1. Introduction

1.1 Broadway & Frame Premix Concrete Pty Ltd (Broadway & Frame) generally supports the North East Link Project (Project) and acknowledges the anticipated benefits it will deliver to the transport network and community.

1.2 Broadway & Frame, as a wholly owned subsidiary of Holcim (Australia) Pty Ltd (Holcim), operates an integrated concrete and aggregate business. Together with its subsidiary, Holcim is one of the largest concrete suppliers in Victoria and currently supplies concrete for commercial, industrial and residential developments across Victoria.

1.3 Broadway & Frame operates a concrete batching plant (Concrete Plant) on land within the Bulleen Industrial Precinct (BIP) which is identified in the exhibited Planning Scheme Amendment CG98 to the Manningham Planning Scheme as Project Land that is proposed to be acquired for the purpose of the Project.

1.4 The land in question (the Subject Site) is shown on the plan at Attachment 1. It comprises the whole of 333 Bulleen Road, Bulleen and part of the land located at 26-28 Greenaway Street, Bulleen, both of which are owned by Broadway & Frame (Owned Site), together with the balance of 26-28 Greenaway Street, Bulleen (Leased Site).

1.5 The Subject Site is approximately 3,499.77 sqm and is zoned Industrial 1 Zone (INZ1) under the Manningham Planning Scheme. The use of the land for a concrete batching plant is as-of right provided the minimum separation distance from land zoned for residential purposes is met, which it is in this case.

1.6 This submission covers the following:
• Importance of the Subject Site to Broadway & Frame;
• Impacts on the BIP and Net Community Benefit;
• Relocation of BIP Businesses;
• Impacts of potential relocation of Broadway & Frames’ operations;
• Current Proposal affecting the Subject Site;
• Recommendations; and
• Conclusion

2. Importance of the Subject Site to Broadway & Frame

2.1 Broadway & Frame has continuously operated the Concrete Plant on the Subject Site since 1987 (for over 30 years).

2.2 The Broadway & Frame business has one of the highest annual turnovers of the approximately 110 other business within the BIP.

2.3 The Concrete Plant is one of Broadway & Frame’s key concrete batching plants in Australia. It produces 300 cubic metres of concrete each day from Monday – Friday and 150 cubic metres on Saturday. The Concrete Plant is supplying, or has in the past supplied, concrete to a number of significant State infrastructure projects, including:
- Melbourne Metro Tunnel Project;
- West Gate Tunnel Project;
- Chandler Highway Upgrade Project; and
- Heidelberg Level Crossing Removal Project and other level crossing removal sites.

2.4 The Concrete Plant also supplies material to private clients for commercial, industrial and residential developments across Manningham, Darebin, Booroondara, Banyule, Yarra and Stonnington local government areas.

2.5 All types of concrete are produced at the Subject Site to supply domestic, commercial and industrial markets. This includes speciality concrete for foundations, very high strength, high early strength, VicRoads compliant, architectural and decorative products (Geostone). The Subject Site is one of only three in a network of 19 concrete plants across Holcim’s broader Melbourne business that can produce the full range of Geostone decorative concrete.
2.6 There are currently 10 agitator/delivery trucks based at the Subject Site that each average 5 deliveries a day. Raw materials are supplied from quarry operations (aggregates and manufactured sand), JV partner Cement Australia (cement and flyash) and third party suppliers (natural sands, blast furnace slag and admixtures). Based on average demand, the Concrete Plant generally receives 10 deliveries of aggregates (including manufactured sand and natural sand) and three deliveries of cementitious materials (cement, flyash and slag) per day.

2.7 The success of the Concrete Plant can largely be attributed to the ideal strategic location of the Subject Site for the following reasons:

- The Concrete Plant is extremely close to a large Melbourne based market where there is high demand for concrete.
- The Concrete Plant is ideally located to respond to an increase in demand (due to population growth) for concrete, including for tunnels for major State infrastructure projects which are in the early stages of construction and for residential/commercial tower developments.
- As a long-standing business within the BIP, the Concrete Plant benefits from supply chain and established customer relationships.
- The Concrete Plant supplies the inner and outer north-east of Melbourne (where there are few competitors) and complements Holcim and Broadway & Frame’s broader network of sites across Melbourne which includes plants in Preston, Cranbourne, Springvale, Epping, Laverton, Keilor, Footscray, North Melbourne (Arden plant for Melbourne Metro Tunnel Project), Pakenham and Bayswater.

