Thank you for taking the time to hear me today. My apologies from reading from my notes today but there’s no way I could memorise this.

Before I begin, I would like to thank Bron Burg and David Peace who on behalf of NEL, have been so professional and have taken the time to help me understand this project and how it will directly impact me.

**BRIEF INTRO ABOUT ME**

I have been a resident of Eram Road for the last 20 years and I specifically bought my house as it had a leafy green outlook, a yard perfect for converting into a productive garden and I needed a quieter location than normal as I am a classical musician and I need to practice at home. I only have two houses either side of me and the shared path behind my fence does not contribute any significant noise. This house is ideal as it allows me to maintain my practice schedule during working hours, with minimal disruptive noise from outside. My family use the shared path frequently, and it is quite a social place where my son and the neighbouring kids play together and the adults can easily keep an ear on them from our homes and backyards.

When I bought my home, one of the first things I did was to turn the back yard into a productive garden. My focus has been on growing fruit and vegetables and for my partner, my son and myself to live as organically and sustainably as possible. We now have an established garden which includes chickens, fruit trees, berry vines and we grow a significant number of fresh vegetables year-round. It is incredibly important and rewarding for us to be able to eat the food we grow and live this type of lifestyle.

Although I welcome the North East Link project and believe it has the ability to improve the current traffic issues in Melbourne, I do not believe the design proposed for the Eram Road area meets the EPRs. I believe this design needs further revision as it will not be an improvement in this location as it currently stands. It needs serious refinement before it will create a positive contribution to the residents and users of this area.

I would also like to remind the panel that in 2018, I agreed to allow a noise monitoring device from NEL to be sited on my property. They took photos of my backyard and these have used throughout the recently published NEL documents. As a result, I have the data and evidence which specifically relates to my property in Eram Road so I feel fortunate that I have a lot of supportive evidence that relates to my case.

My specific concerns with the current design proposal refer to:

1. The proposed Noise Wall – **visual impact, design** and the resulting **overshadowing** issues. Also, the **discrepancy in the designs** which have been published
2. Landscaping and vegetation
3. Noise
4. Construction footprint and construction hours
5. Property value
6. Social aspects

I know the panel have already seen my written submission; so today I would like to discuss just a few of these points which I feel are of utmost important. My biggest concern is that the design of the project does not comply with the EPR’s. I realise that the project design is not finalised and will be open to alteration however, the proposed design is lacking in so many aspects and is so severely impacting my property, that I feel it should be addressed. I included an alternative design proposal in my submission as I believe it is more compliant with the EPRs.
1. I would like to address the issue of the Noise wall -beginning with the Visual Impact:

The proposed noise wall design concerns me greatly and I do not believe it complies with EPR LV1.

EPR LV1 – Design to be generally in accordance with the Urban Design Strategy
Avoid or minimise landscape and visual, overlooking, and shading (with reference to EPR LP4) impacts in extent, duration and intensity.
Maximise opportunities for enhancement of public and private receptors including public amenity, open space and facilities, and heritage places resulting from the project.

Technical Report H – Landscape and visual p. 274 shows the photomontage of my backyard - please see Items 1 and 2 on your sheet and Chapter 16 Table 16-9 which is ITEM 3, provides further detail of this.

9.4.11 Viewpoint K – Eram Road, Box Hill North

Photo 9-79 VPK – Existing view looking north

Figure 9-203 VPK – Photomontage Year 0; Figure 9-204 VPK – Photomontage Year 3 – as above; Figure 9-205 VPK – Photomontage Year 10 – as above
Table 16-9

<table>
<thead>
<tr>
<th>Viewpoint number and location</th>
<th>Proposed change</th>
<th>Potential impact year 0</th>
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<td>High – the proposed 8 m high noise wall would be visually dominant and there would be significant visual change.</td>
<td>High – there would be no change from year 0</td>
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The photomontage shows all vegetation removed and an undesirable view left in its place. According to Table 16-9, the noise wall will be moved approximately 2 metres closer to our back fences. However, I understand that this proposed wall may be brought as close to my back fence as 5 metres. By bringing the noise wall closer to our backyards, there is no allowance for vegetation to remain in what is currently a green space. It will instead become a dirt and dust waste land with no efforts made to revegetate this area or make it visually appealing.

