

**SUBURBAN RAIL LOOP EAST:
ENVIRONMENT EFFECTS STATEMENT
AND
PLANNING SCHEME AMENDMENT GC197**

**SUBMISSION ON BEHALF OF
WHITEHORSE CITY COUNCIL
16 DECEMBER 2021**

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16 December 2021

Inquiry and Advisory Committee
Suburban Rail Loop East EES
C/O Planning Panels Victoria
MELBOURNE VIC 3000
Lodged online via: <https://engage.vic.gov.au/srl-east-iac>

Dear Sir/Madam

**Suburban Rail Loop East EES and Planning Scheme Amendment GC197
Whitehorse City Council – Submission**

1. INTRODUCTION

This submission responds to the exhibited Environment Effects Statement (**EES**) and draft planning scheme amendment GC197 (**Amendment GC197**).

Broadly speaking for many of the reasons that are identified in the EES, Whitehorse City Council (**Council**) supports the Suburban Rail Loop East project (**Project**). However, many aspects of the EES and the various Impact Assessments seem to assume positive impacts without providing any rigorous analysis of how those conclusions have been derived.

Council has identified a number of issues in the EES and draft Amendment GC197 which it considers need to be addressed in order for the EES to provide for an outcome consistent with the “city shaping” proposition which the Project is intended to comprise.

Acknowledging that the Project will be followed by a Precinct Planning process that is not the subject matter of this Inquiry, it is submitted that this EES should ensure that building blocks are put in place to achieve a balanced approach and that is appropriate for individual precincts. The Public Works Declaration and the Scoping Requirements provide ample scope for consideration of the necessary building blocks required to ensure that this is the case.

This submission identifies the issues which Council considers are not adequately addressed or addressed at all in the EES (or in the proposed Incorporated Documents).

Throughout the submission, we have proposed some changes to the Environmental Performance Requirements (**EPRs**) contained within the Environmental Management Framework (**EMF**) that is to be given effect via the primary Incorporated Document. However given the time limitations on the provision of submissions, this has not been the focus of this part of the process. Consequently, this submission does not represent the complete suite of amendments sought by the Council. Council will expand upon its submission at the hearing and outline further changes through expert evidence.

This submission also identifies issues arising from Amendment GC197 and, in particular, the *Suburban Rail Loop East Incorporated Document (Project Incorporated Document)* and the *Suburban Rail Loop East Infrastructure Protection Incorporated Document (Infrastructure Incorporated Document)*, that are intended to be incorporated into the Whitehorse Planning Scheme and other planning schemes.

This submission is not intended to be exhaustive and Council reserves the right to expand on these matters, and respond to any other matters raised by parties at the Inquiry and Advisory Committee (**IAC**) hearing in early 2022.

2. DIFFICULTIES WITH A REFERENCE PROJECT

The EES states:¹

*"All the Project elements in the Project Description are based on a **reference design** that has formed the basis of the impact assessment presented in this Environment Effects Statement (EES). The reference design is not the final design for the Project, but it demonstrates a feasible way to deliver the Project and achieve acceptable outcomes."*

The Environmental Management Framework also makes reference to the reference design.

Given the nature of a reference design, Council has found it difficult and in some cases impossible to understand the likely environmental impacts of the Project. The reference design is merely one feasible way to deliver the Project and not necessarily what will be constructed. This notion is evident in the Incorporated Documents, the EMF and the EPRs, which provide the SRLA with flexibility to permit a significantly different project from the reference project. These difficulties are further aggravated by the Project's vague and inadequate consultation processes.

In addition, the level of detail and material available for review as part of the EES in respect of the reference design is in some respects vague and uncertain. This has effectively required Council as a submitter to respond to something more akin to a prospect or ambition rather than specific works or a specific identified impact.

The Inquiry into the North East Link Project (**NELP**) identified the dangers and difficulties in using a reference design to conduct an EES rather than an actual proposed project. For instance (summary page iv):

Having made the general findings above, the IAC's strong view is that the Reference Design approach to Project assessment has generated serious challenges for such a large and complex project as this in an established urban area. This method, using a Reference Design, was contemplated in the Scoping Requirements; but importantly was not required.

Some of the concerns with the Reference Design are outlined in Section iii above, in relation to uncertainty. Perhaps the most obvious illustration of this relates to visual impact and urban design. Multiple experts for the Proponent and submitters attempted to have an intellectual discussion about how the Project may look, and what its impact may be. In the absence of an actual project, this is patently a difficult exercise.

Tangible effects of using the Reference Design approach were obvious during the Hearing. The uncertainty in the community amongst businesses, schools, groups and landowners, in the absence of a tangible project design and thus the knowledge of the actually proposed, as opposed to possible, impacts is difficult to overstate. This coupled with limited opportunities to participate when the ultimate design is progressed creates an atmosphere which may unnecessarily cause social concern and social impacts which could be alleviated by providing more detail.

The Proponent submitted that the Reference Design approach is well established in Victoria. The IAC does not agree. While it has been used to evaluate some recent infrastructure projects, it is still a comparatively new approach that has been used only for State-led projects with varying degrees of detail and with varying degrees of success. Moreover, the IAC considers it is an approach to Project assessment that should be used with great caution in future and confined to projects with limited footprints and potential for impact.

In finalising the Scoping Requirements and the Public Works Declaration, the Minister does not appear to have given proper consideration to the considered report of that Inquiry, and neither has the SRLA taken that into account in formulating the project (or works) for assessment with sufficient clarity to enable a comprehensive assessment consistent with the objectives of the Environmental Effects Act and the Scoping Requirements. Consequently, the EES is merely the assessment of a concept rather than an assessment of a proposal or proposed works. The result is that the EMF

¹ SRL East EES, Project Description, section DSC 1. Introduction.

and the EPRs are being required to do a significant amount of work dealing with a series of prospects and unknowns.

Council therefore reserves its rights in relation to the efficacy of using the EES process in this way having regard to the requirements of the *Environmental Effects Act 1978 (EE Act)* properly applied.

3. PROBLEMS WITH RELIANCE ON BENEFITS TO BE DELIVERED BY A SEPARATE AND SUBSEQUENT PROCESS

The Executive Summary of the Suburban Rail Loop Business and Investment Case, August 2021, commences:

More than a rail line

What is Suburban Rail Loop?

Suburban Rail Loop is a multi-decade, city- and state-shaping program of investment that will transform Victoria's public transport system and transform how Victorians move around the city and State. SRL is more than a rail line - its social benefits will be profound and long lasting. Victoria is expected to grow to 11.2 million people by 2056 and Greater Melbourne will reach around nine million people – a similar size to London today. SRL is a once-in-a-generation opportunity to get ahead of the curve – recalibrating where and how our city will grow in the decades ahead. The social benefits it will deliver will be realised over decades, including fairer and more equitable access to employment opportunities, education, health and affordable housing for many thousands of Victorians. SRL will transform Melbourne into a 'city of centres' – supporting vibrant suburbs outside the central business district (CBD) and inner city that will provide high quality jobs, greater housing choice, green and open space in attractive, highly accessible neighbourhoods. At the core of SRL is a new 90km rail line following an orbital route through Melbourne's middle suburbs from Cheltenham to Werribee. The new line will link every existing major rail service from the Frankston line to the Werribee line, and provide a direct connection to Melbourne Airport.

As well as delivering significant transport benefits, SRL provides an opportunity to plan the services, amenity and infrastructure Melbourne will need outside of the CBD to accommodate a growing population while building on the qualities that make Melbourne one of the world's most liveable cities. SRL includes initiatives to trigger new investment and economic activity in precincts around each station, enabling clusters of jobs, businesses, services and housing in Melbourne's 'middle ring' and driving the development of easy-to-get-to, vibrant urban communities.

However, the Project - the subject of the EES - is the transport infrastructure, narrowly defined, for the eastern section of the 90km rail line and associated stations.

The Project is largely justified on the basis that it *enables* the benefits described in the Business and Investment Case. Indeed, many of the benefits of the Project are contingent on those broader benefits being realised. Precincts around SRL stations are critical to the achievement of the benefits, but they are deferred entirely to subsequent processes about which there are no details. If the future outcomes deferred to subsequent processes are not beneficial overall but detrimental in their environmental effects, then the Project cannot claim these outcomes as benefits. Because it is not possible to know whether these future outcomes will be beneficial, the assessment of the Project cannot proceed in reliance on such benefits. The most that can be said in this regard is that the Project provides the *potential* to be a city shaping project with the *possibility* of future benefits; equally however it provides no certainty that this potential will be realised and also raises the possibility of future disbenefits.

By way of specific example, the Project does not include any details of interchanges between the SRL stations and existing stations, meaning that even the transport benefits of the Project cannot be properly assessed.

The Project will have significant benefits, but also enormous costs during both construction and operation. More certainty is required about the benefits before there can be confidence that they outweigh the costs. Without assessment of the costs and benefits of the balance of the broader project, of which the Project forms a limited part, there can be no confidence that benefits have been maximised and disbenefits minimised – as must be the objective for a project of this scale. The EES does not contain the information about the costs and benefits of the broader project, leaving the IAC and the Minister unable to properly undertake their task of assessing the impacts of the Project.

4. REGULATORY FRAMEWORK FOR THE PROJECT – KEY CONCERNS

The proposed regulatory framework principally comprises:

- The Incorporated Document and the various management and tunnel plans that it refers to;
- The various Surface and Tunnel plans;
- The EMF required by clause 4.4; and
- The EPRs that must be include within the EMF.

The key concerns with the regulatory framework are:

- There is a lack of central responsibility for compliance which should be with the Suburban Rail Loop Authority (**SRLA**) and not contractors;
- Too much is left to approval after the Inquiry is completed;
- Too much is left to approval by the Minister;
- Having regard to the above, insufficient consultation and engagement provisions are built into the regulatory framework;
- The drafting of certain parts of the documents is too broad.

Lack of prime responsibility role of the SRLA during implementation

Generally speaking, the proposed regulatory framework and the way it is presented in the EES is difficult to navigate. Ultimately, it sets up a framework of bureaucracy and process which leaves affected parties having to deal directly with Project contractors in the context of there being a lack of targets and clear standards for compliance and a lack of consequence for non-compliance.

The regulatory framework as described above provides no clear statement of responsibility and accountability and even less so, consequence. The experience of others in similar projects with a similar regulatory framework is negative. Council is concerned that going forward it will become embroiled in a framework of buck-passing of responsibility all the while detrimental impacts continue to accrue and remain unresolved.

