North East Link Project

Response to questions from the Inquiry and Advisory Committee

August 2019

Prepared by

Prepared for

LOVELL CHEN

North East Link Project
This report is released subject to the following qualifications and conditions:

- The report may only be used by named addressee for the purpose for which it was commissioned and in accordance with the corresponding conditions of engagement.
- The report may only be reproduced in full.
- The report shall not be considered as relieving any other party of their responsibilities, liabilities and contractual obligations
- The content of this document is copyright protected. The copyright of all images, maps and diagrams remains with Lovell Chen or with the photographer/ collection as indicated. Historical sources and reference material used in the preparation of this report are acknowledged and referenced. Reasonable effort has been made to identify, contact, acknowledge and obtain permission to use material from the relevant copyright owners. You may not display, print or reproduce any image, map or diagram without the permission of the copyright holder, who should be contacted directly.
1.0 Introduction

This report provides responses to a request for further information on Historical Heritage matters from the North East Link Inquiry and Advisory Committee (IAC). The request was received in the form of a series of questions (refer to correspondence from Mr Nick Wimbush, Chair, North East Link Project IAC to Ms Sallyanne Everett, Partner, Clayton Utz and dated 13 August 2019). The report has been prepared by Ms Kate Gray.

The questions in the request for further information relate to four issues:

- Eastern Freeway (Stage 1) (Question 1)
- Yarra River (Questions 2 and 3)
- Former Fairlea Women’s Prison (Question 4).

These are addressed in turn.

2.0 Eastern Freeway (Stage 1)

2.1 IAC questions

The IAC’s questions are as follows:

1. Ms Gray’s assessment has explained her opinion about the historical heritage significance of the Eastern Freeway (stage 1) and documented the key elements of the reference design that are expected to affect parts of the freeway. The IAC is aware that a nomination has been made to Heritage Victoria which seeks registration of the Eastern Freeway on the Victorian Heritage Register.

a) In connection with the nomination to the VHR, have the elements and heritage significance of the place been fully or formally documented beyond the work in Technical Report K? If not, what steps should be taken to establish this baseline before progress is made under the parameters in the Urban Design Strategy (UDS) and detailed plans are approved?

b) Although Technical Report K expresses the opinion that many of the key attributes of the original freeway design would be retained (see p 137 of Technical Report K), the report raises concern about some significant elements potentially being impacted such as the sequence of bridges, landscaped setting, rock wall cuttings etc. To what extent should the proponent (or contractor) seek to avoid these impacts rather than to mitigate them by design? How should this balance be struck?

c) How will the proposed works cumulatively affect the heritage values of the freeway?

d) If these effects can’t be avoided, what key heritage parameters should be used to guide the design response under the UDS (more generic) principles? Could any specific mitigation works be recommended relative to her finding at page 137 of Technical Report K that the Project “could” be delivered to largely maintain key attributes and the legibility of the design origins of the freeway?

e) Is the direction in the UDS to demonstrate efforts to conserve/retain fabric or values “as far as practicable” sufficient in this instance given the heritage values in question, and the integrated linear nature of the place?

f) Technical Report K mentions that the landscape works and vegetated character of the freeway are important aspects of its design (see page 134). What realistic capacity is there to reinstate the landscape values of the Eastern Freeway to be disturbed given the proposed alignment? Are there any particular areas of concern?

2.2 Response

Question 1(a)

In response to Question 1(a), further investigation, assessment and documentation of the elements and heritage significance of Stage 1 of the Eastern Freeway has been undertaken since the completion of Technical Report K. A report was prepared by Lovell Chen that included additional historical and
comparative research and specifically considered the potential for the freeway to meet the criteria for inclusion in the Victorian Heritage Register (VHR). The Department of Transport submitted the report to Heritage Victoria as part of the VHR nomination documentation (Eastern Freeway (Stage 1: Nomination to Victorian Heritage Register – Supporting documentation, prepared by Lovell Chen for the Department of Transport, July 2019). I refer to this work in my July 2019 Expert Witness Statement (see Section 2.2).

Note that the nomination report was provided to the Executive Director, Heritage Victoria for consideration but the Executive Director makes his own assessment, which is ultimately subject to a determination by the Heritage Council of Victoria.

