

Submission to the North East Link Program Ring Rd Completion Urban Design & Landscape Plan, UDLP - October 2023



Prepared by

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Introduction

Friends of Banyule (FOB) is a not-for-profit community organisation founded in 2008, campaigning for the protection of the natural environment, heritage and public assets and to obtain improved environmental, planning, transport and neighbourhood liveability outcomes for our communities in Banyule and beyond.

We lobby local, state and federal governments and agencies on these important issues for the environment including the protection and preservation of habitat, flora, fauna and ecosystems which make our communities more liveable and sustainable.

We are represented on various committees including Banyule Council's Banyule Environment and Climate Action Advisory Committee (BECAAC), North East Link Community Liaison Committees (CLG-North). We regularly attend Council meetings and prepare and present submissions to planning panels, tribunals and inquiry panels.

Friends of Banyule believe that the NEL EES highlighted the significant and damaging consequences of the NEL to the environment and the community. With the North East Project (NELP) early works and preparation for the Tunnel Boring Machine (TBM) Launch Site underway all of the damaging consequences and more has been realised. The reference design and the current UDLP is substandard and being delivered without due regard to the health and wellbeing of residents living alongside the construction.

FOB recognises that the road will be built but again we ask how is such a deliberately harmful project acceptable? Why was a project that decimates and divides the north of the Banyule Local Government Area ever seriously contemplated? For TOLLWAY profits and supposed project cost savings?

Even the North East Link Environmental Effects Statement Inquiry and Advisory Committee Planning Panel (EES), convened in 2019, recommended that the Tunnel be extended beyond Watsonia Station. But highly unusually, the Planning Minister of the day, the Hon. Richard Wynne, rejected this recommendation to save Watsonia, Macleod and Yallambie residents' homes and liveability, businesses and the 13 hectares of invaluable Army Barracks rare and endangered dry Woodland Forest and the flora and Fauna contained therein. An act of vandalism.

A state sanctioned act of deliberate harm. Risk Assessments presented at the EES hearings deemed much of NELPs impacts were catastrophic to the environment and social fabric of these suburbs (**over**

a 500,000 people and 30 suburbs identified) along the Projects 29 km length as they were rated catastrophic BEFORE and AFTER risk mitigation treatments were applied. Australian and International Risk Management Standards were ignored and the NELP catastrophic outcomes were unbelievably and negligently just deemed PLANNED.

These UDLP just reinforces this planned harm along the Eastern Freeway tripling in some instances, at major intersections the Eastern Freeway will be 24 lanes wide. It is telling that **no Eastern Freeway visualisation renders have been provides in the UDLP documents**. Why?

While the State Government claims it has a mandate to build a NEL, it does not have a mandate or a social licence to destroy open space, parklands, waterways (*already happened*), homes, businesses, health and wellbeing. Why doesn't NELP comply with the Environmental Performance Requirements of the Project – for example: project boundaries, tree removal and canopy loss, wildlife protection and management, community engagement and consultation, dust and air pollution management etc. Why NELP can't even be bothered to give the community its full 21 days to make submissions to this UDLP. This is so disappointing.

The following is an extract from an email written to relevant Ministers and Members of Parliament

Date 26th October 2023,

Subject: NELP FAILURE TO ADVERTISE THE UDLP FOR A MINIMUM OF 21 DAYS

“the North East Link Project (NELP) Urban Design and Landscape Plan (UDLP)

has not been available for public consultation for a minimum 21 Days, when the opportunity for submissions closes this Sunday October 29th at 5pm.

The plans and details of the UDLP was first published on the Engage Victoria Website <https://engage.vic.gov.au/ring-road-udlp> on Monday October 9th at approx 11am.

This time period for public consultation is under 21 days as was specified in the Incorporated documents for NELP which was approved by Minister Wynne.

