

Submission Cover Sheet

North East Link Project EES IAC

290

Request to be heard?: yes

Full Name: Amanda Johns

Organisation: ALH Group Property Holdings Pty Ltd c/- Minter Ellison

Affected property: 1-11 Thomsons Road, Bulleen, Victoria

Attachment 1: ALH_Group_Prop

Attachment 2:

Attachment 3:

Comments: Please refer to the attached document.

MinterEllison

5 June 2019

Planning Panels Victoria

Dear Members

Submission for the North East Link EES joint Inquiry and Advisory Committee

We act on behalf of ALH Group Property Holdings Pty Ltd the owners of 1-11 Thompsons Rd, Bulleen. Our client operates the Manningham Club and Hotel , Dan Murphy's and a BWS training facility on the land.

A review of the EES has raised two main issues of concern for our client:

1. The Special Controls Overlay (SCO) for the project is proposed over part of the land (see Map 6SCO);and
2. The Reference Design plan (sheet 23 of 42 dated 5 March 2019) shows changes to the access to the land.

Special Controls Overlay

The imposition of the SCO will potentially adversely impact on the existing operations on the land. Our client requires further detailed plans to understand exactly the extent of the land affected. In particular, it appears that buildings and works carried out pursuant to the SCO have the potential to affect the existing access to the site. They may also impact on car parking and loading available on site, which will have an impact on the businesses.

In terms of existing planning permissions for the site, there are obligations relating to provision of car parking, access and egress, loading, flood management and landscaping. Our client's ability to meet its existing obligations may be compromised. Further, we note that significant business identification signage associated with the Manningham Club, Dan Murphy's and Training Centre is located within the area, and this will need to be relocated.

There are two options expressed in the EES documents (see Appendix 2 "Bulleen Park Area Sports and Recreation Options Assessment", 15 March 2019 - options 3 and 5 and Fact Sheet April 2019 "Sport and recreation EES options") which refer to relocation of the Bulleen Tennis Courts on to the land. However, there is no corresponding Public Acquisition Overlay over that part of the land proposed to be subject to the SCO. Additionally, the Incorporated Document does not allow for land to be used or developed for such a purpose. This creates great uncertainty for our client and in particular adversely impacts on the value of the land, with no compensation rights.

Our client draws attention to the fact that the land the subject of the SCO is subject to flooding (with Melbourne Water approval required) and that a telecommunications tower appears to be located on that land.



Site access

The Reference Design plan (referred to above) appears to show 2 new access roads to the land, one from Thompsons Rd and one from Bulleen Rd. No detail is provided. Our client is concerned about potential adverse impacts on access to its land and businesses. It requires greater detail to be provided about what is proposed including the traffic engineering advice relied upon by NELA to support this. Our client needs to have this information reviewed by its traffic engineering experts, including assessment of its impact on existing planning permissions.

Design Impacts

The proposed access road between Thompsons Road and the proposed park and ride facility appears to be very close to, almost abutting, the training facility building on our client's land. This poses safety risks, and is likely to result in poor urban design and landscape outcomes given the limited separation distances between the existing building and the proposed road. Further detail of the proposed road alignments is required to gain a better understanding of these impacts.

Summary

Our client requires more detailed information as to what is proposed with respect to its land so that it can properly assess the potential impacts. It requires the expert advice upon which the EES relies and detailed plans to give it the opportunity to properly review the relevant EES documents.

Our reserves its rights to make a further submission once it has had the opportunity to review the further information it seeks.

Yours faithfully
MinterEllison

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