2.8 Proximity of concrete batching plants to construction sites is important for a range of reasons, including that:

- Concrete has a short life of approximately 90 minutes.
- High strength concrete has a shorter life than low strength concrete (i.e. 60 minutes to meet VicRoads’ specifications).
- High strength concrete is used in the construction of tunnels and major infrastructure projects, and residential/commercial towers.
- Reduced transport costs, material wastage, greenhouse gas emissions and overall cost of supply.
3. Impacts on the BIP and Net Community Benefit

3.1 As noted in the EES impact assessment, land acquisition within the BIP is inconsistent with State and local planning policies which seek to maintain existing industrial land uses in Manningham. These policies seek to protect the remaining industrial land in Manningham due to the scarcity of industrial (employment) land within the municipality.¹

3.2 Indeed, the author of the North East Link Project Land Use Assessment prepared by Urbis, Mr Michael Barlow, concludes that the proposed closure of the BIP is the most significant impact of the proposed reference design.

3.3 Broadway & Frame agrees with the joint position of Banyule, Boroondara and Whitehorse City Councils that the net community benefit of the Project needs further and more rigorous assessment, given that, amongst other things, the costs of displacement of the entire BIP and disruption to more than 90 local businesses have not been accounted for in the EES.²

3.4 The report prepared by SGS Economic Consultants on behalf of the Councils (above) lends support to the need for both the Business Case and the EES to estimate the cost of business disruption caused by the Project, including the impact of land acquisition on business operations and the disruption to business activity (i.e. reduced customers and amenity impacts on passing trade) during the construction and operational phases.³

3.5 Given the significant impact that the Project will have on the businesses within the BIP and the lack of information available in the EES documentation about what its temporary and permanent impacts will look like (particularly in relation to the location of the Tunnel Boring Machine (TBM) launch site), further analysis of the net community benefit of the Project is warranted, particularly as this may produce a design with a smaller footprint and less impact.

¹ See clauses 17.03-1S (Industrial Land Supply), 21.02-10 (Municipal Profile – Industry)), 21.08 (Industrial), 22.10 (Gateway Precinct) and 22.16 (Industrial Areas Policy) of the Manningham Planning Scheme. NELA is working with Manningham City Council to minimise the loss of industrial land in the area and to explore future uses of land at the Manningham Road Interchange once construction is complete.
² North East Link Project, Net Community Benefit Review, prepared by SGS Economic & Planning, page 22
³ North East Link Project, Net Community Benefit Review, prepared by SGS Economic & Planning, page 22
4. Relocation of BIP businesses

4.1 In an attempt to mitigate impacts on the BIP, the North East Link Authority (NELA) has been working with Manningham City Council to identify opportunities to create alternative industrial precincts in the area and to explore future uses of land at the Manningham Road Interchange once construction is complete.

4.2 As part of this attempt, NELA engaged Ms Marianne Stoettrup to investigate potential alternative sites to accommodate BIP businesses either permanently or as a transitional arrangement pending the potential return of businesses to residual areas of the BIP after Project completion.

4.3 Ms Stoettrup has reported on those alternatives which in summary are:

- Preston Industrial Precinct – 5km west of the BIP;
- Heidelberg West Industrial Precinct – 4km west of the BIP;
- Fairfield / Alphington Industrial Precinct – 5 km west of the BIP;
- Thomastown Industrial Precinct – 9km north west of the BIP;
- Bundoora Industrial Precinct – 7km north west of the BIP;
- Nunawading Industrial Precinct – 12 km south east of the BIP; and
- Websters Road, Manningham – 7 km east of the BIP.

4.4 In her report, Ms Stoettrup notes that Council has indicated that it is likely to take 5-10 years to rezone the Websters Road site via the usual planning scheme amendment process and that this site will only be an attractive transitional option if it is ready for business relocation by around 21 December 2021.

4.5 The EES notes that the land acquired in the BIP to the south of Manningham Road will remain zoned IN1Z to provide for the longer-term possibility of commercial and industrial land uses returning post construction.

