similar design and/or occupancy</td>
</tr>
<tr>
<td>3</td>
<td>Structures that, because of their particular sensitivity to vibration, cannot be classified under lines 1 and 2 and are of great intrinsic value (e.g. listed buildings)</td>
</tr>
</tbody>
</table>

Note: Even if guideline values as in line 1, column 2, are complied with, minor damage cannot be ruled out.

(a) Section 6.1.2 must be observed.

Vibration levels above apply to all works, including unavoidable works as defined in NV3.

---

**NV10**

**Minimise impacts from ground-borne (internal) noise**

Implement management actions in consultation with potentially affected land owners to protect amenity at residences where the following ground-borne noise guideline targets based on Section 4.2 of the New South Wales Interim Construction Noise Guidelines are exceeded during construction.

<table>
<thead>
<tr>
<th>Time of Day</th>
<th>Internal noise level measured at the centre of the most affected habitable room</th>
</tr>
</thead>
<tbody>
<tr>
<td>Evening (6 pm to 10 pm)</td>
<td>( L_{A_{\text{eq}(15 \text{ min})}} = 40 \text{ dBA} )</td>
</tr>
<tr>
<td>Night (10 pm to 6 am)</td>
<td>( L_{A_{\text{eq}(15 \text{ min})}} = 35 \text{ dBA} )</td>
</tr>
</tbody>
</table>

Notes:

1. Levels are only applicable when ground-borne noise levels are higher than airborne noise levels.
2. Management actions include community consultation to determine acceptable level of disruption and provision of respite accommodation in some circumstances.
3. Noise levels above apply to all works, including unavoidable works as defined in NV3.

---

**NV11**

**Minimise amenity impacts from blast vibration**

Implement management actions if the following vibration values are not achieved. Blasting activities must comply with Australian Standard AS2187.2-2006, Explosives - Storage and use Part 2 – Use of explosives for all blasting.
<table>
<thead>
<tr>
<th>NV12</th>
<th>Minimise amenity impacts from blast overpressure</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Category</strong> (as defined in AS 2187.2-2006)</td>
<td><strong>Type of blasting operations</strong></td>
</tr>
<tr>
<td>Sensitive Site</td>
<td>More than 20 blasts</td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td>Less than 20 blasts</td>
<td>120 dBL for 95% blasts</td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td>Occupied non-sensitive sites such as factories and commercial premises</td>
<td>All blasting</td>
</tr>
</tbody>
</table>

NV13 Noise mitigation – noise walls

Construction of permanent noise attenuation must, where feasible, be installed in advance of adjacent works. Where the ultimate wall cannot be constructed prior to demolition of the existing wall and noise sensitive premises will be exposed to significantly increased traffic noise for an extended period, install temporary noise walls where practicable.

NV14 Reduce impacts from engine brake noise

Measures to encourage heavy vehicle drivers to reduce use of engine brakes must be considered and implemented, where practicable.

14. Social and Community (SC)

<table>
<thead>
<tr>
<th>SC1</th>
<th>Reduce community disruption</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Planning and Environment Act 1987</strong></td>
<td>Design and construct the project to reduce disruption to residences, community infrastructure facilities and open space from direct acquisition or temporary occupation, as far as is practicable.</td>
</tr>
</tbody>
</table>

**SC NEW1** Manage impacts of land acquisition and occupation

**Where private or public land is to be permanently acquired or temporarily occupied, the project will minimise the extent of the acquisition or the extent or duration of the occupation**

Where private land is to be permanently acquired or temporarily occupied, the project will:

- Use a case-management approach for project interactions with affected land owners and occupants
- Endeavour to reach agreement on the terms for possession of the land
- Consider the relative vulnerability and special needs of land owners and occupants
- Return private land not required for permanent project infrastructure to its pre-existing use post-construction as soon as practicable, unless otherwise agreed with the land manager owner.
- In the case of private land used for formal active recreation, ensure that impacts are minimised in accordance with SCNEW 2.