There appears to be a variations within the published designs:
ITEM 4 on your sheet shows a noise wall directly on the rear fences of the properties in Eram Road. This does not correspond with the description listed above in Table 16-9. It’s very difficult to work out what the future design will be, however either design is unacceptable as they are both create such high impact.
NELP TECHNICAL NOTE NUMBER: 23
DATE: 17 July 2019
SUBJECT: Visual impacts, urban design and landscape - Photomontages from ‘worst case’ vantage points

Viewpoint 65 - Existing

The urban design and landscaping treatments shown in this photomontage have been guided by the Urban Design Strategy. They do not represent the final design and are subject to change.

Viewpoint location

Viewpoint 65 - Year 0

The urban design and landscaping treatments shown in this photomontage have been guided by the Urban Design Strategy. They do not represent the final design and are subject to change.

Viewpoint location

Viewpoint 65 - Year 10

The urban design and landscaping treatments shown in this photomontage have been guided by the Urban Design Strategy. They do not represent the final design and are subject to change.
I’d like to refer to the Expert Witness Statement of Kevin Begg where he specifically addresses my concerns about the visual impact of the new taller noise wall in the Eram Road Precinct (p. 34) as well as my concern about visual impact due to loss of trees and vegetation. His solutions to these issues cannot be applied to this particular section of the noise wall and there is no opportunity in the proposed design to plant trees nearby to compensate for this loss and to lessen the impact of the noise wall. Even the amended EPR AR3 will not help this particular area and this clearly does not meet EPR LV1.

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

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

He states The Urban Design Strategy requires that any new noise walls in the area would be high quality and context sensitive, minimising visual impact and overshadowing and maintenance.

Transparent material could be used, and landscaping would be used to soften the appearance of the noise walls, reduce the perceived height and bulk, and better integrate the structures into the surrounding area.

He also addresses my concern about visual impact due to loss of trees and vegetation, stating that the UDS calls for the removal of mature trees, planted and remnant native trees and remnant vegetation, to be minimised...and to replace any trees removed, at a ratio of two new amenity trees for every one removed. These trees would be planted as close as possible to the areas from where other trees were removed, to mitigate the visual impact.

I would also like to refer to the Statement of landscape and visual amenity evidence prepared by Stephen Schutt of Hansen Partnership. In his summary of opinion, he states there is “Questionable objectivity and independence of the EES LVIA on the basis that it makes no recommendations for any re-design of any project elements, even in circumstances where the assessment concludes that visual impact will be high and cannot be mitigated through the proposed planting of new vegetation” (point 207)

I would like to address the noise wall design Very briefly: Given that there is no design decided as yet for this wall, there will be no vegetation to buffer or filter the view of this wall and it is planned to be moved closer to my residence, the visual impact will be huge. As a result, it will remain visually unappealing and obvious to all who pass by. The severity of this impact will not be able to be lessened over time. This does not meet the guidelines in Attachment II UDS, the EES scoping requirements set out in Chapter 16 or EPR LV1. Technical Report H acknowledges that residential properties will be impacted by the new noise walls. In my opinion, the current noise wall design, the Urban Design Strategy and the EPRs stand in opposition to each other.

Attachment II Urban Design Strategy 9.2 Integrated and coordinated states Noise walls...are coordinated and integrated to minimise visual and physical clutter.

In Chapter 16 Landscape and visual (p. 1): The EES scoping requirements set out the following evaluation objective:
Landscape, visual and recreational values – to minimise adverse effects on landscape values, visual amenity, recreational and open space values and to maximise the enhancement of these values where opportunities exist.

Technical report H – Landscape and Visual 11.2 Impact assessment acknowledges that Along the Eastern Freeway, residential properties directly adjacent to the project boundary on the south would be impacted due to new and the increased height of noise walls.

ITEM 5 and 6 on your sheet are photos taken on May 22, 2019 at 11.30 am. I took these photos to illustrate the leafy green outlook from the back of my house as well as the substantial shadowing already in my backyard. On this particular day it was a cloudless, full sun day and it was approaching the Winter Solstice. Photo 1 was taken facing North and Photo 2 was facing West. As seen in the following photos, there is already significant shading in my backyard - the proposed noise wall will exacerbate this issue immensely.
The map in Technical report E Land use planning (p.256) outlines the new shading over my property if the proposed noise wall is implemented. This will have a massive impact on my lifestyle. As part of our family goal to be living sustainably, we were planning on installing solar panels within the next year or so. The overshadowing would significantly impact on the efficiency of these panels, with the result that it would probably not be worth installing them. This does not meet the amended EPR LP4:

**EPR LP4 – Minimise overshadowing from noise walls and elevated structures**
Overshadowing from elevated structures and noise walls to residential properties (including existing solar panels), community facilities, open spaces, waterways and valuable natural habitats must be minimised through detailed design. Overlooking from elevated structures to private open space and habitable room windows of residential properties must be minimised through detailed design as far practicable.