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4 North East Link Project expert witness statement of Marianne Stoettrup, Matters More Economics Consultancy
5 North East Link Project expert witness statement of Marianne Stoettrup, Matters More Economics Consultancy, page 5
5. **Impacts of potential relocation of Broadway & Frame’s operations**

5.1 With the exception of Websters Road, there are issues with all alternatives proposed by Ms Stoettrup which make them unsuitable for Broadway & Frame including, variably, distance, crime and concrete plants already in operation\(^7\). While the Websters Road site may be a future option, it is not immediately available (it would need to be rezoned and existing uses relocated\(^8\)) and its proximity to more sensitive residential areas would need to be managed through the appropriate planning controls and in accordance with EPA Victoria’s publication 1518 *Recommended separation distances for industrial residual air emissions*. It is estimated that a relocated concrete batching plant would take a further twelve – eighteen months to construct and commission after approvals were secured and the Websters Road site became available for such development.

5.2 If the Subject Site were to be acquired before a suitable relocation site was available or if the business is forced to relocate to premises too far from the employees’ homes, sixteen full-time workers would suffer employment disruption or lose their jobs.

5.3 There is also an anomaly in requiring the relocation of a concrete batching plant with potential to be used to supply concrete to the Project and reducing Broadway & Frame’s competitiveness in that regard, through relocation and disruption at the precise period of Project need. In exploring future market opportunities for the business, Broadway & Frame have considered upgrades that could be undertaken to the existing Concrete Plant to enable it to be in a position to supply at least 800 cubic metres of concrete per day to the Project and its regular client base.

5.4 The nearest alternative Broadway & Frame plants, which are located in Preston (West) and Bayswater (East), combined, do not have the additional capacity to service the Concrete Plant’s regular customer base, during peak demand periods, if the Concrete Plant is forced to close. The location of the Preston and Bayswater plants would also have less utility in terms of any opportunity to service the Project and other customers. For example, the Geostone supply chain serviced from the Subject Site would be disrupted and may not be able to relocate elsewhere.

\(^7\) North East Link Project expert witness statement of Marianne Stoettrup, Matters More Economics Consultancy, pages 2 – 17.

\(^8\) North East Link Project expert witness statement of Marianne Stoettrup, Matters More Economics Consultancy, page 5.
5.5 Accordingly, Broadway & Frame would welcome the opportunity to remain on the Subject Site to enable it to maintain its current commercial advantages and to be considered as a potential supplier of concrete to the Project. This could occur by the Subject Site not being acquired for the Project, or by deferring acquisition of the Subject Site to a stage late in the construction program which would allow the Concrete Plant to remain in its current location for as long as possible (during which time the Websters Road rezoning should be progressed with the necessary State facilitation to ensure that any temporary relocation can occur in a timely fashion).

5.6 In the event that the Concrete Plant is required to relocate, Broadway & Frame also favours a design outcome for the Manningham Road Interchange that enables the Concrete Plant to resume operations at the Subject Site upon Project completion, subject to suitable access arrangements being in place.

6. Current proposal

6.1 The Subject Site is apparently required for a combination of permanent works and temporary construction purposes. As marked on the plan set out at Attachment 2, it is located within the Project Boundary for surface works and is also an indicative area for a potential construction compound⁹.

6.2 In terms of surface works, the Subject Site is located immediately east of the proposed alignment for the Northern Portal to Southern Portal section and forms part of the proposed Manningham Road Interchange as set out in Attachment 3¹⁰. The EES provides that the acquisition requirements for land within the Manningham Road Interchange are the same for the Reference Design and Alternative Design under consideration for that interchange¹¹.

6.3 As a construction compound, the Subject Site is apparently to be used as a construction lay down area. The EES notes that parts of the BIP are to be used for a proposed substation to power the tunnel boring machines (TBM) and then tunnel facilities; however, this appears to be on land to the north of the Subject Site¹².

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6.4 It also appears that the Subject Site forms part of the Manningham Road (southern launch site) area for the TBM launch site as set out in Attachment 4\(^{13}\). The EES states that there would be no change to the land use impacts to the Manningham Road area should the alternative northern launch site be used for the TBM\(^{14}\). However, Broadway & Frame questions if this has been fully assessed given the extent of impact to the BIP only been considered in the later evidence prepared on behalf of the NELA by Mr Barlow (land use) and Ms Stroettrup (business). From Broadway & Frame’s perspective, the alternative northern launch site appears to have the potential to reduce the impact on the BIP and specifically on Broadway & Frame’s operations.

6.5 The specific use of the Subject Site during the construction phase was not explained during the community engagement phase of the project, is not further articulated in the EES and will not be known until the detailed design is available. The scope for businesses, such as Broadway & Frame, which have the potential to service the Project to remain in place is therefore not clear.