Where public land is to be permanently acquired or temporarily occupied, the project will:

- Minimise the extent of the acquisition or the extent or duration of the occupation
- Endeavour to reach agreement with the land manager on the terms for possession of the land
- Return public land not required for permanent project infrastructure to its pre-existing use post-construction as soon as practicable, unless otherwise agreed with the land manager.
- In the case of public land used for formal active recreation, ensure that impacts are minimised in accordance with SC4.

**SC2** Implement a Communications and Community Engagement Plan

Prior to construction, prepare and implement a Communications and Community Engagement Plan to engage the community and potentially affected stakeholders and communicate progress of construction activities and operation. The plan must include:

- A process for identifying community issues and the recording, management and resolution of complaints from affected stakeholders consistent with Australian Standard AS/NSZ 10002:2014 Guidelines for Complaint Management in Organisations
- Approach to stakeholder identification
### Surface Water (SW)

<table>
<thead>
<tr>
<th>15. Surface Water (SW)</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Water Act 1989</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Conservation, Forests and Lands Act 1987</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Water Industry Regulations 2006</strong></td>
<td></td>
</tr>
</tbody>
</table>
| **SW1** | Discharges and runoff to meet State Environment Protection Policy (Waters)  
Meet the State Environment Protection Policy (Waters) requirements for discharge and run-off from the project, including by complying with the Victorian Stormwater Committee’s Best Practice Environmental Management Guidelines for Urban Stormwater (as published by CSIRO in 1999 with assistance from EPA Victoria and others). | Design, construction, operation |
| **SW2** | Design and implement spill containment  
Design and construct the spill containment capacity of the stormwater drainage system for all freeway pavements (including ramps) to manage the risk of hazardous spills from traffic accidents at or prior to every stormwater outlet, to meet AustRoads requirements (Part 5 Drainage – General & Hydrology Considerations). The design and location of spill containment must consider the risk and  | Design, construction, operation |
The monitoring program must be developed in consultation with EPA Victoria and the asset owner/manager and as appropriate with reference to applicable policies and guidelines, including SEPP (Waters), Victorian Stormwater Committee’s Victoria Best Practice Environmental Management Guidelines for Urban Stormwater (as published by CSIRO in 1999 with assistance from EPA Victoria and others), EPA Victoria Publication 596 Point source discharges to streams: protocol for in-stream monitoring and assessment and Industrial Waste Resource Guideline 701 Sampling and analysis of waters, wastewaters, soils and wastes. The surface water monitoring program is to be used to inform the development and refinement of the Surface Water Management Plan (EPR SW5).

### SW5 Implement a Surface Water Management Plan during construction

Develop and implement a Surface Water Management Plan, in consultation with EPA Victoria, for construction that sets out requirements and methods for:

- Maintaining the key hydrologic and hydraulic functionality and reliability of existing flow paths, drainage lines and floodplain storage
- Retaining existing flow characteristics to maintain waterway stability downstream of construction
- Location and bunding of any contaminated material (including tunnel spoil and stockpiled soil) to the 1% AEP flood level and to the requirements of EPA Victoria and the relevant drainage authority
- Works scheduling to reduce flood related risks
- Bunding of significant excavations including tunnel portals and interchanges to an appropriate level during the construction phase
- Protecting against the risk of contaminated discharge to waterways when working in close proximity to potential pollutant sources (eg landfill or sewer infrastructure)
- Documenting the existing condition of all drainage assets potentially affected by the works (including their immediate surrounds) to enable baseline conditions to be established and potential construction impacts on these assets to be assessed and managed.

Permanent works and associated temporary construction works must not increase overall flood risk at relevant locations or modify the flow regime of waterways without the acceptance of the relevant floodplain manager, drainage authority or asset owner (typically Melbourne Water) and in consultation with other relevant authorities (eg Council, Department of Transport, Parks Victoria, SES, emergency services).