The SRLA is established under the SRL Act as a legal entity which is then invested with powers as the project manager, developer and planning authority for the Project and the surrounding precincts.

In so far as the SRLA is identified as the manager of the Project, it is critical that it takes prime responsibility and remains the sole contact point for persons affected by the Project and any of the works comprising the Project. Accordingly, the SRLA ought to take matters up with relevant contractors pursuant to its contractual arrangements. Instead, the regulatory framework requires affected people to engage with the Project contractors, which are required to put in place customer complaints mechanisms akin to a department store or any other organisation dealing with an aggrieved customer (refer for example to EMF4 for complaints management in organisations).

Lack of specificity in the EMF

The EMF and EPRs do not contain adequate identifiable standards and instead make reference to vague concepts of minimisation and avoidance. Many key aspects of the Project are to be left to a later consent process to resolve.

Critically, the regulatory framework provides no level of certainty or assurance to stakeholders, and Council in particular, that the Project will not have a detrimental impact upon the environmental conditions for the affected communities.

Council requests that the IAC recommend to the Minister a more determinative, transparent and easily navigable regulatory framework that:

- identifies the SRLA as the go-to body for any interface between affected parties and the Project;
- requires all aspects of the regulatory framework including all plans, management plans and framework documents (such as the urban design framework) and all Australian Standards and other reference documents to which the various regulatory documents make reference to, to be freely available for viewing on the SRLA website;
- the EPRs should be drafted to contain clear standards that must be achieved as far as possible in quantifiable terms rather than qualitative terms and where they are expressed in quantitative terms, they should be expressed as *limits* not *targets* that must be met by relevant facets of the Project;
- sets out a clear enforcement mechanism; and
- provides for all auditing reports to be publicly available on the SRLA website when submitted.

Subsequent approvals

Based on our review of the EMF, the following items require subsequent approval:

- Surface and tunnel plans
- Environmental Management Framework (EMF)
- Urban Design Strategy
- Urban Design and Landscape Plans
- Native Vegetation Removal

Furthermore under the EMF, (which is to be approved by the Minister after the Inquiry is completed) will require preparation (apparently by the contractor) of –

- Construction Environmental Management Plans
- Operational Environmental Management Plan
- Urban Design and Landscape Plan
- Worksite Environmental Implementation Plans
- Plans to comply with EPRs
- Environmental Strategy
- Communications Stakeholder Engagement Plan
- Sustainability Management Plan

Accepting that it is necessary to have certain plans prepared subsequently, the regulatory framework needs to provide more certainty in relation to the outcomes of what is approved, identify

clear parameters to the environmental impacts of what can be approved; and specific inclusion of the level of engagement key stakeholders can expect as part of preparing these plans. It is not considered appropriate to rely on the term 'consultation' given the broad spectrum that the term encompasses and lack of certainty of the obligation on SRLA to properly engage with stakeholders.

Process Improvement

The Project comes after a similar project in the form of the Melbourne Metro Rail Project (**MMRP**), which, although comprising a different scale, involved a similar concept of underground twin tunnels and station boxes in a heavily built-up environment comprising a range of uses including sensitive receptors.

While EPR EMF3 requires the appointment of an independent auditor to:

Verify there are processes in place to identify opportunities for continual improvement in environmental management, performance, legislative and policy compliance -

the SRL East EES and the background reports do not demonstrate any analysis of the experience arising from the MMRP nor identifies any lessons learned from the implementation of that project. There is no analysis, for example of the reports of the auditor in the MMRP to understand the issues that arose in the implementation phase of that project, whether the EPRs provided sufficient guidance for example, or how the processes put in place for that project are improved upon in this Project to assist in mitigating the environmental impacts which were experienced in that project.

5. OVERVIEW COMMENTS IN RELATION TO BOX HILL STATION PRECINCT

The key concerns with the environmental impacts of the Box Hill SRL Station and the associated works are as follows:

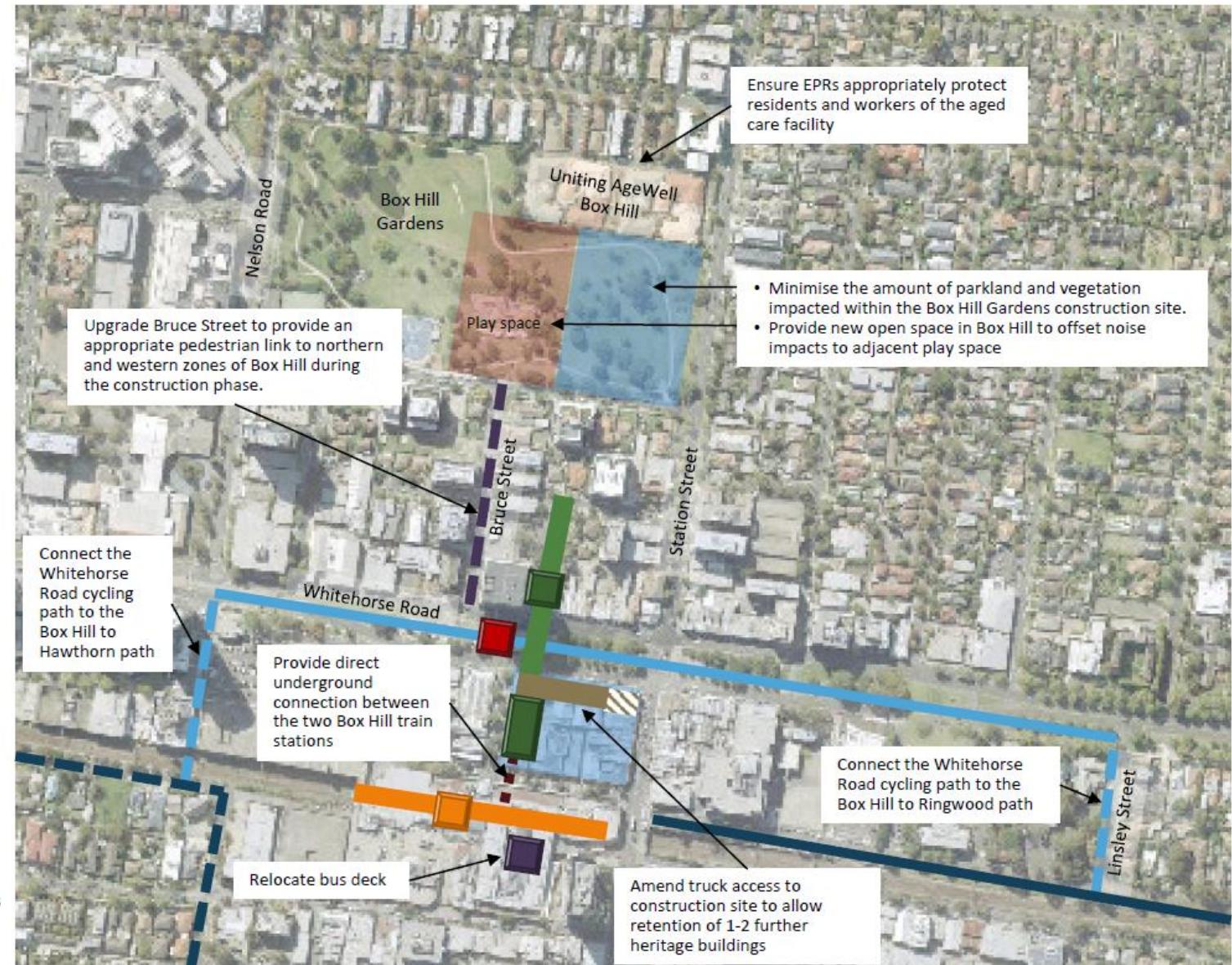
- The proposed Box Hill SRL Station does not propose a proper form of interchange with the existing Box Hill metro station and with buses and trams.
- The Project will result in the demolition of the key heritage listed buildings within the Box Hill Metropolitan Activity Centre (**MAC**) for the purpose of the construction program.
- The Project will occupy a large part of the Box Hill Gardens for a considerable period of time noting that the Box Hill Gardens is the prime area of passive and active public open space that services the Box Hill MAC.
- The construction works will have a significant impact on the amenity and usability of a further large component of the Box Hill Gardens.
- The Project will result in the removal of a detrimental amount of vegetation from the Box Hill MAC particularly within the Box Hill Gardens and along Whitehorse Road.
- The proposed method of construction of the component between the south side of Whitehorse Road and Box Hill Gardens will have a significant impact on the functioning of the Box Hill MAC.
- The Project proposes a new cycling path along Whitehorse Road that does not link to existing and proposed Strategic Cycling Corridors that are approximately 150 metres from each end of the proposed SRL path.
- The level of property acquisition in the Box Hill MAC is significant causing tremendous stress for residents and business owners and employees especially as they emerge from the impact of COVID-19. The impacts on residents and businesses which are not acquired remain substantial despite the mitigation measures proposed by SRLA.

These concerns are developed in the various chapters below. The following plan identifies key infrastructure changes that are required in the Box Hill SRL station precinct:



BOX HILL SLR STATION AREA: KEY INFRASTRUCTURE CHANGES

- Construction sites
- Open space impacted by noise
- Heritage buildings proposed to be demolished
- Heritage building to be retained
- SRL Box Hill – station entrances
- SRL Box Hill - platforms
- Metro Box Hill – station entrance
- Metro Box Hill - platforms
- Bus deck
- Tram terminus
- SRL proposed cycling path
- - - Missing cycling links
- Box Hill to Ringwood shared use path
- - - Proposed Box Hill to Hawthorn shared use path
- - - Missing link between SRL and Metro train stations
- - - Pedestrian link along Bruce Street



Locations are approximate and not to scale

6. OVERVIEW COMMENTS IN RELATION TO BURWOOD STATION PRECINCT

The key concerns with the environmental impacts of the Burwood SRL Station and the associated works are as follows:

- The proposed Burwood SRL Station does not provide for safe or convenient connections to the north side of Burwood Highway which will be the source and destination of most of the foot traffic to the station. Direct access/ egress on the north side of Burwood Highway to/from the SRL Burwood station is paramount.
- The proposed works in respect of the Burwood SRL Station have not reasonably provided for the continued maintenance of public open space in the vicinity of the station especially the retention of Sinnott Street Reserve.
- The proposed works along Gardiners Creek are inadequate and should be continued south to Highbury Road to provide for a complete section of improvements rather than just in the immediate vicinity of the station box.
- Community members in Burwood have expressed concern to Council about the impacts of property acquisition, as well as impacts on residents who are in close proximity to the construction site.