The EES acknowledges that overshadowing will be an issue for some residents on p. 45 and that During the detailed design phase, the project would be required to minimise any overshadowing from elevated structures and noise walls. This could include lowering the height and changing the position of structures, and using materials that allow more light to reach rooftop solar panels.

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

It does not work in accordance with the Urban Design Strategy either, stating in Attachment II Urban Design Strategy that Walls and barriers should be designed (for example sited or angled) to minimise overshadowing of properties...

Attachment II Urban Design Strategy Document
9.6 Visual connectivity and solar access
Walls and barriers are designed (for example sited or angled) to minimise overshadowing of properties...

Therefore, the proposed noise wall design sits at odds with amended EPR LP4 and Attachment II Urban Design Strategy, and is addressed in the EES as a known issue.

Aside from the overshadowing issue directly at the back of my property, there will also be the undesirable result of the area behind my rear fence which was previously the shared path. This will be removed of all vegetation and will be lacking in sunlight. This does not comply with EPR LP1 as it creates a permanent negative impact on the land. This will not be visually appealing and additionally, Chapter 13 Land Use Planning (p.20) states Where overshadowing is increased and extends into areas of private open space, this has the potential to reduce the usability of the space and adversely affect the amenity of the dwelling.

2. I would also like to very briefly address the issue of Landscaping and vegetation.

The EES Summary Report Planted trees p. 56 states The EPRs would require tree retention to be maximised and canopy loss to be minimised. Particular attention would be given to retaining and minimising impacts to MLTV (medium or long term viable) trees. As the majority of the vegetation behind my back fence was planted prior to my arrival twenty years ago, there would be significant loss of well-established and healthy trees and vegetation. This does not comply with EPR AR1 and makes the amended EPR AR3 redundant as we will not receive the benefit of tree replacement in our vicinity.

EPR AR1
Tree retention must be maximised to the extent practicable, through detailed design and selection of construction methods to minimise canopy loss, and in accordance the EPR FF1, including by retaining trees where practicable and minimising potential impacts to trees.

The EES Summary Report Landscape and Visual p. 46 states the project’s landscape plans must provide for the vegetative screening of visually impacted public and residential areas and community spaces.
In addition, Attachment II Urban Design Strategy: 9.4 Interfaces states The creation of narrow areas between noise walls and residential properties is minimised, and innovative solutions are considered to ensure any narrow spaces are pleasant and safe.
In the same document 17.3 Integration states Landscape areas are clearly defined and are not left-over and undesirable spaces and 17.4 Minimising loss states The removal of mature trees, planted and remnant native trees and remnant vegetation...is minimised. And that Opportunities to retain all valuable habitat linkages or corridors are maximised.
Currently the shared path behind my fence is filled with greenery and well-established vegetation. It provides a visually appealing backdrop to my garden and I get great enjoyment watching the native wildlife in that area. If all vegetation was removed it would become a barren waste land with no fit purpose.

With the current design, EPR’s LP1, LP2 and LP3 will not be met.

EPR 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:
  - Recreational and community facilities
  - Residential properties

EPR LP3 – Minimise inconsistency with strategic land use plans states The project must minimise, to the extent practicable, impacts on residential...open space and community facility land uses from project development and operations and LP2 – Minimise impacts from location of new services and utilities states New above ground services and utility infrastructure are to be located in a way that minimises impacts to existing residential areas and recreational facilities. This must include considering options to co-locate infrastructure where practicable.

Environmental Effects Statement Summary Report Landscape and Visual p. 46 These impacts would be reduced through the application of the EPRs, which would require the project’s final detailed design to minimise landscape and visual, overlooking and shading impacts, and to maximise opportunities to enhance public amenity, open space and facilities. The project’s landscape plans must provide for the vegetative screening of visually impacted public and residential areas and community spaces.