Flood risk should be appropriately assessed using modelling of the design of permanent and temporary works to demonstrate the resultant flood levels and risk profile in accordance with Melbourne Water Standards for Infrastructure Projects in Flood-Prone Areas (2019). This modelling analysis is to include sufficient events (at least up to and including the 1% AEP event) and scenarios (eg with and without blockage) to support the estimation of tangible (eg average annual damages) and intangible flood damages. If significant increases in flood risk are predicted for any events analysed, an assessment of overall flood risk considering tangible and intangible flood damages must be prepared and presented with appropriate mitigation measures for the acceptance of the relevant drainage authority or asset owner prior to commencement of construction for the relevant section of the works. If there are significant design changes during construction, the model must continue to be updated, as appropriate to represent those changes.

### SW6 Minimise risk from changes to flood levels, flows and velocities

Permanent works and associated temporary construction works must not increase overall flood risk at relevant locations or modify the flow regime of waterways without the acceptance of the relevant floodplain manager, drainage authority or asset owner (typically Melbourne Water) and in consultation with other relevant authorities (eg Council, Department of Transport, Parks Victoria, SES, emergency services).

Flood risk should be appropriately assessed using modelling of the design of permanent and temporary works to demonstrate the resultant flood levels and risk profile in accordance with Melbourne Water Standards for Infrastructure Projects in Flood-Prone Areas (2019).

This modelling analysis is to include sufficient events (at least up to and including the 1% AEP event) and scenarios (eg with and without blockage) to support the estimation of tangible (eg average annual damages) and intangible flood damages. If significant increases in flood risk are predicted for any events analysed, an assessment of overall flood risk considering tangible and intangible flood damages must be prepared and presented with appropriate mitigation measures for the acceptance of the relevant drainage authority or asset owner prior to commencement of construction for the relevant section of the works. If there are significant design changes during construction, the model must continue to be updated, as appropriate to represent those changes.

### SW7 Develop flood emergency management plans

Develop and implement flood emergency management plans for each of construction and operation. Flood emergency management plans are to include but not be limited to measures to manage flood risk to construction sites (including consideration of scheduling works), the tunnels and tunnel portals including interchanges and substations, and operation, maintenance and emergency management procedures for flood protection works.

### SW8 Minimise impacts from waterway modifications

Where waterway or flow regime modification is necessary, modifications will be designed and undertaken in a way that mitigates to the extent practicable the effects of changes to flow and minimises, to the extent practicable, the potential for erosion, sediment plumes, impacts on bed or bank stability and exposure or mobilisation of contaminated material during construction and operation and the requirements of Melbourne Water or the relevant drainage authority.

Waterway modifications are to be designed and undertaken in a way that supports the visual and aesthetic amenity and environmental conditions (including habitat, connectivity, refugia and hydraulic conditions) to support aquatic ecosystems of the waterways having regard to relevant strategies, policies and plans for that waterway and in consultation with Melbourne Water or the relevant drainage authority.

### SW9 Maintain bank stability

Potential projects will be designed to ensure that the existing sediment and erosion control measures are adequate and any bank will be maintained in a stable condition during and after the project.
### 16. Sustainability and Climate Change (SCC)

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<tr>
<th>EPR</th>
<th>Description</th>
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<tbody>
<tr>
<td>SCC1</td>
<td>Implement a Sustainability Management Plan North East Link Project must set sustainability targets and specify ratings to be achieved under the Infrastructure Sustainability Council of Australia’s Infrastructure Sustainability Rating Tool. Contractors must develop and implement a Sustainability Management Plan that contains measures to meet, as a minimum, the sustainability targets and specified ratings.</td>
</tr>
<tr>
<td>SCC2</td>
<td>Minimise greenhouse gas emissions Integrate sustainable design practices into the design process and implement these to minimise, to the extent practicable, greenhouse gas emissions arising from construction, operation and maintenance of North East Link.</td>
</tr>
<tr>
<td>SCC3</td>
<td>Apply best practice measures for energy usage for tunnel ventilation and lighting systems Best practice measures for energy usage are to be applied for the tunnel ventilation and lighting systems in accordance with the Protocol for Environmental Management (Greenhouse Gas Emissions and Energy Efficiency in Industry), the EPA Victoria Works Approval and the EPA Victoria Licence.</td>
</tr>
</tbody>
</table>
| SCC4 | Minimise and appropriately manage waste Develop and implement management measures for waste (excluding soils) minimisation during construction and operation in accordance with the Environment Protection Act 1970 waste management hierarchy and management options, to address:  
- Litter management  
- Construction and demolition wastes including, but not limited to, washing residues, slurries and contaminated water  
- Organic wastes  
- Inert solid wastes. |
| SCC5 | Minimise potable water consumption Stormwater, recycled water and groundwater inflow to tunnels or other water sources must be used in preference to potable water for construction activities, including concrete mixing and dust control, where this is available, practicable, of suitable quality, and meets health and safety requirements. |