These concerns are developed in the various chapters below. The following plan identifies key infrastructure changes that are required in the Burwood SRL Station precinct.



BURWOOD SLR STATION AREA: KEY INFRASTRUCTURE CHANGES

- Construction site
- SRL Burwood – station entrance
- SRL Burwood - platforms
- Access under Burwood Highway required
- Sinnott Street Reserve
- ▲ Cycling connection upgrades required
- Proposed naturalisation of Gardiners Creek
- Further naturalisation of Gardiners Creek required
- ↔ Addition creek crossing required

Locations are approximate and not to scale



7. LACK OF INTERCHANGE FACILITIES AT BOX HILL

Box Hill currently has three modes of public transport converging at or near the Box Hill Metro train station. It has

- the Box Hill Metro Station which is on the busy Belgrave/ Lilydale line, located below the Box Hill Central Shopping Centre
- the 109 Tram Route which operates along Whitehorse Road between Box Hill and Port Melbourne; and
- a number of bus routes which use the terminus at the Box Hill bus deck situated in a disconnected location above the Box Hill Central Shopping Centre.

The Public Works Order for the EES identifies the various works as comprising the SRL railway stations and an interchange at several stations including Box Hill. However, the EES proposes a disjointed surface level connection between the proposed SRL Station at Box Hill and the existing Box Hill Metro station on the Belgrave/ Lilydale line. Furthermore, the Project does not provide any material improvements to connections with buses within the development to the south nor a proper form of connection with the 109 Tram Route.

The Urban Design Strategy (**UDS**) contains the following Vision for Box Hill:



And identifies the whole journey as a key consideration. For instance:

3.3.2 Thinking beyond the Project

Consider the whole journey

Existing transport networks beyond the Project boundary must be considered to support simple, connected journeys.

The Design must recognise that the 'journey' often starts before the point of public transport access and that some journeys comprise multiple stages or modes of travel.

The Design must demonstrate how it creates connections to routes inside and outside the Project boundary, to contribute to positive 'first and last mile' journey experiences for all members of the community, which considers the walk or cycle to and from the train station, tram or bus stop from home, work or university and between key destinations. The Design must also provide and contribute to a public realm that supports positive interchange and mode change experiences for users and simple, connected journeys as they access different transport networks and modes of travel within the station environs and adjacent centres of activity.

Facilities for some modal interchanges will be created as part of the Project, while others will occur beyond the Project site, but nonetheless must be supported by providing safe, convenient and direct walking and cycle connections. In addition, there is a need to coordinate the Design with planned future changes to connecting transport services and infrastructure.

In the context of Box Hill being a significant destination (defined within Victorian Government's Plan Melbourne and classified as a Metropolitan Activity Centre) and modal interchange between three forms of public transport (and acknowledging that there are benefits in providing a radial rail loop service), at the local level, the Project represents a poor transport outcome. It is curious as to why the EES has not properly engaged with the Public Works Declaration and has not documented any investigation or plan for the provision of an integrated and well connected interchange between the two train stations. This is inconsistent with key Urban Design Principles and Objectives set out in the UDS, namely:

Objective UD1.1 Legacy

Create a design that is enduring and functional for generations to come, is easy to maintain and manage, is adaptable to changing uses with minimal reconstruction, and will age gracefully in concept and detail.

Objective UD2.3 Integration with context

Ensure new works accommodate travel routes and activities that connect to, integrate with and complement those in the wider precinct.

Objective UD3.2 Transport integration

Facilitate seamless intermodal transfers prioritising public transport, walking and cycling networks, and design movement networks for safe interactions between transport modes.

The UDS “interprets” the notion of an interchange as follows:

5.1.4. New and existing stations and interchanges are well-integrated through the following (in order of priority):

- a. Proximity
- b. Physical connectivity
- c. Visual connectivity.

5.1.8. The location, layout and footprint of interchange facilities minimise impacts on public realm quality, pedestrian connectivity, safety, experience and nearby land uses.

It is submitted that UDS 5.1.4 confuses the notion of new stations on the one hand, and interchanges on the other. The interchange is the means of swapping between a new station and an existing station.

It is evident when one considers the plans that there is no interchange save for a concourse that allows one to walk at surface level between one station and another instead of direct connections. Yet this would appear to be the Authority's interpretation of UDS 5.1.8 as to what comprises an interchange. UDS 5.1.8 appears to contemplate that the interchange is a facility or structure that facilitates direct swapping between one mode of transport and another, yet what is provided is not consistent with that notion. See for example Figures DSC12.4 and 12.3.1 and 12.2, none of which demonstrate any notion of an interchange.

Council submits that a specific EPR be created to ensure an underground connection between the two stations is constructed as part of the Project to create a functional interchange between the two rail stations.

This is a substantial land use planning issue that will influence how Box Hill develops and how the Precinct Structure Planning at the next step will be undertaken.

The documentation notes that there will be a further investigation of interchange connectivity between the Project and existing Metro station. However, Council considers it essential that the interchange improvements are considered as part of the EES process and not deferred as a potential future project. Council submits that the issues and needs for crossings between the two stations in the form of both direct and indirect links have not been adequately considered.

It is submitted that the Project should have provided for the redevelopment and relocation of the bus deck that is currently on top of Box Hill Central Shopping Centre to the south. ‘Connectivity’ is recognised within the EES as one of its three main objectives of the Project.² Yet, there are significant deficiencies in this aspect of the Project as it relates to Box Hill.

To further highlight the disconnect between modes, section 7.3 of the Traffic and Transport Impact Assessment (**TTIA**) states:

“.....overall transfer between modes is constrained due to the location of existing services.

² SRL East EES, Project Rationale and Benefits, RB4.1.

The distance between the SRL station platform and the bus interchange at Box Hill is 280m which would take approximately 4:30 minutes to walk. Similarly, some exposure to weather is necessary to access SRL station or the tram stop from Box Hill Central Shopping Centre.”³

It is essential that appropriate works be included in the Project to address the connectivity between the various forms of public transport at this significant modal interchange. The current bus facilities are dysfunctional and disconnected, causing safety, connectivity and accessibility issues for public transport users, particularly those connecting to train, tram, and taxi services. The relocation/redevelopment of the bus deck would be in accordance with the findings of the Ministerial Advisory Committee regarding the Box Hill Transit Interchange, and the subsequent Box Hill Transit Interchange Steering Group.

The overall assessment by SRLA in the TTIA is that the Project improves the interchange in Box Hill due to it moving the tram terminus slightly south (but the report doesn't mention that it is also moved further west away from the other modes), and because the Project will provide bike parking.⁴ It is fair to say that Council does not agree with this conclusion.

³ SRL East EES, Traffic and Transport Impact Assessment, section 7.3

⁴ Ibid.

8. LACK OF STATION ACCESS ON NORTH SIDE OF BURWOOD HIGHWAY

The SRL Burwood Station provides for no direct access or egress from the Burwood Station on the north side of the Burwood Highway. This is despite the majority of patrons to the station likely having a destination to or from the north side of the Burwood Highway. It appears that an overpass over Burwood Highway is proposed. The pedestrian overpass is mentioned in section 7.1.6.1, 7.1.1.2 and 7.1.4.

Council considers this an unsatisfactory response not befitting of the prestige of the SRL Project and its alleged “city shaping” stature.

The EES does not explain why a station entrance is not provided on the northern side of Burwood Highway. The SRLA response, when asked, was that the proximity of a sewer and drainage issues prevent this option. It is submitted that if this is an issue, the SRLA is able to address this as part of the Initial or Early Works.

The Impact Assessment Report even acknowledges that Deakin University, Presbyterian Ladies College and Mount Scopus College constitute major trip generators. In that respect then, it is fair to expect that the EES will properly engage and reconsider the decision not to put a station entrance on the north side of Burwood Highway.

It is considered that the proposed overpass will be underutilised given it will be more convenient to cross at grade, resulting in further traffic delays along Burwood Highway and potentially increased conflict. Given the substantial amount of pedestrians travelling to or from the Burwood station, it is submitted that the underground concourse level of the station be extended under Burwood Highway and a station entrance be provided on the north side of Burwood Highway. This proposal is consistent with the SRLA’s proposals at the Box Hill station under Whitehorse Road, at the Clayton Station under Clayton Road and is being contemplated under the significantly less busy Normanby Road at the Monash Station.

9. TRAFFIC AND TRANSPORT

Subject to what is set out elsewhere in this submission concerning the lack of appropriate interchange facilities, Council is generally supportive of the transport benefits that will result from the Project, and in particular the improved public transport, cycling and walking options for the Whitehorse community.

However, on the basis of the material provided in the EES, there remains a risk that the traffic and transport impacts of the construction and operation of the Project will result in an unacceptable outcome, especially within the vicinity of the proposed SRL stations. Accordingly, Council considers there are numerous opportunities to better address connectivity, accessibility, safety and convenience issues associated with the Project.

Council remains very concerned with a number of issues:

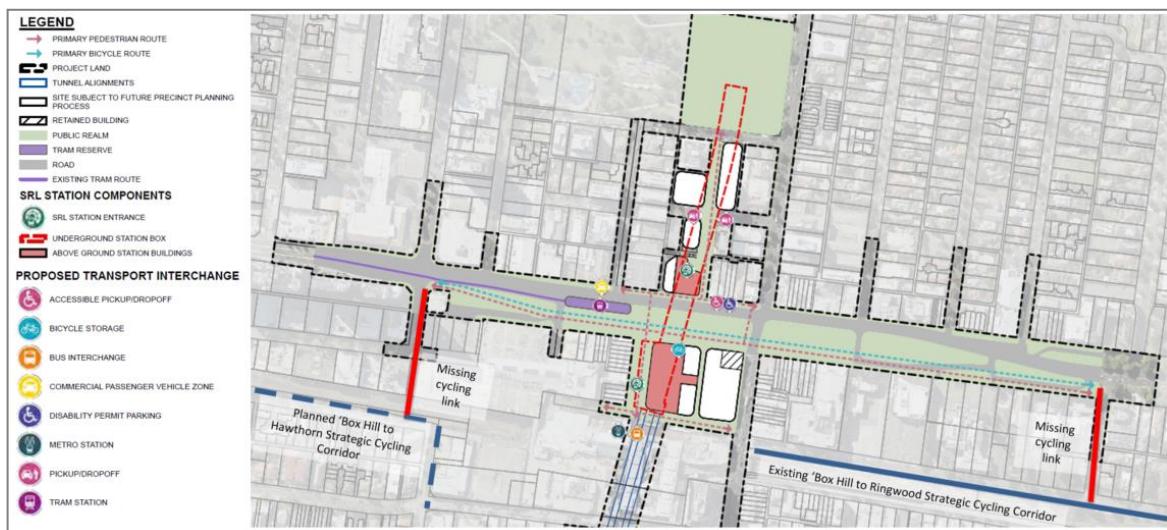
- the EES does not adequately assess any alternative options that may address gaps between movements and places within the station precincts. It is critical that alternative options are considered to ensure that the Project's design ensures acceptable movement and place outcomes for these precincts;
- forecast year modelling has adopted 2041 as the Project's operational year. Council considers that this approach does not amount to a reasonable assessment of traffic movements. As it stands, the EES does not account for any additional years of demand growth and adequately consider land use uplift aspirations for the station precincts;
- it is unclear whether the precise location of land use changes (such as population and jobs) has been accounted for in traffic modelling outcomes;
- the EES does not provide for sufficient detail regarding the use of pedestrian and public transport modelling in its assessment of traffic and transport impacts;
- the Project design indicates that poor operational outcomes are likely at key road intersections such as Burwood Highway and Elgar Road. Accordingly, Council is concerned that the consideration of future transport conditions with the Project will result in unacceptable travel times within the Project area;
- it is unclear whether station or street infrastructure has been designed to cater for any increased demand generated by the construction of SRL North;
- the Project intends to decrease car parking within Whitehorse and the EES provides inadequate consideration of any increased demand for parking generated by the Project. Council considers that additional measures and strategies must be developed to justify this, including how demand may be directed to other modes of transport. The EES does not address the impacts of residents who park vehicles on-street (eg in Irving Avenue) overnight and remove vehicles during the day (eg to travel to work);
- the EES does not provide for an adequate assessment or implementation of future-proofing measures into the Project design, especially in respect of connectivity between stations and other modes of transport within the Box Hill and Burwood Station precincts; and
- the EES does not establish that acceptable safety outcomes are achieved by the Project.

Box Hill Station

Within the proposed Box Hill Station precinct, Council submits that the following measures should be implemented to ensure the Project results in an acceptable traffic and transport outcome:

- provide a direct underground connection between the existing Box Hill Metro station and the new SRL Box Hill station. The current SRL plan requires interchanging passengers to come up to surface level from the existing Box Hill train station, cross through the shopping centre and mall and connect to the new underground SRL Box Hill station;⁵
- ensure high quality cycling connections. Council is concerned that the proposed east-west SRL cycling path within the proposed Whitehorse Road public plaza does not connect to other existing and proposed Strategic Cycling Corridors in the immediate vicinity. Council considers the following measures should be provided as part of the Project:
 - the provision of a link along Linsley Street, Box Hill, at the eastern end, and
 - the addition of a connection over the Belgrave/Lilydale train line at Nelson Road is required at the western end.

The red lines below represent the missing links, while the blue lines show the existing and proposed Strategic Cycling Corridors in the immediate vicinity:



The lack of connectivity does not meet the expectations set out in section 3.3.2 of the SRL UDS:

"Facilities for some modal interchanges will be created as part of the Project, while others will occur beyond the Project site, but nonetheless must be supported by providing safe, convenient and direct walking and cycle connections. In addition, there is a need to coordinate the Design with planned future changes to connecting transport services and infrastructure".

- additional measures to avoid or minimise the loss of car parking within Box Hill, including further consultation requirements with Council to consider tailored and convenient car parking options to support visitors and businesses in the precinct;
- additional measures to improve the amenity and functionality of Bruce Street to provide a convenient pedestrian route to the northern and western precincts of Box Hill during the Project construction phase;

⁵ See Chapter 8 (p 18) of this submission.

- an EPR to undertake a full review of bus routes and timetables to ensure they meet the needs of passengers transferring to the proposed Project stations;
- additional measures to minimise the impacts on the road network to ensure there is appropriate access and safety for residents, businesses and visitors and to minimise ‘rat running’ effects and redistribution of traffic load from the arterial road network into the adjacent local residential streets;
- an EPR to undertake a review of the functionality of arterial roads surrounding Box Hill (eg Middleborough Road, Canterbury Road and Elgar Road) to ensure they are attractive and functional options for through traffic, and which would afford greater flexibility for motorists travelling to and from Box Hill;
- the amendment of EPR T6(5) to require the review and construction of network improvements prior to the completion of the construction phase of the Project, and reviewed at 5 yearly intervals;
- additional measures to ensure streets such as Nelson Road, Arnold Street and Thames Street can continue to function as vital access points to the sensitive health and education precinct during the construction and operation phases of the Project. It is to be noted that Nelson Road and Arnold Street act as designated emergency service routes to/from the hospital/medical precinct and therefore must remain operational and unimpeded at all times;
- the amendment of truck access points to the construction site on the south side of the Whitehorse Road to enable additional heritage buildings to be retained, in accordance with the recommendations in the SRL Historical Heritage Impact Assessment;
- confirmation of how the SRLA will address all locations, including intersection performance, in Box Hill where the traffic level of service is assessed as worse with the Project compared to without the Project, eg Watts Street at Whitehorse Road. The EES lacks specific EPRs to address these adverse impacts;
- ensure the design does not preclude future extension of the tram route 109 eastward along Whitehorse Road towards Middleborough Road; and
- implement recommendations from the Box Hill Integrated Transport Strategy in the vicinity of the SRL Box Hill station, including but not limited to modifying the intersection of Whitehorse Road and Station Street to reduce traffic within the Box Hill MAC.

The cumulative impacts of the Project and the concurrent NELP will be intensely felt by community members between Whitehorse Road and the Eastern Freeway. Some of the construction vehicle routes nominated by SRLA involve roads leading to the Eastern Freeway, which will exacerbate the impacts for residents who will be dealing with construction vehicles from the construction of the Project alongside NELP.

Burwood Station

It is Council’s view that the Project does not comprise an acceptable traffic and transport outcome with respect of the proposed Burwood Station as the EES fails to demonstrate how vehicle, pedestrian and cycling movements can be acceptably managed.

Council considers that the following additional measures should be implemented to ensure the Project comprises an acceptable traffic and transport outcome:

- the provision of a safer, more direct and convenient connection to Deakin University by locating a station entrance on the northern side of Burwood Highway that is accessible from the underground Burwood Station concourse level;⁶

⁶ See Chapter 8 (p 18).

- an additional or amended EPR requirement to confirm that the Project's construction and operation will not adversely impact the amenity, safety, accessibility and convenience for residents of McComas Grove, Sinnott Street and other nearby streets;
- additional improvements to the Gardiners Creek Trail strategic cycling corridor, including:
 - upgrades to connections on the north side of Burwood Highway on both the east and west sides of Gardiners Creek; and
 - upgrades to the path where it connects to and crosses Highbury Road;
- an EPR which requires the SRLA to review parking restrictions in local streets surrounding the proposed Burwood Station, to the satisfaction of Council;
- the requirement for additional funding to be provided to Council to implement appropriate parking restrictions to ensure the amenity of local residents is protected during the construction and operation of the Project. Local amenity should not be impacted by the lack of car parking provided as part of the Project; and
- confirmation of how the SRLA will address all locations in Burwood where the traffic level of service is assessed as worse with the Project compared to without the Project, eg McComas Grove at Burwood Highway; Highbury Road at Sinnott Street, and Elgar Road at Burwood Highway.

10. URBAN DESIGN STRATEGY (UDS)

The UDS is a particularly important document in the regulatory framework.

Clause 4.6 of the Project Incorporated Document requires:

- it to be prepared to the satisfaction of the Minister.
- it to include a
 - vision,
 - principles and objectives
 - Place specific requirements

The use and development must then be carried out in accordance with the approved UDS.

Then, under 4.7 of the Project Incorporated Document, urban design and landscape plans must be prepared to the satisfaction of the Minister for each station precinct. Clause 4.7.5 of the Project Incorporated Document requires that Urban Design and Landscape Plans will be made available for public inspection and comment prior to submission to the Minister for Planning for approval.

According to Table EM5.1 of the EMF, the SRLA is charged with responsibility to prepare the updated UDS and it would be up to contractors to prepare the Urban Design and Landscape Plans for review by SRLA and subsequent review by the Minister. The Urban Design and Landscape Plans are reviewed also by the Independent Environmental Auditor.

An UDS and a peer review of that document were both exhibited.

A key issue with the UDS is that on the one hand it explains what is outside the Project Scope at 5.13 (PDF 55):

What's not included

Planning for the wider precincts surrounding SRL station locations and future development sites immediately adjacent to SRL station locations will be subject to future precinct planning process. Precinct planning is not part of the EES assessment for the Project, and is therefore not addressed in the Urban Design Strategy. However, the Project will have an influence on future development and must plan for and support its successful realisation by:

- Defining appropriate urban structure and minimising other limitations imposed on future development
- Enabling high-quality public realm interfaces with future development

5.13.1. The Design does not preclude:

- a. Desirable public open space and public realm outcomes
- b. Opportunities for land use and transport integration, to create positive public realm experiences, economic opportunities and highly desirable streets and frontages
- c. Investment in the new rail infrastructure to be capitalised on in the future to meet the increasing demand for well-located residential, commercial, retail, community and institutional activities
- d. Opportunities for optimised floodplain, drainage and IWM outcomes.

But then in the Place Specific Outcomes, it provides a set of outcomes that seem to be quite relevant to precinct planning. Refer, for example, to page 96 and onwards of the UDS. Consequently, there is a lack of clarity as to what is relevant and what is not relevant in this stage of the process. The question is whether the place specific requirements for each station comprise the fundamental structure of the subsequent precinct planning and should be interrogated fully or whether interrogation of the principles is out of scope of this Inquiry? Council submits that the EES has sought to exclude too much from this part of the process but we also submit that it is likely that

when precinct planning commences and the principles are questioned, they will be said to have been determined as part of this process. It is somewhat of a 'catch-22'.