Unfortunately, the current design proposal does not meet the EPRs. Surely there can’t be any logic in destroying a currently established green area and leaving it as a waste land when there is an opportunity to enhance this green area.

Additionally, if the shared use path and vegetation is placed beside the Eastern Freeway, what will be the impact on wildlife? The EES states on (p. 33) that it will endeavour to protect urban ecosystems, but this design is contradictory.

3. Another issue I would like to address is Noise

The proposed design of the noise wall in the Eram Road area does not seem to meet best practice. For optimum results, a solid noise wall without breaks would be most effective. However, at No. 30 and No.60 Eram Road, there are planned breaks in the noise wall and the noise wall will be placed closer to the rear of the houses in Eram Road. This will allow increased noise to filter through and will be far less effective than a solid noise wall.

Technical report C Table 9-6 (p. 131) illustrates the noise monitoring data collected from my residence in Eram Road. It demonstrates that the noise levels will increase with this new wall, rather than decrease.

I believe there are two factors which caused these negative results:

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

The EES on p. 40 also addresses this as an area of concern, when it acknowledges that a number of properties will exceed the required noise levels as a result of the design.

EPR NV1 and EPR NV13 would need to be adhered to in order to reduce / mitigate the noise as much as possible.

4. Construction footprint and construction hours is of concern.

With the proposed noise wall being situated closer to my back fence, I am concerned with the implications through its construction, including visual impact as well as noise impact and the construction footprint.
Very briefly, I believe the requirements for EPR NV3 and EPR SC1 will not be met.

EPR NV3 Minimise construction noise impacts to sensitive receivers
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.

Normal working hours:
7 am – 6 pm Monday to Friday
7 am – 1 pm Saturday

Weekend / evening work hours:
6 pm – 10 pm – Monday to Friday
1 pm – 10 pm Saturday
7 am – 10 pm Sunday and public holidays

EPR SC1 - Reduce community disruption
...
- Consider the relative vulnerability and special needs of land owners and occupants.

I am also concerned about the visual, and light spillage impacts that will occur during this project. As the noise wall is proposed to be placed closer to my property, it will obviously entail a construction site immediately behind my fence. I doubt this could meet the requirements for EPR LV2 and LV3.

EPR LV2 – Minimise landscape impacts during construction
...
Develop and implement measures to use temporary landscaping, features or structures (including viewing portals) during construction to minimise adverse visual impacts of project works and provide visual appeal.
Implement landscaping enhancement (as part of permanent works) prior to construction works commencing, where practicable.

LV3 – Minimise construction lighting impacts
Develop and implement measures to minimise light spillage during construction to protect the amenity of adjacent neighbourhoods, parks...

I am also concerned about my yard security if this design is approved. There will only be a narrow gap at the rear of my fence, which I believe will be a security risk. More detail about this is in my written submission.

5. My Property Value will be negatively impacted by the current design as confirmed by multiple real estate agents. This is also addressed in more detail in my written submission.

6. The last issue I would like to address is Social:

The existing shared path to the north of the Eram Road residences is frequently used by residents, whether going for a walk for exercise, for a bike ride or in the case of the kids in the street, just to have a play in the area. EES Summary Report Social and Community p. 43 states that NEL is expected to deliver significant social and community benefits

Placing the proposed shared path against the Eastern Freeway will be a negative move in my opinion. Personally, I will no longer want to utilise the shared path if it is situated against the Eastern Freeway. I am concerned about increased pollution by being so close to the Freeway which could trigger my son’s and my asthma and I would also dislike watching cars flying by at 100kms an hour past me. It would not be a peaceful or relaxing. This not meet amended EPR T1 in my opinion.

The proposed noise wall will have high impact on my property due to the closer proximity of the noise wall, the extreme visual impact, the overshadowing, the overall increase in noise, as well as the decrease in my property values. As shown above, this design does not comply with the EPRs and will have a negative economic, social and personal impact on myself.
7. I would like to explain my alternative design proposal:

This involves flipping the current proposed design so that the noise wall is placed against the Eastern Freeway and the shared use path remains on the southern side of the noise wall, behind the residences of Eram Road. This would lessen the visual impact of the noise wall, as well as decrease the noise levels. Having the shared path placed to the south of the noise wall would mean we could maintain the social aspect of the path and continue to use it as we have been doing so.

Ray White have also advised that if the current NEL design proposal was flipped, as per above, then there is every chance that my property will retain its value or even improve slightly in value.