The below screen shot is taken from the Ring Road Completion UDLP Report pages 1-38 which can be found at <https://engage.vic.gov.au/ring-road-udlp>

4.9 Urban Design and Landscape Plans

Table 1: Incorporated Document Compliance Assessment

<p>4.9.1 Prior to the commencement of development of permanent above-ground buildings or structures (excluding preparatory buildings and works under Clause 4.13.1), UDLPs must be prepared to the satisfaction of the Minister for Planning.</p>	<p>Approval of this UDLP will satisfy Condition 4.9.1 for the extent of Ring Road Completion of North East Link as outlined in Section 4.5. As outlined in section 4.5, structures that are not permanent and above ground are not subject to approval of this UDLP.</p>
<p>4.9.2 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.</p>	<p>Attachment 1 - Architecture and Urban Design and Attachment 2 - Landscape Design show the final built form design for the Ring Road Completion.</p>
<p>4.9.3 An Urban Design and Landscape Plan (UDLP) must be accompanied by the following, where relevant: a. An explanation demonstrating how the UDLP is in accordance with the approved UDS including any relevant urban design framework plan. b. An explanation demonstrating how the UDLP would comply with the EPRs included in the approved EMF. c. A plan which shows the extent of the UDLP area in relation to any publicly available or approved UDLPs. d. A plan which shows the boundary of the Project Land and location of areas to be used for construction compounds consistent with the approved Construction Compound Plan under Clause 4.12.</p>	<p>a. Section 5 of this report outlines how the UDLP is in accordance with the UDS key design directions, principles and objectives, the relevant place-specific requirements and the relevant Urban Design Framework Plans. b. Section 6 of this report outlines how the UDLP is in accordance with EPRs c. Section 1.4 provides a plan showing the extent of this UDLP area in relation to publicly available and approved UDLPs.</p>
<p>4.9.4 Prior to the submission of an UDLP to the Minister for Planning for approval, an UDLP must be: a. Provided to the UDAP and relevant council/s for consultation. b. Provided to the Department of Transport, Roads Corporation, Public Transport Development Authority, Melbourne Water, Heritage Victoria, the Department of Environment, Land, Water and Planning (DELWP), Parks Victoria and the Head, Transport for Victoria for consultation where relevant. c. Made available for public inspection and comment on a clearly identifiable Project website. 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 minimum period for public comment must be 21 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).</p>	<p>a. Regular consultation with the Urban Design Advisory Panel has been undertaken throughout the development of this UDLP and a copy of the UDLP has been provided to UDAP and relevant councils as part of the public exhibition process. b. A copy of the UDLP has been provided to the public authorities listed in Clause 4.9.4(b). Note that as of 1 January 2023, the planning and environment functions of the former Department of Environment, Land, Water and Planning (DELWP) were incorporated into the Department of Transport and Planning (DTP) and Department of Environment, Energy and Climate Action (DEECA) respectively. DTP also incorporates the state transport functions provided by the former Roads Corporation (VicRoads), Public Transport Development Authority and Transport for Victoria. c. The UDLP is available for public inspection through a variety of means and locations during the 21 day public exhibition period (refer to section 2.2.2)</p>
<p>4.9.5 Before, or on the same day as an UDLP is made available in accordance with Clause 4.9.4(c), a notice must be: a. Published in a newspaper generally circulating in the area to which an UDLP applies informing the community of the matters set out in Clause 4.9.4(c). b. Provided to owners and occupiers of land adjacent to the area/s to which an UDLP applies informing them of the matters set out in Clause 4.9.4(c). The minimum period for comment must be 21 days.</p>	<p>a. On Monday 9 October a notice was published in The Age and the Herald Sun newspapers. b. Prior to commencement of the public exhibition period, a notice was delivered to owner/ occupiers of the land adjacent to the Project Area. Public Exhibition of the UDLP is 21 days.</p>
<p>4.9.6 An UDLP submitted to the Minister for Planning for approval under Clause 4.9.1 must be accompanied by: a. A summary of the consultation carried out under Clause 4.9.4 and Clause 4.9.5, all written comments received and a response to issues raised. b. Written advice from the UDAP addressing the extent to which the UDLP is consistent with all relevant matters set out in the Minister's Assessment dated 3 December 2019 made pursuant to the EE Act, the EPRs included in the approved EMF, and the approved UDS including any relevant urban design framework plan.</p>	<p>a. A Consultation Summary Report will accompany the UDLP when it is submitted to the Minister for Planning. b. Written advice from the Urban Design Advisory Panel will accompany the UDLP when it is submitted to the Minister for Planning.</p>

This failure to comply with the bare minimum time period to publicly display the UDLP and provide opportunities and comments to be made to the Planning Minister is especially mean spirited for a major project of this size and impact.

It is also another testament to the poor governance and management of this project by a government agency, BIG BUILD - NELP. Near enough is NOT good enough.”