The nomination report provided a more detailed assessment of the significance of Stage 1 of the freeway and proposed a statement of significance for the Executive Director, Heritage Victoria’s consideration, as follows:

**What is significant?**

The Eastern Freeway (Stage 1) between Hoddle Street, Clifton Hill/Collingwood and Bulleen Road, Balwyn North, is an approximately 8 kilometre long freeway. It features a series of distinctive concrete road, rail and pedestrian overpass bridges constructed of rigid frame and prestressed concrete construction techniques, designed to adhere to a ‘structural theme’ and enhance the freeway experience. The freeway features an integrated setting including a central grassed median, naturalistic roadside landscaping – including rock cuttings - and tall lighting masts. The first stage of the freeway was constructed from 1972 and opened in 1977.

**How is it significant?**

The Eastern Freeway (Stage 1) is of historical, representative and aesthetic significance to the State of Victoria. It satisfies the following criteria for inclusion in the Victorian Heritage Register:

**Criterion A**

Importance to the course, or pattern, of Victoria’s cultural history.

**Criterion D**

Importance in demonstrating the principal characteristics of a class of cultural places and objects.

**Criterion E**

Importance in exhibiting particular aesthetic characteristics

**Why is it significant?**

The Eastern Freeway (Stage 1) is historically significant as a demonstration of the increased awareness of the importance of aesthetic considerations in delivery of major road and infrastructure projects. Melbourne and Metropolitan Board of Works engineer Bruce Day’s design principles for the freeway bridges recognised both the importance of the driver experience, and the prominence of the freeway project, which required a level of design excellence. In the delivery phase of the project, the Country Roads Board extended this to the provision of landscaping along the freeway, to provide a ‘picturesque and scenic route’ along the sensitive Yarra River valley. The construction of the Eastern Freeway (Stage 1) was the first time in Victoria that aesthetic and urban design considerations were fully integrated into freeway design along with more typical engineering, transport and economic planning considerations. Since the completion of the Eastern Freeway,
the consideration of the aesthetics and driver experience has become a standard aspect of the development of freeway projects. (Criterion A)

The Eastern Freeway (Stage 1) is of representative significance as a notable example of an urban freeway, demonstrating the key characteristics of the class of place. It is a fine example of a freeway, in its adherence to a set of design principles creating a cohesive and distinctive setting for drivers, a shift from earlier freeways constructed around Melbourne. It remains substantially intact. (Criterion D)

The Eastern Freeway (Stage 1) is of aesthetic significance as an integrated freeway design, incorporating a set of design principles to guide bridge designs and landscaping. The design achieves a strong aesthetic character, with each bridge repeating and varying the structural theme, enhanced by the naturalistic treatment of the landscaping and the use of borrowed views. The aim of the design was to elicit interest and alleviate boredom, but not to distract drivers.

The nomination report also confirmed the significant elements within the place, ie those that contribute to the identified values. These are referenced under ‘What is significant’ in the Statement of Significance above, and also in a Proposed Permit Policy at section 9.0 of the nomination report.

The primary element within the place is the sequence of distinctive bridges, with this sequence supported by the integrated landscape setting comprising the grassed median, naturalistic roadside landscaping including rock cuttings, and the striking lighting masts. The statement of significance also references the importance of borrowed views (of landscape outside the road reserve).

The additional research for the report also confirms that the noise walls, while in keeping in terms of their materiality and understated design, are a later element. As noted in my evidence statement, these had previously (in Technical Report K) been thought to be original.

Taken together, my view is that Technical Report K and the more detailed nomination report provide appropriate baseline information to inform further progress on design in terms of the heritage values of the Eastern Freeway (Stage 1) and significant elements within the place. The heritage values are clearly expressed and the significant elements are identified.

This is while also noting that under the Heritage Act 2017, the assessment in the Lovell Chen nomination report will be subject to independent assessment and a recommendation the Executive Director and a determination by the Heritage Council, both in terms of the assessment of the place as a whole and elements of significance.

In the event the Eastern Freeway (Stage 1) is included in the VHR, it is likely that a Conservation Management Plan (CMP) would be prepared for the place at some time in the future. While not a Heritage Victoria requirement, the preparation of CMPs is encouraged for VHR-registered places. In making this comment, however, based on the extensive research undertaken for Technical Report K and the Lovell Chen nomination report, it is my view that a CMP would be very unlikely to reach significantly different conclusions in relation to values and significant elements.