7. Recommendations

7.1 Broadway & Frame strongly supports the outcomes and options set out in Mr Barlow’s Land Use Assessment as summarised below\(^{15}\):

- Websters Road, Manningham should be investigated now, as the only real alternative option for the Concrete Plant, and (if suitable) arrangements should be made for rezoning ahead of waiting for employment land to be returned post construction;\(^{16}\)
- (noting that suitability of Websters Road is not yet known) Land Use Environmental Performance Requirement (EPR) LP1 could be strengthened to require that the Manningham Road Interchange be designed to ensure that commercial and industrial activities can be constructed adjacent to the finished Project tunnel and ramps. If this occurs and the reference design solution of the Manningham Road Interchange is followed, then the land will be available at the completion of the construction of the Project\(^{17}\).

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\(^{13}\) EES, Technical Report A - Traffic and Transport, prepared by Smedley, Figure 10-1, page 432
\(^{14}\) EES, Technical Report E - Land Use Planning, prepared by GHD, at [8.3.2]
\(^{15}\) North East Link Project, Land Use Assessment, prepared by Urbis, page 181
\(^{16}\) North East Link Project, Land Use Assessment, prepared by Urbis, page 5
\(^{17}\) North East Link Project, Land Use Assessment, prepared by Urbis, pages 4 & 30
7.2 Proposed EPR LP1 currently states:

The project must be designed and constructed to:

- Minimise the design footprint and avoid, to the extent practicable, any temporary or permanent impacts on...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.

7.3 In addition to adopting Mr Barlow’s proposal to strengthen EPR LP1 to specifically recognise the opportunities for commercial and industrial activities to be constructed adjacent to the finished Project tunnels and ramps at the Manningham Interchange\(^\text{18}\), Broadway & Frame proposes the inclusion of additional dot points, as follows, to recognise the potential for certain businesses to remain in place during the construction phase to service/supply materials to the Project:

- Maximise opportunities for businesses which have the potential to service or supply materials to the Project to remain operational during construction of the Project.
- Ensure land not required for permanent Project infrastructure is to be returned to its previous industrial land use post-construction of the Project as quickly as possible.

7.4 On the basis that there is scope for Broadway & Frame to either remain on the Subject Site in some fashion during construction and/or to return to the Subject Site post construction of the Project, it is submitted that the proposed Reference Design alignment for the Manningham Road Interchange is preferred to the Alternative Design which would require a larger portion of the eastern part of the Subject Land to be acquired.

7.5 Further, to the extent that the use of the alternative northern TBM launch site minimises the extent of land to be temporarily occupied and/or acquired for the Project within the BIP, Broadway & Frame submit that this alternative is to be preferred over the southern launch site.

\(^{18}\) North East Link Project, Land Use Assessment, prepared by Urbis, page 5
8. Conclusion

8.1 The anticipated costs of the displacement of the BIP and disruption of more than 90 businesses should be included in the assessment of NELP as a highly relevant factor to the net community benefit of the Project. Further assessment should be carried out to refine the extent of the land required for the construction compound and identify suitable relocation sites for the businesses currently within the BIP. This may have implications for the proposed Project footprint.

8.2 Assuming the Project will proceed in some form, Broadway & Frame submits that the Subject Site should not be acquired and the Concrete Plant should remain in the BIP.

8.3 In the event that the Subject Site is to be acquired, Broadway & Frame submit that the acquisition should be delayed to the latest stage possible and Broadway & Frame be able to return to the BIP upon completion of the NELP.

8.4 With respect to the relocation of the Concrete Plant, Broadway & Frame welcomes the further work commissioned by the NELA to consider options for the relocation of businesses within the BIP and opportunities for businesses to remain and/or return to the area once the Project is constructed.

8.5 Broadway & Frame seeks recommendations from the IAC as follows:
   a. Building on the recommendation of Mr Barlow, EPR LP1 be amended to include the following 2 dots points set out below:
      *The project must be designed and constructed to:*
      *Maximise opportunities for businesses which have the potential to service or supply materials to the Project to remain operational during construction of the Project.*
      *Ensure land not required for permanent Project infrastructure is to be returned to its previous industrial land use post-construction of the Project as quickly as possible.*
   b. The Reference Design for the Manningham Road Interchange is preferred to the Alternative Design.
   c. The northern launch site for the TMB is preferred to the southern launch site.
   d. The State expedite the rezoning of the Websters Road site in order to facilitate the temporary or permanent relocation of businesses displaced by the compulsory acquisition
of land required from the BIP and that the rezoning take account of buffer requirements for industries with adverse amenity impacts.