In any event, in addition to commentary elsewhere in the submission about specific aspects such as loss of heritage, the lack of interchange, and the loss of vegetation and parkland, Council makes the following *preliminary* comments in respect of each station area:

Box Hill

- The UDS (and place specific outcomes for Box Hill) is silent on the fact that there is a structure plan under preparation for Box Hill which is quite advanced, as well as an Urban Design Framework.
- The UDS makes no mention of Urban Design fundamentals such as solar access to public open space, visual bulk and wind impacts.
- While the principle is acknowledged, all plans in the UDS fail to provide the new station with a sense of presence and presentation to the Whitehorse Road corridor.
- The future address to Main and Market Streets and urban form network (of both building footprints, public spaces and laneway links) requires careful assessment as it embodies the junction between the new Station (south side) and future development. Measurement of solar access, permeability and address are key to this urban core location. The UDS should acknowledge this appropriately.
- The Project seeks to relocate the tram terminus to the west, increasing the distance between the tram services and both the existing Metro and proposed SRL station entrances. This is adverse to acceptable modal interchange practice and should be rectified with at grade and subterranean links within the Whitehorse Road median.
- The designation of a new primary pedestrian route from the northern station node towards the Box Hill Gardens (as an urban walking spine) should not diminish the importance of the Council designated pedestrian linkage of Bruce Street (to the west). Links to the Bruce Street spine should be incorporated.
- The aperture of the new pedestrian link on the north side of Whitehorse Road (providing access to the station and the link to Box Hill Gardens) is particularly confined. While urban in condition and profile, a breadth of less than 15m will compromise station entry and access and limit visible and (generous) physical links between the Gardens and Whitehorse Road.

Burwood

- The Project has no meaningful public presence on the north side of Burwood Highway, which is the source of a large proportion of public transport users. A footbridge landing is not a suitable 'entry' to the Station precinct and opportunities for a proper 'address' (public space, pavilion form, gateway effect) to the north side should be contemplated.
- The significant loss of a public open space in Sinnott Street Reserve of approximately 8,400m² has not been properly thought through in the context of the desire to subsequently intensify development in and around the station precinct.
- The UDS should provide for outcomes which seek ways to minimise the impacts of the Project through the minimisation of the loss of public open space, loss of heritage structures in Sinnott Street Reserve, specifically referencing the former Drive-In Cinema site.
- The inadequate presence of the new station façade and forecourt along Burwood Highway limits opportunities for visual and wayfinding along a key movement corridor. Accordingly, the

proposed Burwood Station requires a more prominent public profile and stronger ‘sense of address’;

- The Burwood Station has a lack of visual and physical connection to Gardiners Creek corridor. This is particularly relevant due to the linear future development site along the western side of the Sinnott Street extension;
- There remains a lack of clarity regarding how the future Burwood Station’s environs and broader precinct are envisaged and relate to Council’s built form expectations along the Burwood Highway corridor;
- The Substation on the corner of Sinnott Street and Highbury Road will comprise a dominating, monolithic and inactive presentation to both streets and the public realm. This needs to be addressed and maintain consistency with the Urban Design Principles outlined in the UDS;
- It is unclear how the interface between the proposed Station precinct, including both the Burwood Station and associated future development sites to McComas Grove and Sinnott Street will transform adjoining streetscapes. This creates ongoing uncertainty for residents;
- The UDS should seek to reinforce the landscape character of this precinct. The current arrangements do not properly acknowledge the character of the place juxtaposed to the Gardiners Creek corridor and being within a watercourse environs.
- There are no further walking links across the Gardiners Creek to the west. There are opportunities to extend mid-block connections (through the project area) across to McIntyre Street and the employment Precinct to the west. Walkability must be enhanced within the Precinct.
- The future public open space appears to be more of a plaza of hardscape nature and does not appropriately offset the loss of the ‘green’ local park (existing) condition of Sinnott Street Reserve.
- The UDS should promote stronger connections, interfaces and enhancements to the abutting public open spaces of the Local History Park and the Gardiners Creek Reserve. Further, the project should facilitate the continuation of the (linear) Lundgren Chain Reserve corridor to the west of Cumming Street, to better aid walking and cycling connections into the station precinct.
- The pedestrian overpass arrangement over Burwood Highway does not provide suitable and convenient access between the new station precinct to Deakin University or Presbyterian Ladies College. A well designed station entrance on the north side that accesses the underground concourse level would enable more direct linkages between key nodes and maintain the open streetscape character of Burwood Highway within the Gardiners Creek depression.
- The suggested alignment of the pedestrian overpass favours Deakin University at the expense of linear connections along the Gardiners Creek corridor or towards Presbyterian Ladies College.
- The UDS fails to acknowledge the importance of well-considered pedestrian and cyclist linkages to and from the station and across to the existing Gardiners Creek trail and linear open space corridor.
- The immediate proximity of construction works and perimeter fences to the western side of McComas Grove, significantly impacts the streetscape and amenity of neighbouring residential properties. This needs to be addressed and designed for how these interfaces will be treated during the course of works and to maintain at a minimum, status quo liveability in the area.

11. LANDSCAPE AND VISUAL

Council remains concerned with the landscape and visual impacts of the Project on the existing Burwood and Box Hill precincts. From the outset, the EES acknowledges that the construction of the Project stations at Box Hill and Burwood will be of high impact on the existing landscape and visual conditions in the area.

Although the Landscape and Visual Impact Assessment (**LVIA**)⁷ provides that the Project achieves its relevant EES evaluation objectives, it is Council's view that the construction and operational phases of the Project will result in significant impacts on unique and important local landscapes and visual impacts around the proposed stations. The EMF and EPRs do not presently provide for sufficient measures to minimise or avoid these impacts, and threaten to undo considerable work undertaken by Council to ensure the attractiveness of municipality's visual assets.

Box Hill

It is abundantly clear that the landscape and visual impacts of the Project on Box Hill will be significant, particularly throughout the construction phase. Although it is accepted that the Project will inevitably alter many of the existing values located near to the Box Hill MAC, the EES ought to as far as practicable align with the built form vision for Box Hill as set out in the draft Box Hill MAC Structure Plan.

As it stands, Council is very concerned that the intended landscape and visual outcomes for Box Hill are largely dependent on the subsequent precinct planning process. Affected parties are being compelled to place a significant amount of trust in the delivery of untested precinct planning through a new planning authority in the SRLA.

Given the role of the UDS to guide the preparation of the development of the Box Hill station box and its immediate environs, Council submits that the involvement of Council into the preparation of that key document should be regarded as critical to the achievement of a successful Project. This commitment, which Council considers is not presently apparent in the EES, EMF or EPRs, not only speaks of the notion of consultation but demonstrates through the drafting a commitment to real and genuine engagement and working with the Council to develop an appropriate urban design framework.

Council remains concerned that numerous issues remain unresolved in the EES. For example

- Current measures in the EES fail to ensure the landscape and visual amenity impacts of the Project are effectively managed during the construction and operation of the Project;
- With the Project's construction likely to take around 6 years, a significant portion of the Box Hill Gardens will be occupied or affected by the Project, compromising its visual and land use value significantly. Council has significant concerns with the proposed loss of access to, use and the enjoyment of exiting open space and community facilities, and visual impacts on nearby residents in high density housing;
- Despite the potential for precinct planning to assist the Box Hill Station precinct in minimising adverse landscape and visual impacts, the extent of these measures remain unresolved and it is likely the impacts will still be significant, obvious and, in Council's view, detrimental;
- There is little within the EMF and the Construction Environmental Management Plan (**CEMP**) that provides any level of confidence that Council will be afforded sufficient opportunities to assist in formulation and approval of that key document; and
- In addition to the obvious and significant impacts on open space, impacts on heritage assets are additionally affected or otherwise lost, in some instances to ensure construction efficiencies. Accordingly, it has not been established that the intended construction benefits justify combined long term impacts.

⁷ Technical Appendix 0.2 Land and Visual Impact Assessment.

Burwood

Council is concerned with the expected impacts of the Project on the distinct landscape and visual values currently located within the vicinity of the proposed Burwood Station. The Burwood Station precinct currently affords a unique mix of open space, residential and educational assets, which co-exist and provide for a strong landscape character, particularly along Gardiners Creek and Sinnott Street Reserve.

It is submitted that a number of impacts of the proposed Burwood Station on the existing area have not been addressed and remain unresolved in the EES:

- impacts upon the neighbourhood surrounding the proposed station are underestimated in the EES;
- It is expected that the construction of the proposed Burwood Station will take approximately 7 years to complete. The precinct will experience significant impacts on views and amenity for this entire time, and potentially beyond. Council considers it incredibly important that appropriate measures be contemplated, particularly in the UDS, to lessen the impacts of construction on residents and visitors who reside, work and study within the Burwood precinct;
- the LVIA provides potential lighting measures that are intended to be undertaken to facilitate night-time works.⁸ Because these impacts are heavily dependent on the location, orientation, height and strength of construction lighting, it is unclear whether a ‘one-size-fits-all’ approach to mitigating these impacts will suffice in protecting residents for the lengthy construction period;
- during construction and subsequent operation of the Project, the Burwood Station precinct will experience substantially reduced open space amenity. This, coupled with the expected intensity in development around the station (the extent of which will remain unconfirmed until the completion of the precinct planning process). Such an approach seems counter intuitive when applied to an area distinguished by its landscape and visual amenity;
- Council is very concerned with the proposal to reinstate only a portion of Sinnott Street Reserve to the ‘public realm’. From the imagery in the EES, most of that ‘public realm’ is hard surfaces and not in line with the existing experiences that residents and visitors enjoy;
- the proposal to naturalise Gardiners Creek only as far south as the existing foot bridge near the Sinnott Street Reserve, is considered a poor visual outcome. Standing on the foot bridge, viewers will see a naturalised environment to the north and a concrete drain to the south. Given the significance of the footbridge to allow for high pedestrian and cyclist volumes to access the station precinct and the extent of impacts proposed by the Station in this area, it is strongly recommended to naturalise the creek through to Highbury Road
- the Project’s sheer size will result in significant impacts on the Burwood precinct;
- the Project’s impacts on heritage assets do not currently comprise an acceptable outcome, and further opportunities should be taken up to interpret and preserve their contribution to the area’s character;
- the visual domination of the station’s substation, located on the corner of Sinnott Street and Highbury Road, does not comprise an acceptable outcome; and
- Council considers that ‘Edge profiles’ to surrounding streets require further consideration and assessment to ensure suitability of new built forms against the expected visual and physical impacts of the Project. Although it is acknowledged that these interfaces are

⁸ Section 9.1.6.

alluded to in the EES, further emphasis within the EES is required to manage any impacts during the precinct planning and design stages.