**Questions 1(b), 1(c), 1(d), 1(e)**

Questions 1(b), 1(c), 1(d) and 1(e) focus on the potential impacts from the NELP on the Eastern Freeway (Stage 1). These were identified and described in Technical Report K (see pp. 134-137).

Question 1(b) asks to what extent the proponent or contractor should seek to avoid the identified impacts rather than mitigate them through design and how that balance should be struck.

EPR HH1 (Design and construct to minimise impacts on heritage) requires ‘... detailed design of the permanent and temporary works to minimise impacts where practicable on the cultural heritage values of heritage places ...’
In the case of the Eastern Freeway, my interpretation of HHI is that it would require consideration through the design process of all actions or works that could have adverse heritage impacts (including physical and visual impacts). The process of minimising impacts on the heritage values of the place may include a combination of avoidance of particular works or actions as well as refining the design response in particular locations. Key aspects of the original design (those that demonstrate the identified values) are described in Technical Report K and in the VHR nomination report. An appropriate design response would be one that seeks to retain these as far as possible and ensures that location, design and treatment of new infrastructure allows a continued understanding of the valued design qualities.

It is worth commenting that the Eastern Freeway varies from the majority of heritage places not only in terms of its scale and linear nature but also in the way most people experience it, which is travelling through as a driver or passenger. That is not to suggest the freeway is not sensitive to change, only that the aesthetic qualities of the place are mostly experienced in a particular manner. It would be expected that this might be a relevant consideration in developing the design response and considering the impacts in more detail.

Question 1(c) asks about the cumulative impact of the proposed works on the heritage values of the Eastern Freeway (Stage 1). Technical Report K addresses this issue in the impact assessment section and particularly in the discussion on p. 137. Based on the reference design, as acknowledged in Technical Report K, there would be adverse impacts, the extent and nature of which would vary from west to east. The severity of the cumulative impact on the place as a whole would depend on the way the works are designed, however as indicated in Technical Report K, my view is that it would be possible to achieve an outcome which largely maintains the key attributes and features and where the design origins remain legible.

Question 1(d) asks what key parameters should guide the design response under the (more generic) principles in the Urban Design Strategy (UDS) and whether any specific mitigation works should be recommended. Question 1(e) is also concerned with the UDS and asks whether “the direction in the UDS to demonstrate efforts to conserve/retain fabric or values “as far as practicable” is sufficient in this instance given the heritage values in question, and the integrated linear nature of the place?”

The UDS is important in that it acknowledges the significance of the Eastern Freeway (Stage 1) both in the Corridor Wide characterisations and, more specifically in the discussion of the Yarra River Valley Area. The UDS also explicitly requires consideration of the significant elements and qualities of the freeway as part of the design response, with a series of more detailed Place-specific requirements included that seek to minimise physical and visual impacts on elements such as bridges and rock escarpments. In addition, the Detailed Requirements & Benchmarks apply to the project as a whole and some of these are particularly relevant to the design in the Eastern Freeway (Stage 1), where there is a need for a context-responsive, high quality design response.

Table 1 provides a summary of content in the UDS of relevance to the Eastern Freeway, together with comments as relevant.

<table>
<thead>
<tr>
<th>Section of UDS</th>
<th>Relevant content</th>
<th>Comment</th>
</tr>
</thead>
<tbody>
<tr>
<td>3. Corridor Wide</td>
<td>The early integration of design with a multi-disciplinary team throughout the project lifecycle is fundamental to the success of North East Link and to achieve urban design outcomes that ensure:</td>
<td>High-level reference to the existing design qualities.</td>
</tr>
<tr>
<td></td>
<td>• ...</td>
<td></td>
</tr>
<tr>
<td></td>
<td>• Design solutions respect and continue the iconic road and bridge</td>
<td></td>
</tr>
<tr>
<td>Section of UDS</td>
<td>Relevant content</td>
<td>Comment</td>
</tr>
<tr>
<td>---------------</td>
<td>------------------</td>
<td>---------</td>
</tr>
<tr>
<td>Key direction 3: Recognise past, contemporary &amp; shared indigenous and historic cultural values (pp.17-18)</td>
<td>The project must demonstrate a design philosophy and approach that recognises, protects and promotes Indigenous cultural heritage values, and celebrates and interprets places and objects of historical heritage importance.</td>
<td>This section includes a discussion about the interpretation of heritage themes (as related to both Aboriginal and non-Aboriginal historical heritage). It suggests that the Eastern Freeway design could be one of the heritage themes explored in the interpretation developed for the project.</td>
</tr>
<tr>
<td>Key direction 4: Provide a great experience for road users (pp. 20-21)</td>
<td>Proposed Navigational Node Hierarchy Map, p. 21</td>
<td>The map also illustrates some of the existing landmarks and features along the road journey, including the ‘existing architectural bridges’ and high mast road lighting along the Eastern Freeway (Stage 1)</td>
</tr>
</tbody>
</table>
| Key direction 5: Create a context sensitive design (pp.22–26) | Yarra River Valley [design character area] p. 23 Some key character attributes include:  
  • ...  
  • Eastern Freeway parklands setting and bridges  
  [Key design requirements for the Yarra River Valley design character area include (p. 25):]  
  • ...  
  2.Y Respect the design qualities of the original section of the Eastern Freeway built in 1977 including mast lights and bridges, rock escarpments and ‘borrowed’ landscape | Prioritises and promotes a respectful response to the original design qualities and key elements |