### 17. Traffic and Transport (TT)

<table>
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<th>EPR</th>
<th>Description</th>
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| T1 | Optimise design performance Optimise the design of the works in consultation with appropriate road management authorities, public transport authorities, relevant land managers and local councils as part of the detailed design process to:  
- Minimise adverse impact on travel times for all transport modes, including walking and cycling  
- Maintain, and where practicable, enhance the traffic movements at interchanges and adjacent intersections within the project boundary  
- Design the road, walking and cycling and public transport elements to meet relevant road and transport authority requirements  
- Maintain, and where practicable, enhance pedestrian movements, bicycle connectivity, and shared use paths, including access (both vehicular and pedestrian) to public open space and reserves  
- Work with relevant public transport authorities and road authorities to minimise impacts on buses, trams and rail and, where practicable, enhance public transport facilities and services that cross or run parallel to the alignment of North East Link. |
Marcellin changes to EPRs – IAC Version – NELP version 5 (12-15 September 2019)

- Replace and enhance commuter car parking, where affected by the Project, in consultation with the Department of Transport.
- Minimise loss of other car parking in consultation with relevant local councils.

### T2 Transport Management Plan(s) (TMP)
Prior to commencement of relevant works, develop and implement Transport Management Plan(s) (TMP) to minimise disruption to affected local land uses, traffic, car parking, public transport (rail, tram and bus), pedestrian and bicycle movements and existing public facilities during all stages of construction.

- Requirements for maintaining transport and access capacity for all travel modes in the peak demand periods.
- Requirements for limiting the amount of construction haulage during the peak demand periods.
- A monitoring program to assess the effectiveness of the TMPs on all modes of transport.
- Where monitoring identifies adverse impacts, implement practicable and appropriate mitigation measures.
- Consideration of construction activities for other relevant major projects occurring concurrently with construction activities for North East Link and potentially impacting modes of transport in the same area.
- Potential routes for construction haulage and construction vehicles travelling to and from the project construction site, recognising sensitive receptors and avoiding the use of local streets where practicable.
- Provision of alternative parking where practicable to replace public and commuter parking lost as a result of project construction activities.
- Measures to ensure connectivity and safety for all transport network users during construction.
- Measures to limit the extent of road closures.
- Consultation with the Department of Transport and relevant transportation authorities.

A TMP may be split into precincts where appropriate but must consider other precinct TMPs through the Transport Management Liaison Group as per EPR T3. TMPs must be submitted to the relevant authority for approval.

### T3 Transport Management Liaison Group
A Transport Management Liaison Group (TMLG) must be established and convene prior to the commencement of any works that may impact on existing roads, paths or public transport infrastructure. The TMLG must include representatives from the State, the Department of Transport, emergency services, the project, relevant transportation authorities and relevant local councils. The TMLG will be a forum for exchange of information and discussion of issues associated with Transport Management Plans. This must include review of proposed haulage routes for construction sites to minimise reliance on a single haulage route between Bell Street and the M80 Ring Road and facilitate different sites using different haulage routes.

Where construction activities have the potential to significantly impact on specific stakeholder or community group facilities, the TMLG should be satisfied that there has been adequate consultation to inform the Transport Management Plans.

The TMLG must meet at least monthly until the completion of construction.

### T4 Road safety design
Undertake independent road safety audits after each stage of detailed design and during and after construction. The project design and operational activities must meet all relevant road and transport authority requirements with respect to transport network user safety.