This brief consultation period also occurred when community groups and members were totally engaged with trying to make the Referendum YES campaign a success. Then we had the disappointment and numbness of dealing with the successful NO Vote. The resultant severe time constraints means that FOB and our members have not had sufficient time to do a properly considered, thorough and detailed submission as we would have liked. **Consideration should be given to allowing further community input into the design by permitting extra and late submissions to be received until the end of November.** Our understanding is that other organisations have been granted that courtesy and we would like that courtesy to be extended.

As it stands now we have not had sufficient time to review address all the Documents. Consequently, not all concerns and issues have been covered, and those we have had time to look at can only be commented on in a general non-specific manner.

Documents



Ring Road Completion Fact sheet

PDF | 4.61 MB



Ring Road Completion UDLP Report pages 1-38

PDF | 17.21 MB



Ring Road Completion UDLP Report pages 39-239

PDF | 14.57 MB



Ring Road Completion UDLP Attachment-1-Architecture-and-Urban-Design

PDF | 14.93 MB



Ring Road Completion UDLP Attachment 2 Landscape Design pages 1-21

PDF | 15.6 MB



Ring Road Completion UDLP Attachment 2 Landscape Design pages 22-43

PDF | 15.28 MB



Ring Road Completion UDLP Attachment 3 Visualisations

PDF | 14.52 MB



Ring Road Completion UDLP Attachment 4 Overshadowing Overlooking Assessment

PDF | 5.74 MB

Comments on the NELP Document [ring-road-completion-udlp-report-pages-1-38_8b13.pdf](#)

North East Link Incorporated Document

“The use and development of the Project must be carried out *generally in accordance with the approved UDLP*. (No comfort to anyone there!) The UDLP must be prepared in accordance with the relevant requirements in the Incorporated Document, this includes design and consultation requirements. (FAIL).

For part of this submission we will be utilising Banyule City Council's response to the northern section of the UDLP available at <https://shaping.banyule.vic.gov.au/northeastlink/councils-response-north-east-link-plans-northern-section>

Council's response

Current plans for the northern section of North East Link **MUST** be changed to enhance **amenity**, improve **connectivity** and **make better use of land**.

Watsonia is the only section of the 28 kilometre freeway where 18 lanes will be squeezed hard up between a shopping village and residential area with limited green spaces or trees to soften the landscape.

Design for this section of road is significantly **LESS** appealing than any other section of North East Link and, in our opinion, does not meet the guidelines that the State promised would be delivered for the Watsonia community.

Failure to cover the trench at Watsonia, as advocated for by Council, our community and Watsonia traders will result in **less connectivity** and **reduced amenity** and further divide the community.

This once in a life time opportunity to build infrastructure that provides an accessible, sustainable and thriving community for the future has not been embraced.

Furthermore, the delayed release of plans of the Watsonia Station area makes it hard to assess just how poor the accessibility for pedestrians and cyclists into the Watsonia Shopping Centre precinct will be.

Council's comments comment on the trench but what about how the TOLLWAY lanes rise up out of the trench to be well above surrounding homes as is shown in Visualisation Render 22.

And with the need to rise over the railway way line travelling along the Toll Road will be like driving along the BIG Dipper – from the tunnel, to the trench, up over the railway line way above homes and reserves then dropping under Grimshaw street to rise again at the junction with the M80.

This Rise and Fall of the TOLLWAY is clearly evident in the Visualisation Renders 22, 18 and 16 below, While Render 11 shows the THREE LEVELS of TOLLWAY Rd at the vastly expansive and complicated M80 Interchange.

and yet nowhere in the UDLP documentation is there:

- Roadway Signage – Clean images without signage clutter, the community are not shown the true images of the completed project only a sales pitch
- Roadway Lighting and Light Spill impact maps – how will lighting in the proposed Melbourne Water Wetland at the M80 interchange be managed?