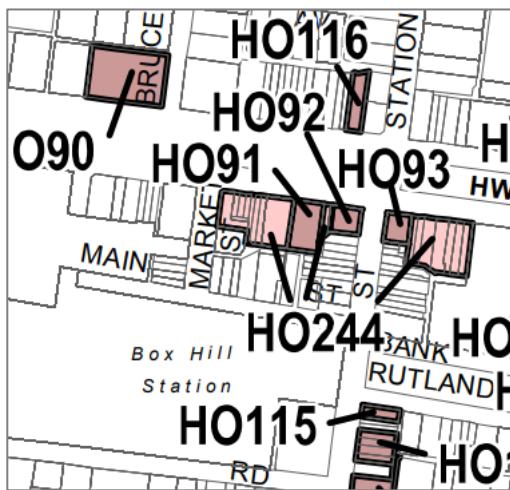
Additional measures should be undertaken to ensure the Project results in an acceptable landscape and visual outcome for the Burwood Station, including but not limited to:

- improving the interface between the proposed Station precinct, including both the station and associated future development sites to McComas Grove and Sinnott Street, in order to better address the potential for change in adjoining streetscapes and equally address other issues with station connectivity;
- the underground station concourse level should be extended under Burwood Highway and allow for a new station entrance on the north side of Burwood Highway. This would remove the visual impacts of the overpass and potentially protect many of the trees along the frontage of Bennettswood Reserve;
- the SRL Burwood station should be added to the locations specified in EPR LV6, to ensure the appropriate management of impacts of views of Burwood Station infrastructure on residents of McComas Grove and Sinnott Street; and
- the consideration of further design processes to enable a more positive and sympathetic contribution to the public realm, including the implementation of additional or amended EPRs aimed at managing, mitigating or eliminating the Project's visual impacts.

12. HISTORICAL HERITAGE

Cultural Heritage – Box Hill

The objective of clause 15.03-1S of the Whitehorse Planning Scheme is to ensure the conservation of places of heritage significance. The Heritage Overlay Map identifies HO92 and HO91 and HO244 as a combination of buildings of contributory and individual significance.



The Heritage Impact Assessment report notes at HH12 on page 27:

"Project works for the SRL station at Box Hill involve extensive surface works and demolition of a series of HO places located on the south side of Whitehorse Road in Box Hill, specifically between Station Street and Market Street, is an unavoidable impact of construction of the new station."

"However, because of early construction planning, the former Railway Hotel (HO92) located at the south-west corner of Whitehorse Road and Station Street (also within the Box Hill Commercial Precinct HO244) would be retained on this important corner. The hotel will continue to provide a link to the eastern section of the heritage precinct, which would be unaffected east of Station Street. SRLA would undertake external repair and active conservation works to the former Railway Hotel to support the retained heritage place."

"Demolition would impact four HO-listed heritage buildings in Whitehorse Road, the former Colonial Gas Association building (HO91) together with three contributory buildings in the Box Hill Commercial Precinct (HO244). This would significantly diminish the heritage values of the Box Hill Commercial Precinct (HO244). An additional potential heritage place at 5 Elland Avenue would also be demolished with negligible impacts to local heritage."

Council submits that while the retention of the former Railway Hotel at the southwest corner of the intersection of Station Street and Whitehorse Road is appropriate and supported, the impacts on other identified and potential heritage places may be reduced or mitigated through the reconfiguration of the construction site layouts. It is also submitted that it is imperative that the design of future buildings is respectful of the heritage significance of the retained former Railway Hotel.

In the case of Box Hill Station, the greatest heritage benefit would be obtained by realignment of the proposed construction route so that it is accessed off Station Street rather than Whitehorse Road. Such a redesign would enable the retention of at least the front part of the former Colonial Gas Association Building, 942-946 Whitehorse Road, Box Hill (an individual heritage place [HO91])

and the single-storey Moderne-style contributory-graded building at 948 Whitehorse Road, Box Hill (within HO244 – Box Hill Commercial Precinct).

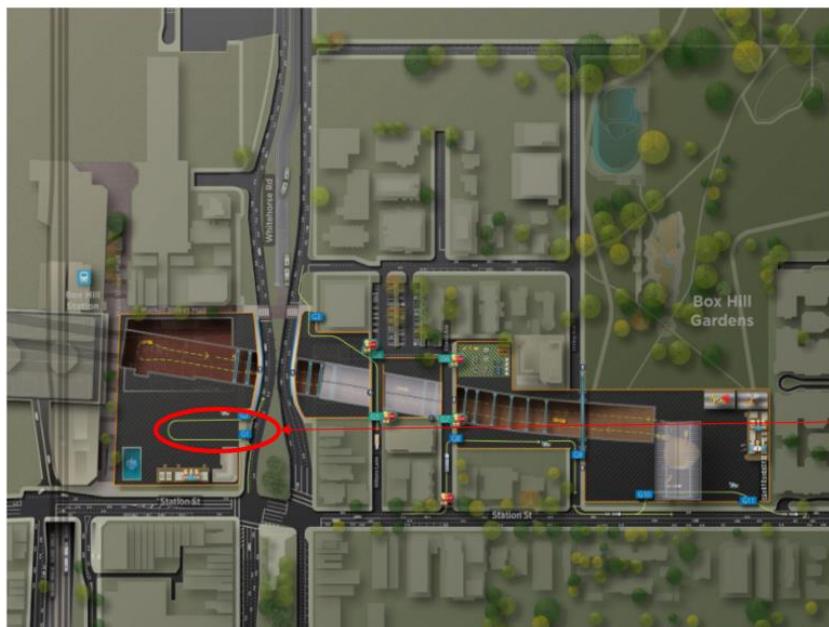


Figure DSC12.5 Box Hill construction site layout

The value of such a redesign of the construction site and access arrangements is noted in Technical Appendix L.2 which reads:

If feasible in the context of construction occupation of this block and the location of permanent infrastructure, the potential to further reduce the extent of demolition required in HO244 should be considered, with the priority being the retention of the former Colonial Gas Association Building (front section). (page 6)

This is reiterated at page 82 the Technical Appendix which reads:

In preference [to demolition] and if feasible, the opportunity for further retention should be explored. The priority for additional retention would be the former Colonial Gas Association Building (HO91) (front section or wing, Figure 7.15) as this would substantially reduce the level of the impact on HO244.

Council submits that the station and tunnel plans should be amended to show the retention of the heritage buildings identified above and appropriate changes should be made to the Urban Design Strategy and the EPRs to ensure that outcome is achieved.

Recommendations:

The following table sets out recommendations for changes to the EES and the associated documentation.

Heritage control ID no.	Place (as per Whitehorse Planning Scheme Schedule to the Heritage Overlay)	Location in SRL Project Area	Impacts (as identified in Technical Appendix L.2)	Key avoidance or mitigation measures (as identified in Technical Appendix L.2)	Council comment
HO91	<p>Former Colonial Gas Association Building 942-946 Whitehorse Road, Box Hill</p> 	Box Hill SRL Station Study Area	Demolition	<p><i>... if feasible in the context of construction occupation of this block and the location of permanent infrastructure, the potential to further reduce the extent of demolition should be considered. If feasible, the priority for further retention would be the former Colonial Gas Association Building (HO91) (front section).</i></p> <p><i>All heritage buildings to be demolished should be subject to an archival photographic recording prior to demolition. Reflecting the nature of the heritage controls that apply, this would cover the exterior fabric of the buildings, and a record of the interiors would not be required.</i></p> <p><i>Opportunities for the integration of site interpretation about the history of this block of Whitehorse Road would also be explored.</i></p> <p><i>Refer to EPRs HH1, HH2, HH3, HH8.</i></p> <p><i>In consultation with the relevant local government develop and implement a scope of external conservation works for heritage buildings and structures which are directly affected by works [including] the Colonial Gas Association Building (... in the event a portion of the building is retained).</i></p> <p><i>Refer to EPR HH9.</i></p>	<p>The demolition of an individual heritage place is a highly undesirable outcome. The demolition of the front part of the former Colonial Gas Association Building and 948 Whitehorse Road may not be required if the vehicle access within the construction site is redesigned.</p> <p>In addition to the EPRs identified, the following additional avoidance or mitigation measures should be undertaken:</p> <ul style="list-style-type: none"> • A redesign of the construction site and associated vehicle access should be undertaken to retain, at a minimum, the front parts of the former Colonial Gas Association Building and the adjacent building at 948 Whitehorse Road. • Assuming retention of at least part of the former Colonial Gas Association Building and the adjacent building at 948 Whitehorse Road, the same EPRs should be applied to these buildings as are proposed for the former Railway Hotel.

Heritage control ID no.	Place (as per Whitehorse Planning Scheme Schedule to the Heritage Overlay)	Location in SRL Project Area	Impacts (as identified in Technical Appendix L.2)	Key avoidance or mitigation measures (as identified in Technical Appendix L.2)	Council comment
HO92	<p>Former Railway Hotel 950-956 Whitehorse Road, Box Hill</p> 	Box Hill SRL Station Study Area	<p>Rear structures removed. Retained to extent of its main wings. Potential indirect impact via construction vibration or ground settlement.</p>	<p><i>Noting the retention of the Railway Hotel (HO92) is proposed ... All heritage buildings to be demolished should be subject to archival photographic recording prior to demolition. Reflecting the nature of the heritage controls that apply, this would cover the exterior fabric of the buildings, and a record of the interiors would not be required.</i></p> <p><i>Opportunities for the integration of site interpretation about the history of this block of Whitehorse Road would also be explored.</i></p> <p><i>Refer to EPRs HH1, HH2, HH3, HH8.</i></p> <p><i>Where buildings and structures are retained in proximity to works, potential impacts related to ground movement and construction vibration would be modelled and mitigated as required.</i></p> <p><i>In addition, protection works would be implemented against other construction works and activities in proximity to or within heritage places, including significant buildings, structures, landscape elements and trees.</i></p> <p><i>Should damage occur, it would be rectified using appropriate conservation methods.</i></p> <p><i>Refer to EPRs HH1, HH2, HH4</i></p> <p><i>In consultation with the relevant local government develop and implement a</i></p>	<p>The proposed retention of the principal built form of the former Railway Hotel is supported.</p> <p>Mitigation measures appear appropriate noting that under EPR HH3 (Undertake archival photographic recording) should be undertaken of the exterior and interior fabric that is to be demolished at the rear of the former Railway Hotel.</p> <p>Although it is noted that 'Internal alteration controls' do not apply to HO92 it is considered appropriate to also undertake archival recording of any original or early interior features in accordance with EPR HH3. This would enable a comprehensive record to be provided of the former Railway Hotel to be retained.</p>