### T5 Traffic monitoring
Undertake traffic monitoring on selected roads (arterial and non-arterial) identified in consultation with the relevant transportation authorities and local council pre-construction, at six monthly intervals during construction, and up to two years after construction is complete. As part of the selection process, consideration must be given to roads that carry public transport services. Implement local area traffic management works in consultation with the relevant local councils.

Develop and implement traffic performance management to monitor conditions during construction. Real time traffic information must be provided to drivers.
FUNCTIONAL DESCRIPTION:

- **Sports Lighting (Typ.):** Indicative location of sports lighting to ensure adequate illumination for various sports activities.
- **Ball Stop Netting (Typ.):** Ball stop netting to prevent balls from leaving the playing area.
- **Natural Turf:** Natural turf areas for cricket, soccer, and rugby pitches.
- **Synthetic Grass Wicket:** Synthetic grass wicket area, particularly for cricket, ensuring a level playing surface.
- **Potential Bulleen Road Diversion Buffer:** Indicative potential location for a road diversion buffer to manage traffic flow around the project.

**Project Boundaries:**
- **Nelp Project Boundary:** Boundaries for the NELP project, delineating the project area.
- **Protect and Retain Existing Cricket Practice Nets:** Measures to protect and retain existing cricket practice nets.
- **Relocate MFB Fire Service Outside Construction Boundary:** Re-location of MFB fire service outside the construction boundary.

**InVESTIGATION:**
- **Investigate Temporary Parking Opportunities:** Investigation into potential temporary parking areas.

**Field of Play:**
- **Natural Turf Cricket/Soccer Pitch (105m x 64m):** Natural turf area for both cricket and soccer.
- **Natural Turf Rugby Pitch (100m x 70m):** Natural turf area for rugby.
- **Natural Turf Soccer Pitch (108m x 55m):** Natural turf area specifically for soccer.
- **Natural Turf Wicket (5x) Block x 5 Wickets:** Natural turf wicket areas, consisting of 5 wicket blocks.

**Legend:**
- **Sports Lighting**
- **Ball Stop Netting**
- **Natural Turf**
- **Synthetic Grass Wicket**
- **Potential Bulleen Road Diversion Buffer**
- **NELP Project Boundary**

**Reference Project:** Subject to detailed design by the successful contractor.
From: Everett, Sallyanne [mailto:severett@claytonutz.com]
Sent: Thursday, 12 September 2019 6:30 PM
To: Rhodie Anderson <RAnderson@rigbycooke.com.au>
Subject: RE: North East Link [RCL-Documents.FID1215421]

Hi Rhodie

Further to my email of last Tuesday please see following response to your remaining question:

**Q: Whether and to what extent the area of Marcellin required for the Bulleen Road diversion could be minimised compared to that shown in document 132 (noting that there does not appear to be any reason why the road needs to be so far offset from Bulleen Road, nor why it needs to be so wide)**

Through detailed design there may be opportunity to reduce this footprint. The attached draft Masterplan shows a potential Bulleen Road diversion buffer line (in yellow) that would provide a reduced area of impact on Marcellin College. This plan also provides for the reconfiguration of ovals on the Marcellin land. We understand that NELP is in ongoing discussions with Marcellin in relation to this Masterplan and the potential use of part of the Manningham club land for car parking.

Regards Sallyanne

Sallyanne Everett, Partner
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Please consider the environment before printing this e-mail
Good afternoon Sallyanne,

We have been reviewing our notes and it appears that we have not received a response to a number of questions we raised during the course of the hearing, in particular:

- Whether and to what extent the area of Marcellin required for the Bulleen Road diversion could be minimised compared to that shown in document 132 (noting that there does not appear to be any reason why the road needs to be so far offset from Bulleen Road, nor why it needs to be so wide); and
- To confirm that the SCO does not need to cover the land required for the realigned Melbourne Water Corporation (MWC) sewerage pipeline because no planning permit would be required for that pipeline in any event.

Could you also advise the means by which MWC intends to acquire its easement giving tenure for the realigned sewerage pipeline?

Regards

Rhodie Anderson
Partner

Rigby Cooke is pleased to announce the opening of our South East Business Hub located in Monash Drive, Dandenong South.  Click here for more details

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