As stated above, the best site for a noise wall is close to the source. Flipping the design would have the additional benefit of using the existing vegetation to help further diffuse noise and provide a visual barrier to the noise wall and freeway.

I believe my design would comply with thirteen EPRs, would be far less disruptive to the community during construction and also allows us to continue to enjoy the green space behind our homes in Eram Road.

EPR AR1 – Maximising tree retention
EPR FF1 – Minimise impacts on fauna and flora
EPR LP1 – Minimise land use impacts
EPR LP2 – Minimise impacts from location of new services and utilities
EPR LP3 – Minimise inconsistency with strategic land use plans
EPR LP4 – Minimise overshadowing from noise walls and elevated structures.
EPR LV1 – Design to be generally in accordance with the Urban Design Strategy
EPR LV2 – Minimise landscape impacts during construction
EPR LV3 – Minimise construction lighting impacts.
EPR NV1 – Achieve traffic noise objectives
EPR NV3 – Minimise construction noise impacts to sensitive receptors
EPR SC1 – Reduce community disruption
EPR T1 – Optimise design performance

8. A complementary project has also been outlined in my written submission however due to time constraints, I won’t go into the details here today.

I would like a complementary project designed for the shared path area on the southern side of the Eastern Freeway at Eram Road. Specifically,

- I would like the lighting improved along that stretch of path to improve security and safety for the users.
- I request that all Eram Road residences backing onto the shared use path be supplied with maximum height fences by the project to further improve our yard security.
- I request that glazed windows be installed in my home at the project’s expense due to the increased noise levels which will be caused by their construction works
- I request that the noise wall even when placed further away towards the Eastern Freeway, will be constructed with acrylic on top, to allow for maximum light through the noise wall.
- I request that the shared path be upgraded and made into a better-quality path.
- I request that the vegetation be planted around the shared path with a view to increasing the appeal of the shared path as well as the view from our homes.

Although I welcome the North East Link project and believe it has the ability to improve the current traffic issues in Melbourne, I do not believe the design proposed for the Eram Road precinct meets the EPRs. I believe this design needs further revision as it will not be an improvement as it currently stands. It needs serious refinement before it will create a positive contribution to the residents and users of this area.

In conclusion, if the proposed design of NEL goes ahead, it will have a huge economic, personal and social impact on me. I will no longer be able to maintain my level of skill as a musician if I can’t practice effectively at home due to increased noise levels and its imperative that I have fairly quiet surroundings for this. I will no longer be able to maintain my productive garden, due to overshadowing and this will completely alter my and my family’s lifestyle. Aside from this I have the very high visual impact of looking at the noise wall without any vegetation to buffer the view which will negatively impact my enjoyment of my personal space. I will also lose the social aspect as I will no longer be inclined to use the shared path if it is placed beside the Eastern Freeway, due to my concerns with
pollution and fear that it will trigger my, and my son’s asthma. I can’t imagine that the impromptu games between the kids in the neighbourhood will continue if the shared path is placed against the Eastern Freeway. This proposed design will also significantly decrease the value of my property, to the point that I won’t be able to afford to sell my current home and to relocate so that I can enjoy the same lifestyle as I currently have.

Thank you for taking the time to listen to my concerns today.
Technical Report H – Landscape and visual p. 274 shows the photomontage of my backyard:

ITEM 1:

9.4.11 Viewpoint K – Eram Road, Box Hill North

Photo 9-79 VPK – Existing view looking north

ITEM 2:

Figure 9-203 VPK – Photomontage Year 0;

Figure 9-204 VPK – Photomontage Year 3 – as above;

Figure 9-205 VPK – Photomontage Year 10 – as above
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NELP TECHNICAL NOTE NUMBER: 23
DATE: 17 July 2019
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Viewpoint 65 - Existing

The urban design and landscape treatments shown in the photomontages have been guided by the Urban Design Strategy. They do not represent the final design and are subject to change.

Viewpoint 65 - Year 0

The urban design and landscape treatments shown in the photomontages have been guided by the Urban Design Strategy. They do not represent the final design and are subject to change.

Viewpoint 65 - Year 10

The urban design and landscape treatments shown in the photomontages have been guided by the Urban Design Strategy. They do not represent the final design and are subject to change.
ITEM 5:
Photo (facing north):

ITEM 6:
Photo (facing west):