- Noise Pollution Mapping – Clearly the highly raised sections of the TOLLWAY is going to impact noise sensitive areas and the community has no way of knowing if the proposed noise walls are adequate in design, height or location. Nor is the community being told what levels will actually be achieved. Night time noise levels of 58dBA causes harm to human health – how many homes will be experiencing those levels? What will be the noise level at adjacent schools?
- Air Pollution Mapping & Mitigation. We know that vehicle car pollution is attributed as a cause of death in many thousands of people across Australia, and a major cause of cardiovascular and respiratory illness <https://www1.racgp.org.au/newsgp/clinical/vehicle-related-air-pollution-may-cause-in-excess#:~:text=The%20research%2C%20conducted%20by%20Melbourne,6840%20respiratory%20hospitalisations> Why isn't the Watsonia, Watsonia North, Greensborough and Macleod community made aware of the vastly increased air pollution levels and exceedances that will be apparent around Grimshaw Street and Yallambie Road?
- Wind Patterns to mitigate or exacerbate the resultant air and noise pollution.
- Heat Maps before and after construction to show areas where there is an increased likelihood of heat stress and health impacts. Understanding this would assist in mitigation and further planning measures

R22 - Nell Street shared use path bridge aerial (view north east)



Figure 24: Visualisation R22 - Nell Street shared use path bridge aerial (view north east)

R18 - Grimshaw Street Interchange (view west)



Figure 20: Visualisation R18 - Grimshaw Street Interchange (view west)

R16 - Grimshaw Street Interchange (view south)



Figure 18: Visualisation R16 - Grimshaw Street Interchange (view south)

R11 - M80 Interchange (view west)



Figure 13: Visualisation R11 - M80 Interchange (view west)

Council believes the plans for the northern section of North East Link fail in three major ways:

Amenity

- The opportunity has not been taken to cover the North East Link trench at Watsonia resulting in less connectivity and amenity and further dividing the community.
- Plans show 18 lanes between Watsonia Road and Elder Street. No other residential community along North East Link will experience such a massive loss of amenity.
- Plans show minimal treatments to reduce noise, heat or pollution along the Watsonia section of the freeway.
- Continuation of the Greensborough Road Boulevard with large canopy trees has been omitted from the plans.

Watsonia and Macleod are being slammed by this project both during the 8 year construction and the lifetime that TOLLWAY operates for. Why is there such terrible inequity and terrible outcomes for this area in particular?

The Project Reference Design and now the UDLP quite simply fails to meet the Projects objectives. A project of this size is being squeezed next to homes, schools, businesses and sports facilities and we have no way of knowing how people and the Watsonia Activity Centre will be connected to Watsonia Station. The green bridges are too narrow, especially at Elder Street - why? These green bridges are too narrow to be considered green and will basically be inhospitable places above noisy traffic. The UDLP gives Watsonia, an area with significant pedestrian crossing to trains, shops, libraries, schools etc no better pedestrian access.

The current project design is quite simply untenable and other road, tunnel, trench, skyway solutions must be reached. The bare minimum is that covering of the trench between Elder Street and Watsonia Road should occur.

The community is dismayed that pedestrian connectivity, actually crossing the TOLLWAY from Lower Plenty Rd to the M80 connection has been slashed from previous designs. Only active transport, travelling along the TOLLWAY route seem to have been considered. This cater for people outside the Project area, and people living alongside are not properly considered.

Generally speaking, feedback to FOB has been that:

- Noise walls are inadequate – not enough and definitely not high enough.
- The design looks cheaper and nastier than originally drawn with less landscape treatments through Watsonia
- Not providing the Watsonia station detail is deceptive, non-transparent and really nobbles the effectiveness of comments on this UDLP, disingenuous of NELP to have left it out
- Watsonia Residents and businesses feel like they haven't been listened to and are being treated terribly unfairly
- Local Members of Parliament have not advocated for the communities that they represent
- Landscape treatments has been omitted from sections of the design that should have it – Grimshaw St, the Watsonia section of the Greensborough Highway for example
- Not enough pedestrian crossings across the TOLLWAY with fears they wouldn't even be built
- Residents and Businesses are Gutted by the inequity – they have the worst and most impactfully harmful sections of the TOLLWAY
- Drawings are not really clear – natural ground level images are confusing especially over the railway line
- The trench is massive and should be reduced in width by reducing the number of lanes
- Speed limits should be applied to reduce Noise Levels
- Noise Levels are set far too high and sleep and health will be impacted
- Flooding will be an issue along the Plenty River and AK Lines Reserve
- More cars in the trench and elevated sections means more serious and local air pollution which will cause illness
- More tree loss and more harming of wildlife that NELP does nothing to minimise – offset planting is not good enough, care and value for what we already should be at the forefront of design.