Heritage control ID no.	Place (as per Whitehorse Planning Scheme Schedule to the Heritage Overlay)	Location in SRL Project Area	Impacts (as identified in Technical Appendix L.2)	Key avoidance or mitigation measures (as identified in Technical Appendix L.2)	Council comment
				<p><i>scope of external conservation works for heritage buildings and structures which are directly affected by works – Former Railway Hotel...</i></p> <p><i>Refer to EPR HH9.</i></p>	
HO244 (part)	<p>Box Hill Commercial Area (part): The full block bounded by Station Street, Main Street, Whitehorse Road and Market Street.</p> <p>Including three 'Contributory' buildings:</p> <ol style="list-style-type: none"> 1. 948 Whitehorse Road (interwar) 2. 930-932 Whitehorse Road (c. 1930s) 3. 920-928 Whitehorse Road/ 2-8 Market Street (late interwar).  <p>948 Whitehorse Road</p>	Box Hill SRL Station Study Area	<p>Full demolition of three contributory buildings</p>	<p><i>... if feasible in the context of construction occupation of this block and the location of permanent infrastructure, the potential to further reduce the extent of demolition should be considered. If feasible, the priority for further retention would be the former Colonial Gas Association Building (HO91) (front section).</i></p> <p><i>All heritage buildings to be demolished should be subject to an archival photographic recording prior to demolition. Reflecting the nature of the heritage controls that apply, this would cover the exterior fabric of the buildings, and a record of the interiors would not be required.</i></p> <p><i>Opportunities for the integration of site interpretation about the history of this block of Whitehorse Road would also be explored.</i></p> <p><i>Refer to EPRs HH1, HH2, HH3, HH8.</i></p>	<p>While it is acknowledged that construction of the station box will require the demolition of two contributory buildings within HO244 (920-928 & 930-932 Whitehorse Road) the demolition of the front part of the former Colonial Gas Association Building and 948 Whitehorse Road may not be required if the construction site and associated vehicle access was redesigned.</p> <p>In addition to the EPRs identified, the following additional avoidance or mitigation measures should be undertaken:</p> <ul style="list-style-type: none"> • A redesign of the construction site and associated heavy vehicle access should be undertaken to retain, at a minimum, the front parts of the former Colonial Gas Association Building and the adjacent building at 948 Whitehorse Road. • Assuming retention of at least part of the former Colonial Gas Association Building and the adjacent building at 948 Whitehorse Road, the same EPRs should be applied to these buildings as are proposed for the former Railway Hotel.

Heritage control ID no.	Place (as per Whitehorse Planning Scheme Schedule to the Heritage Overlay)	Location in SRL Project Area	Impacts (as identified in Technical AppendixL.2)	Key avoidance or mitigation measures (as identified in Technical AppendixL.2)	Council comment
	 <p>930-932 Whitehorse Road</p>  <p>920-928 Whitehorse Road</p>				<ul style="list-style-type: none"> Although it is noted that 'Internal alteration controls' do not apply to HO244 it is considered appropriate to also undertake archival recording of any original or early interior features in accordance with EPR HH3. This would enable a comprehensive record to be provided of heritage-listed buildings that are subject to complete demolition.

Heritage control ID no.	Place (as per Whitehorse Planning Scheme Schedule to the Heritage Overlay)	Location in SRL Project Area	Impacts (as identified in Technical Appendix L.2)	Key avoidance or mitigation measures (as identified in Technical Appendix L.2)	Council comment
HO252	<p>South African and China War Memorial Whitehorse Road Median Strip, Box Hill (Heritage place is defined as the memorial and 1 metre surrounding it)</p> 	Box Hill SRL Station Study Area	Possible removal/relocation, before reinstatement (as part of works associated with Whitehorse Road medians)	<p><i>It is assumed temporary removal and reinstatement or relocation would be required. A detailed methodology for the removal, secure storage, conservation and reinstatement of the monument would be developed.</i></p> <p><i>Refer to EPRs HH2 and HH9.</i></p> <p><i>In consultation with the relevant local government develop and implement a scope of external conservation works for heritage buildings and structures which are directly affected by works [including] South Africa and China Memorial...</i></p> <p><i>Refer to EPR HH9.</i></p>	<p>It is noted that this monument has previously been relocated from within the intersection of Station Street and Whitehorse Road and further relocation is unlikely to harm its significance.</p> <p>In addition to the EPRs identified the following additional avoidance or mitigation measures should be undertaken:</p> <ul style="list-style-type: none"> • HH3 Undertake photographic recording of the memorial and its current setting.

In addition to the recommendations above, Council seeks a minor amendment to EPR HH2 to address the potential temporary or permanent relocation of historical structures in Box Hill (see below added underlined word):

EPR HH2 Prior to commencement of works with the potential to affect heritage places, structures or features, directly or indirectly, develop and implement in consultation with the relevant heritage authority:

- *Physical protection measures for potentially affected heritage places, structures or features as appropriate*
- *Where required, a methodology for any required dismantling, storage, relocation or reinstatement of heritage fabric*

Historical heritage – Burwood

The proposed development associated at the Burwood Station site envisages a substantial degree of change at the site of Australia's first drive-in cinema. Acknowledging that the construction works will result in the removal of the remnant elements of the former drive-in cinema, there remains the opportunity to interpret the history and social significance of this heritage place. This is recognised at page 102 of Technical Appendix L.2, which reads:

Demolition and removal of the identified heritage elements clearly would result in a loss of heritage values in that the tangible (physical) evidence of the drive-in history would be removed. However, even with demolition, the historical associations of the place with the earliest drive-in in Victoria/Australia would be documented and could be interpreted, as would its social values as a place which is fondly remembered by some in the community.

Acknowledging the significant impact on values, there are considered to be opportunities to interpret and celebrate the history and social associations of the place, and this presents as the clearest strategy for partial mitigation of the loss of fabric. It is proposed that the site be recorded and interpreted, including the potential for an oral history project to facilitate community engagement.

A requirement of the approval should be to deliver a comprehensive program of interpretation for this heritage place as a means of mitigating against the substantial impacts.

Recommendations

The following table sets out recommendations for changes to the EES and the associated documentation:

Heritage control ID no.	Place (as per Whitehorse Planning Scheme - Schedule to the Heritage Overlay)	Location inSRL Project Area	Impacts (as identified in Technical AppendixL.2)	Key avoidance or mitigation measures (as identified in Technical AppendixL.2)	Council comment
HO281	<p>Burwood Skyline Drive-In Cinema Burwood Highway, Burwood</p>  <p><i>Cinema entrance drive and avenue of trees</i></p> 	Burwood SRL Station Study Area	Demolition and removal of heritage elements	<p><i>It is proposed that an interpretation strategy be developed and implemented for the site. This could include an upgrade of existing interpretation (including the local history trail) and/or new interpretative approaches. As part of this, additional historical research should be undertaken, and consideration could also be given to undertaking an oral history project to gather community memories of the drive-in. Refer to HH8.</i></p> <p><i>The HO-listed elements should be recorded in full prior to demolition to the satisfaction of the Responsible Authority. Refer to EPRHH3.</i></p>	<p>The Burwood Skyline Drive-in Cinema has a substantially reduced integrity, evidenced by the extent of HO281 over two small parcels of land – one that comprises the entrance and ticket booth, and another that includes a former BBQ area, shelter structure and simple gable ended building known as the 'Maori House'. The heritage place is no longer legible as a former drive-in cinema without on-site interpretation. The site is currently creatively interpreted through sculpture and play equipment which could be augmented as part of the Project.</p> <p>Further, it is noted that the 'Maori House' appears - albeit when viewed from a distance – to be in poor or very poor condition.</p> <p>In addition to the EPRs identified, the following additional avoidance or mitigation measures should be undertaken:</p> <ul style="list-style-type: none"> • There are elements identified within the Statement of Significance that have the opportunity to be removed, conserved and reinstated, namely the four cast iron lamp posts on McComas Grove. • The remnant heritage features included within HO281 should be interpreted in the proposed public realm space addressing McComas Grove and on the eastern side of Gardiners Creek.

Heritage control ID no.	Place (as per Whitehorse Planning Scheme - Schedule to the Heritage Overlay)	Location in SRL Project Area	Impacts (as identified in Technical Appendix L.2)	Key avoidance or mitigation measures (as identified in Technical Appendix L.2)	Council comment
	<p><i>Cast iron lamp posts (adapted verandah posts)</i></p>  <p><i>Drive through ticket booth (now picnic shelter)</i></p>  <p><i>'Maori House' viewed from the western side of Gardiners Creek</i></p>				<p>These features include:</p> <ul style="list-style-type: none"> ○ The curved tree-lined driveway and ticket booth ○ Walk-in shelter ○ BBQ area ○ 'Maori House'.

Council also submits that there are a number places or items which have potential heritage significance that should be the subject of specific recommendations. These are set out below in table format:

Heritage control ID no.	Potential heritage place	Location inSRL Project Area	Impacts (as identified in Technical Appendix L.2)	Key avoidance or mitigation measures (as identified in Technical Appendix L.2)	Council comment
No heritage controls	<p>Box Hill Gardens</p> 	Box Hill SRL Station StudyArea	Site clearance of eastern quarter	<p><i>Prior to completion of the station construction, a plan to guide landscape reinstatement in this part of the gardens would be prepared, to reinstate the valued character of the gardens and a level of continuity with the retained areas of the gardens to the west. In the process there may be an opportunity to reflect and incorporate aspects of the design and character of the gardens as established in the interwar period, including path layout, open lawns and a mix of characteristic exotic and native specimen trees. The approach would be informed by the character of surviving mature trees and by further analysis of historical records (including aerial and ground photography). The Box Hill Master Plan (Site Office 2010) would likely also be of continuing relevance.</i></p> <p><i>The success of landscape reinstatement works will be dependent on the final design of the station box, any required ground improvement works, grading and post-construction soil remediation activities. Design consideration should be given to preserving the ability to reinstate landscape character. In the event an area is</i></p>	<p>Box Hill Gardens is an attractive municipal park with plantings and landscape features dating from the mid-twentieth century to the present day. The proposed avoidance or mitigation measures seem sound and reasonable.</p> <p>The World War One and Second World War Memorials (HO254) are located within the western part of Box Hill Gardens outside the Study Area or Project Land.</p>