5. Yarra River Valley Area

5.1 Contextual narrative (p. 48) | Where the river valley intersects with the oldest section of the Eastern Freeway (stage 1, 1971–1977), the roadway design is naturalistic and sophisticated. The Eastern Freeway was the first in Victoria to bring aesthetic and landscape considerations to the forefront of the design. Characteristics include natural rock escarpments, elegant concrete bridges, high mast lights, wide embankments, mature adjacent canopies of trees, restrained colours and material palette, and a clutter-free appearance. The Eastern Freeway provides a calm driver experience and an ‘experiential gateway’ | Accurately describes the values and aesthetic qualities of the freeway and the key elements which contribute to those. |
<table>
<thead>
<tr>
<th>Section of UDS</th>
<th>Relevant content</th>
<th>Comment</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>between the city and countryside. The Yarra River design character area also has defining points of reference including the mast road lighting and bridges, and views towards Melbourne city.</td>
<td></td>
</tr>
<tr>
<td>5.2 Values &amp; priorities (p.49)</td>
<td>The upgrades to the Eastern Freeway in the Yarra Valley River design character area would mainly occur within the existing road corridor. The project design should retain and conserve the fabric and aesthetic qualities of the Eastern Freeway (stage 1) design.</td>
<td>Provides a clear statement of intent as related to the design outcome in this section of the freeway.</td>
</tr>
</tbody>
</table>
| 5.3 Place specific requirements | Map Y3: Eastern Freeway Interchange (p.57)  
**Identity**  
Identity 1B: Where the existing high mast lights along Eastern Freeway cannot be retained, consider relocation. Where the existing mast lights cannot be relocated, provide a design strategy for reuse.  
Identity 1B recognises the urban design contribution of the light masts.  
On review, from a heritage perspective there would be a preference for additional commentary in this section around the design of works to the Bulleen Road bridge and new structures near the bridge, generally as per Identity 4D on Map Y4 below). This is even recognising the interchange works are extensive and would affect the bridge and its surrounds. | |
| | Map Y4: Bulleen Road to Belford Road (pp. 58-59)  
**Amenity, Vibrancy & Safety**  
2F: Maximise views towards borrowed landscapes from the Eastern Freeway  
**Identity**  
Identity 4A: (Outside scope) Consider relocation of the existing mast lights as part of the lighting design where the lights cannot be retained in their current location. If reuse is not possible, consider a design for replacement lighting that draws on the original mast light design.  
Identity 4C: Maintain the existing rock escarpments. Where additional rock cutting or modifications are required, they should complement the existing rock escarpment.  
Identity 4D: Conserve the quality of existing Belford Road and Burke Road bridges by:  
Amenity, Vibrancy and Safety 2F prioritises ‘borrowed’ landscape views, these contribute to the significance of the place.  
Albeit outside scope, Identity 4A recognises the urban contribution of the light masts.  
The requirements of 4C and 4D in this section address two of the key heritage elements, the rock escarpments and the bridges and provide guidance as to the sensitivities and objectives.  
In preference, reference should also be made to the Bulleen Road bridge and Columba Street overpass under 4D. | |
<table>
<thead>
<tr>
<th>Section of UDS</th>
<th>Relevant content</th>
<th>Comment</th>
</tr>
</thead>
</table>
|               | • Avoiding the retrofitting of elements to the bridges. Should the retrofitting of elements be required, they are to be bespoke to complement the existing bridge designs.  
• Not locating signage on the bridges  
• Ensuring any new structures and/or elements located near the existing bridges are designed to minimise visual impact and to respond to the design of the existing bridges | Identity 4A and 4B (albeit the latter is outside scope) recognises the urban design contribution of the light masts.  
The requirements of 4C and 4D in this section address two of the key heritage elements, the rock escarpments and the bridges and provide guidance as to the sensitivities and objectives. |