Connectivity

- The land bridge at Elder Street is narrow and provides a pedestrian/cycling connection on the south side only. Currently you can cross from both sides at Elder Street.
- The land bridge at Watsonia Road, whilst providing open space, is suitable for landscaping only and not community use with a pedestrian/cycling path only provided on the north side.
- There remains no direct pedestrian/bike path delivering residents from the east to west side of North East Link, with cycling paths weaving up and around to get from one side of the freeway to the other.
- The proposed **off-road** shared user path on the western side of the Greensborough Bypass has been changed to an **on-road** cycling connection along Sellars Street.
- The proposed **off-road** pedestrian/bike path on the eastern side of the Greensborough Bypass from Nell Street up to Watsonia Town Square development has been replaced with an **on-road** cycling route along Ibbottson Street.

Land use

- Maximising the opportunities for land use at Watsonia Neighbourhood Centre has not been realised.
- Plans do not promote and support local traders with a focus on a thriving Watsonia precinct.
- Significant opportunities to improve Watsonia Station precinct remain unanswered now that this section of works has been removed from public exhibition.

Watsonia Station

Council believes the station needs upgrading and these works need to coincide with the North East Link construction phase so as not to further inconvenience Watsonia Traders.

Works should include:

- Improved amenity, safety, accessibility and vibrancy of the Watsonia Station precinct.*
- Development over the rail line with accessible station design.*
- Underground multi-deck car park with restaurants, community services and housing above to activate the precinct 24/7.*
- Integrate future development with the new Watsonia Town Square.*
- Develop more affordable and key worker housing in station precinct.*

Community Views

"The North East Link Project (NELP) is proposing to further divide an already vulnerable community from critical social infrastructure like a Railway Station and Town Square.

- The current NELP design is very car-centric in Watsonia and fails to address the impact on business and social cohesion that the NELP will have.

-The community wanted a green bridge built that would connect west with East like never before. Over 2,000 people supported the campaign ; see more on that here:
<https://shaping.banyule.vic.gov.au/northeastlink/lid-link>

- Most of the expert advice provided to the Independent Planning Panel Hearing in response to the first Reference Design was ignored and the new design is WORSE!

- The new design shows land bridges with ONE crossing point at Elder St and Watsonia Rd respectively. Each land bridge has less than 12% of its area available for landscaping.

- There's NO green Boulevard through the Watsonia section, just a 100m wide trench

- PLEASE ADD YOUR VOICE to those that are calling for NELP to provide an equitable outcome for the people of Watsonia and Greensborough. WE DESERVE TO BE HEARD! We don't want a giant trench!"

" I call for a green bridge over the proposed trench with better pedestrian and cycling connections for the community to access critical public transport, a local shopping precinct and social infrastructure. If a green bridge cannot be accommodated, at the very least, the land bridges at Watsonia Rd and Elder St must be widened or modified to include a crossing point on both the north and south sides. Both bridges must be suitably landscaped to reduce the impact of extreme heat on users and the local community!

I call on NELP who ignored the community SMART design and the expert advice presented at the EES Inquiry & Advisory Planning Panel Hearing to listen to the community and deliver a better, socially cohesive design outcome for the people of Watsonia and Greensborough through this project."

if they can't manage pots in an easily accessible spot, how will they manage thousands of seedlings over years?

They won't. Monitoring of 'offset plantings' is only for 2 years. Then they die.

Nasty and unwarranted

I've done the survey. I can see how the language of connectivity in the proposal is completely being ignored in the designs for this crossroads. The connectivity is only for vehicles and not for pedestrians cyclists or wildlife. There is a green wedge that goes all the way down to the Plenty river but stops

abruptly at Greensborough road. When flooding occurs in the river system then wildlife on the ground have limited options for refuge.

Huge social severance for Boroondara too, with very limited and poor freeway crossing opportunities for pedestrians and cyclists

Appalling 1950s transport thinking

Conclusions

The UDLP is a lost opportunity for a better project.

NELP does not adhere to the planning controls, the Incorporated document clauses or to the EES Environmental Performance Requirements.

NELP have failed to include the UDLP for Watsonia Station, a critical component of the Project because it is contentious and/or unpalatable. NELP continues to act in a bad faith and opaque manner.

It is disappointing that Watsonia is so divided and worse off.

We reiterate the request that an extension of time be granted for late and more detailed submissions to be received.