Map Y5: Belford Road to Yarra Boulevard (pp. 60-61)

Identity

Identity 4A: Retain the mast lights to the west of Chandler Highway as existing navigational landmarks that contribute to the aesthetic qualities and original design of this section of road.

Identity 4B: (Outside scope) Consider relocation of the existing mast lights east of the Chandler Highway as part of the lighting design where the lights cannot be retained in their current location. If reuse is not possible, consider a design for replacement lighting that draws on the original mast light design.

Identity 4C: Maintain the existing rock escarpments. Where additional rock cutting or modifications are required, they should complement the existing rock escarpment.

Identity 4D: Conserve the quality of existing Yarra Boulevard and Chandler Highway bridges by:
  • Avoiding the retrofitting of elements to the bridges. Should the retrofitting of elements be required, they are to be bespoke to complement the existing bridge designs.  
  • Not locating signage on the bridges  
  • Ensuring any new structures and/or elements located near the existing bridges are designed to minimise visual impact and to respond to the design of the existing bridges |
<table>
<thead>
<tr>
<th>Section of UDS</th>
<th>Relevant content</th>
<th>Comment</th>
</tr>
</thead>
<tbody>
<tr>
<td>Map Y6: Yarra Boulevard to Hoddle Street (pp. 62-63)</td>
<td><strong>Amenity, Vibrancy and Safety</strong>&lt;br&gt;3A: Maximise views towards borrowed landscapes from the Eastern Freeway</td>
<td>Amenity, Vibrancy and Safety 3A prioritises ‘borrowed’ landscape views, these contribute to the significance of the place. Identity 1A recognises the urban design contribution of the light masts. The requirements of 1C, 1D and 1E in this section address two of the key heritage elements, the rock escarpments and the bridges and provide guidance as to the sensitivities and objectives.</td>
</tr>
<tr>
<td></td>
<td><strong>Identity</strong>  &lt;br&gt;Identity 1A: Retain the mast lights to the west of Chandler Highway as existing navigational landmarks that contribute to the aesthetic qualities and original design of this section of road.  &lt;br&gt;Identity 1C: Retain motorist views towards rock escarpments.  &lt;br&gt;Identity 1D: Maintain the existing rock escarpments. Where additional rock cutting or modifications are required, they should complement the existing rock escarpment.  &lt;br&gt;Identity 1E: Conserve the quality of existing Yarra Bend Road and Merri Creek bridges by:  &lt;br&gt;• Avoiding the retrofitting of elements to the bridges. Should the retrofitting of elements be required, they are to be bespoke to complement the existing bridge designs.  &lt;br&gt;• Not locating signage on the bridges  &lt;br&gt;• Ensuring any new structures and/or elements located near the existing bridges are designed to minimise visual impact and to respond to the design of the existing bridges</td>
<td></td>
</tr>
<tr>
<td>7. Detailed Requirements &amp; Benchmarks – applicable to the project as a whole</td>
<td></td>
<td></td>
</tr>
<tr>
<td>1. Multi-span bridges (p. 84)</td>
<td>1.1 Viaduct design  1.2 Integration</td>
<td>These requirements and qualitative benchmarks generally encourage context-responsive design, consideration of sensitive interfaces and integration with connected structures and/or other built elements. All of these issues would be relevant to the design of new structures in the Eastern Freeway Stage 1.</td>
</tr>
<tr>
<td>2. Road Bridges (p. 85)</td>
<td>2.1 Bridge design</td>
<td>These requirements and qualitative benchmarks address</td>
</tr>
<tr>
<td>Section of UDS</td>
<td>Relevant content</td>
<td>Comment</td>
</tr>
<tr>
<td>----------------</td>
<td>------------------</td>
<td>---------</td>
</tr>
</tbody>
</table>
| 2.2 Identity | 2.8 Retrofitting  
New built elements (e.g. throw screens, traffic barriers around piers, structures, fencing, walls etc.) on existing road bridges are bespoke, innovative and designed to complement the original form and aesthetic qualities. | both new road bridges and modifications to existing bridges and also encourage integrated and context-responsive design.  
The requirements for retrofitting and signage would be particularly relevant to the original Eastern Freeway bridges and the UDS establishes a clear direction for these issues. |
| 2.9 Signage | Advertising and road signage are not located on bridges.  
Intelligent Transport System (ITS) signage on bridges is avoided or well integrated into the bridge design. | |
| 9. Walls, fencing, barriers & screens (p. 92) | 9.2 Integrated and co-ordinated  
Noise walls, flood walls, fences, screens and traffic barriers are coordinated and integrated to minimise visual and physical clutter. These elements integrate with existing or proposed elements to reduce the need for additional structures and transition seamlessly into the existing elements.  
9.6 Visual connectivity and solar access  
Transparent barriers are used to take advantage of scenic and adjacent views of surrounding landscape, and reduce the bulky appearance of structures. | An integrated and context-responsive design would be important for these elements.  
Once issue for consideration would be the naturalistic aesthetic of the original freeway design (in terms of the materiality of noise walls, for example). In some locations, transparent noise walls would be preferable in that they could help to maintain the contribution of ‘borrowed landscape’. |
| 10. Bus park & ride, & bus lanes (p. 94) | 10.5 Bus lanes and busway  
The corridor infrastructure has a strong visual identity, works to break-up the perceived expanse of freeway, is responsive to the adjacent landscape and urban form, and creates a memorable public transport experience. The busway design is sympathetic to the design of the Eastern Freeway. | Specifically requires consideration of the impact of the busway on the original design. |
| 17. Landscape (p. 101) | 17.4 Minimising loss  
The removal of mature trees, planted and remnant native trees and remnant vegetation, (particularly large amenity trees, heritage vegetation and vegetation within or connected to open space) is minimised. | While a general requirement, this encourages the retention of vegetation. |
As noted in Table 1 above (refer to the comments column), on my further review of the UDS content, I note that the Place-specific requirements for Y4: Bulleen Road to Belford Road include requirements for design response related to the Belford Road and Burke Road bridges, including avoiding retrofitting of elements to the bridges and fixing of signage, and ensuring any new structures and/or elements located near the existing bridges are designed to minimise visual impact and to respond to the design of the existing bridges. My view is that it would be appropriate to extend these requirements to the two other significant bridges in this sector (Bulleen Road bridge and the Columba Street overpass). Similar requirements could also be applied to Map Y3: Eastern Freeway Interchange, where elevated structures are proposed either side of the Bulleen Road bridge.

Other than for these suggested changes, my view is that the UDS, along with EPR HH1 (Design and construct to minimise impacts on heritage) and other relevant EPRs are appropriate to support the design process. The impact assessment discussion in Technical Report K would be a relevant consideration as this identifies the sensitivities and impacts associated with the reference project and the further assessment contained in the VHR nomination report could inform further on values.

In addition, while the outcome of the VHR nomination is unknown, in the event the Eastern Freeway (Stage 1) is included in the VHR, a permit or permits would be required under the Heritage Act 2017. This would be an additional process through which an assessment of works against the heritage values of the freeway would occur.

Question 1(f) asks about the landscape works and vegetated character of the freeway and whether there is a realistic capacity to reinstate the landscape character given the alignment. This will depend on the location within the Stage 1 area; impacts west of Chandler Highway are limited but become more significant to the east. Note, however, that in the majority of locations, even where landscape within the road reserve is removed and cannot be reinstated, the landscape character is likely to be maintained because of the role played by ‘borrowed’ landscape, being that outside the road reserve. There are some locations where there may be a more noticeable change in character, one example appears to be the north side of the freeway between Burke and Bulleen roads (in the location of the golf course). Options to reinstate landscape should be explored in this location.

3.0 Yarra River Environs

3.1 IAC questions

The IAC’s questions in relation to the Yarra River Environs are as follows:

2. Can Ms Gray elaborate on the potential for the Yarra River environs as a whole to be recognised as a cultural landscape with significant heritage values (page 28 Technical Report K)? If the Yarra River environs were recognised as a cultural landscape with significant heritage values, how would this affect her assessment of the proposed impacts of the project?

3. At page 139 of Technical Report K, reference is made to proposed works within the Eastern Freeway Reserve close to the Yarra River and it is noted that there would be a “significant change in some locations” but that these will be in areas of the river environs where ‘the freeway is already a major feature’, and no adverse impacts on the broader heritage values of the Yarra River are identified. Can Ms Gray explain in greater detail which areas and works were considered in this assessment (that there would be significant change but this would be acceptable because of the current presence of the freeway) and are there any exceptions to this? How does this lead to the conclusion of “negligible” overall impact?

3.2 Response:

It is assumed that Question 2 is asking about the potential for the Yarra River environs as a whole to be recognised through the introduction of statutory heritage controls. This would be possible either under the Heritage Overlay (HO) provisions in the relevant planning schemes or as a potential VHR listing. Both types of controls are capable of being applied over large areas including cultural landscapes. In either case, however, this would be a complex proposition that would require extensive assessment. It is also
noted that the Yarra River is already subject to significant protection measures under the *Yarra River Protection (Wilip-gin Birrarung murrun)* Act.

If it occurred, a further level of statutory heritage control over the Yarra River environs would not affect my assessment of the potential impacts of the project. Technical Report K acknowledges the cultural values of the river and its environs, and impacts have been considered with these in mind.

Question 3 asks what areas were assessed where works would occur close to the river within the Eastern Freeway Reserve and for further explanation about these locations and the assessment of impacts.

These locations and works are as follows:

- Shared User Path works including a new SUP bridge over the Yarra River to the north of the Eastern Freeway Yarra River bridges
- Strengthening works to the Yarra River bridges, noting that the method of strengthening is unknown at this stage

There are also works close to the Yarra River at Manningham Road, east of the Banksia Street bridge, where the road is to be widened and also in the area of the existing Bulleen Industrial Estate.

In each of these locations and works it would be expected that there will be a noticeable localised visual change but in areas which already feature freeway/road infrastructure or other development. There would be no impact on the significance of the broader Yarra River and environs.

4.0 Former Fairlea Women’s Prison

4.1 IAC question

The IAC’s question in relation to the Fairlea Women’s Prison is as follows:

4. Technical Report K explains the values of the former Fairlea Women’s Prison and the nature of the works in proximity to that place (Technical Report K, Appendix C page 198-200). The Technical Report notes the capacity for archaeological remains in the areas for proposed works – can she detail this more fully comparing the reference project to the historic plans included in her report?

4.2 Response:

The potential impact of the Shared User Path works within this VHR-registered site, including the potential for archaeological impacts, was addressed at pp. 111 and 112 of Technical Report K.

As indicated in Technical Report K, where subsurface works are required, further investigations would be undertaken consistent with the requirements of EPR HH2 (Implement an Archaeological Management Plan to avoid and minimise impacts on historic archaeological sites and values). Note that the investigations would be undertaken in consultation with Heritage Victoria and consistent with the requirements of the *Heritage Act* as the affected land is all included in the VHR (VHR H1152) and/or the Victorian Heritage Inventory (VHI H7922-0412), see Figure 1 and Figure 2.

No detailed assessment has been undertaken of the potential for archaeological remains to survive in the area where the reference project shows works for the Shared User Path (as indicated on Figure 1 and Figure 2). This would occur as part of the Archaeological Management Plan process under EPR HH2. However, for the IAC’s information, the following historical figures (Figure 3, Figure 4, Figure 5, Figure 6) provide more detail on the area of the former Yarra Bend Lunatic Asylum that was converted and developed for the Fairlea Women’s Prison.
Figure 1  Aerial view showing the mapped extent of the VHR site Fairlea Women’s Prison (location of remnant pillar marked) with reference project (Appendix D, Technical Report K)

Figure 2  Aerial view showing the mapped extent of the VHI site Fairlea Women’s Prison (location of remnant pillar marked) with reference project (Appendix D, Technical Report K)
Figure 3  1890s MMBW plan of part of the larger Yarra Bend Lunatic Asylum: likely location of gates and infirmary indicated
Source: State Library of Victoria

Figure 4  Oblique Airspy view from the west, c. 1950-60
Source: State Library of Victoria
Figure 5 1978 aerial view of the complex following the construction of the Eastern Freeway
Source: Land Victoria

Figure 6 Site plan, 1983
Source: Her Majesty’s Prison Fairlea condition and significance of historic wall, gateway pillars and infirmary, Public Works Department, Victoria (1983)