Heritage control ID no.	Potential heritage place	Location inSRL Project Area	Impacts (as identified inTechnical Appendix L.2)	Key avoidance or mitigation measures (as identified in Technical Appendix L.2)	Council comment
				<p><i>required to be reserved or reinstated on a more temporary basis for SRL North, this may also impact the approach to remediation.</i></p> <p><i>Trees to be retained proximate to works would be protected.</i></p> <p><i>An archival photographic record would be prepared of the affected area of the gardens before works start.</i></p> <p><i>Refer to EPRs HH3, HH7, AR1 and AR2.</i></p>	
No heritage controls	<p>Whitehorse Road Medians Box Hill</p>  <p><i>Whitehorse Road Median – viewed from the southeast corner of the intersection of Station Street and Whitehorse Road</i></p>	Box Hill SRL Station Study Area	Substantial alterations to the arrangement and physical fabric, removal of mature trees	<p><i>The South Africa and China Memorial, Whitehorse Hotel Statue and Portico and Cr. Ellingworth Commemorative Drinking Fountain ... would be temporarily removed and reinstated if required, with appropriate locations and settings for these established in the new Whitehorse Road public realm treatment. Mature trees would be retained and protected where possible.</i></p> <p><i>... Consistent with the place-specific requirements in the SRL Urban Design Strategy, the design for the new public realm treatment for Whitehorse Road should explore the opportunity to reflect on and interpret aspects of the earlier median forms and landscape character, and on the long history of this space as a formalised public</i></p>	<p>The Whitehorse Road Median dating from prior to the 1880s is made up of four 'ovals' and the intactness and character of each varies considerably. The construction of the tram terminus, café and later planting and hard landscaping has reduced the consistency of the landscape treatment and visual cohesiveness.</p> <p>While most of the elements of potential heritage significance are discussed in the EES, no reference is made to the 'artistic lamp standards' (identified in the 1990 <i>City of Box Hill Heritage and Conservation Study</i> as dating from 1929). These lamp standards should, if required to be moved, be subject to ERPs HH2, HH3 and HH9.</p> <p>The mitigation measures proposed for the medians and their tree plantings appear appropriate. The mitigation measures for specific</p>

Heritage control ID no.	Potential heritage place	Location inSRL Project Area	Impacts (as identified in Technical Appendix L.2)	Key avoidance or mitigation measures (as identified in Technical Appendix L.2)	Council comment
	 <p>Whitehorse Road Median – looking west from tram terminus</p>  <p>Whitehorse Road Median – tram terminus and café</p>			<p><i>landscape accommodating a range of important civic, commemorative community and recreational uses.</i></p> <p><i>As noted above, the retention of high value tree specimens would be prioritised where feasible, and the three significant monuments and memorials incorporated into the design and provided with appropriate settings.</i></p> <p><i>In the event there are impacts on the eastern tree plantations near the Box Hill Town Hall, plantings would be reinstated as far as possible consistent with the existing arrangements.</i></p> <p><i>An interpretation strategy would be developed and integrated into the public realm design, and this should reflect on the history of the Medians and Whitehorse Road more broadly.</i></p> <p><i>Refer to EPRs HH1, HH2, HH3, HH8, AR1, AR2, see also EPR HH9 above.</i></p>	<p>elements within the median are discussed further below.</p>

Heritage control ID no.	Potential heritage place	Location inSRL Project Area	Impacts (as identified in Technical Appendix L.2)	Key avoidance or mitigation measures (as identified in Technical Appendix L.2)	Council comment
	 <p><i>Whitehorse Road Median – looking east from tram terminus</i></p>  <p><i>Whitehorse Road Median – looking east from Watts Street</i></p>				

Heritage control ID no.	Potential heritage place	Location inSRL Project Area	Impacts (as identified in Technical Appendix L.2)	Key avoidance or mitigation measures (as identified in Technical Appendix L.2)	Council comment
	 <p>Whitehorse Road Median – lamp standard (c.1929)</p>				
No heritage controls	<p>Whitehorse Hotel Statue and Portico Whitehorse Road Median Strip, Box Hill</p> 	Box Hill SRL Station Study Area – Whitehorse Road Medians	Possible removal / relocation, before reinstatement (as part of works associated with Whitehorse Road medians)	<p><i>In consultation with the relevant local government develop and implement a scope of external conservation works for heritage buildings and structures which are directly affected by works [including] Whitehorse Hotel Statue and Portico.</i></p> <p><i>Refer to EPR HH9.</i></p>	<p>Erected in 1934 to commemorate The White Horse Hotel that stood on that site from 1895-1933, the memorial features a replica of the timber portico and a fiberglass replica of the 'White horse' sculpture (the original of which is located in the Town Hall gallery).</p> <p>This memorial serves as a well-known gateway to Box Hill.</p> <p>In addition to the EPRs identified, the following additional avoidance or mitigation measures should be undertaken:</p> <ul style="list-style-type: none"> • HH1 - Design and construct to avoid and minimise heritage impacts • HH2 - Undertake works to

Heritage control ID no.	Potential heritage place	Location inSRL Project Area	Impacts (as identified in Technical Appendix L.2)	Key avoidance or mitigation measures (as identified in Technical Appendix L.2)	Council comment
					<p>protect and manage heritage places and fabric</p> <ul style="list-style-type: none"> • HH3 - Undertake photographic recording.
No heritage controls	<p>Cr. Ellingworth Commemorative Drinking Fountain Whitehorse Road Median Strip, Box Hill</p> 	Box Hill SRL Station Study Area – Whitehorse Road Medians	Possible removal / relocation, before reinstatement (as part of works associated with Whitehorse Roadmedians)	<p><i>In consultation with the relevant local government develop and implement a scope of external conservation works for heritage buildings and structures which are directly affected by works [including] the Cr. Ellingworth Commemorative Drinking Fountain</i></p> <p>...</p> <p><i>Refer to EPR HH9.</i></p>	<p>The Cr. Ellingworth Commemorative Drinking Fountain was erected in 1929 to commemorate 50 years of service by J. R. Ellingworth JP, councillor and mayor of the city.</p> <p>In addition to the EPRs identified, the following additional avoidance or mitigation measures should be undertaken:</p> <ul style="list-style-type: none"> • HH1 - Design and construct to avoid and minimise heritage impacts • HH2 - Undertake works to protect and manage heritage places and fabric • HH3 - Undertake archival photographic recording.

Heritage control ID no.	Potential heritage place	Location inSRL Project Area	Impacts (as identified inTechnical Appendix L.2)	Key avoidance or mitigation measures (as identified in Technical Appendix L.2)	Council comment
No heritage controls	<p>Former Baby Health Centre Whitehorse Road, Box Hill</p> 	<p>Box Hill SRL Station Study Area – Whitehorse Road Medians</p>	<p>Possible demolition</p>	<p><i>The former Baby Health Centre preferably would be protected and retained within the Project works, subject to the final construction staging sequence and to the road and landscape reinstatement design. In the event its removal is required, the building would be subject to an archival photographic recording.</i></p>	<p>Retention of this building within the reconfigured median is highly desirable. The design of the project components at the SRL station at Box Hill (Figure 7.8 of Technical Appendix L.2) suggests that retention of this structure is likely to be achievable.</p> <p>The mitigation measures identified for the Whitehorse Road Medians would appropriately address the former Baby Health Centre, namely EPRs:HH1, HH2, HH3, HH8 and HH9.</p>

13. ARBORICULTURE

Council and the community value the important contribution of trees and vegetation in making the municipality a vibrant place to live, work and visit. Across both private and public land, the urban forest is an essential element of Whitehorse.

The Whitehorse Urban Forest Strategy 2021-2031 (**Urban Forest Strategy**) contains objectives to:

- Protect the urban forest across private and public land;
- Expand the urban forest and adapt to climate change;
- Enhance Biodiversity;
- Build community capacity to learn from each other, protect and enhance the urban forest; and
- Build on Council's knowledge base.

The Urban Forest Strategy sets targets for Council to:

- Increase tree canopy cover by 9% to 27% by 2031⁹; and
- Increase tree canopy cover to 30% by 2050.

Reaching these targets requires collective effort, concise planning and adequate resourcing to establish many more trees and shrubs within our streetscapes, in private gardens and public spaces.

One of the biggest challenges in being able to reach these targets is the impact of Victoria's 'Big Build' projects. Within the Whitehorse municipality, there are currently three major Victorian Government transport projects being planned that have the potential to remove over 2,500 trees in order to enable construction works to be undertaken (see table below). While each of these projects propose various tree replacement arrangements, the benefits of the replaced trees will not be realised for many decades when tree maturity is reached. In the meantime, the social, amenity, health and environmental benefits from trees will be lost from the Whitehorse landscape.

Project impacts in the City of Whitehorse	Number of trees likely to be removed or potentially removed
Suburban Rail Loop Burwood Box Hill	393 362
North East Link	Approximately 1,180
Mont Albert Road level crossing removal	650
Total	Approximately 2,635

The SRLA forecasts significant increases in population and jobs in the 1.6km precincts around each SRL station. Competing space to accommodate residential and employment infrastructure to cater for more people living, working and visiting the precincts will result in less space for tree

⁹ By 2031 this represents an overall increase of 9% total tree canopy cover for trees taller than 3 metres.

canopy. Therefore, in addition to the Project reducing existing trees, there will be less space around each station for new trees.

Given the lack of detail in the EES about areas marked for 'future development' as well as the decision of the Victorian Government to exclude Precinct Planning from the EES process, it is extremely difficult to assess the overall impact of the Project and the ability for Council to achieve its strategic tree canopy targets. With greater development around the precincts (presumably including taller buildings), sunlight to vegetation will be restricted and building mass will limit access to rain for soil moisture. Demand for more utilities underground due to the expansion of development, as well as above ground impacts will limit the location and type of trees that can be planted. Without space, sunlight, suitable soil and water, it will be challenging to meet Council's tree canopy targets. There may come a time when it is difficult to find enough appropriate space to plant trees in the locations that need them most within Whitehorse. It is therefore vital that the Victorian Government assess projects holistically across all major projects, rather than a project by project approach.

An example of the impacts of tree loss due to Victorian Government infrastructure projects is illustrated in the images below in the vicinity of Blackburn train station, the site of a recent level crossing removal project (completed in 2017). The images show the significant loss of mature trees as a result of the project, and the resultant increased hard surfacing that has impacted the urban heat island effect.



Near-infrared image of Blackburn train station and surrounds, 2016 - pre level crossing removal project



Near-infrared image of Blackburn train station and surrounds, 2018 - post level crossing removal project

Tree canopy in vicinity of Blackburn train station, pre and post Level Crossing Removal Project

Source: Whitehorse City Council

Although the EES provides that a primary objective of the Project is avoiding and minimising the removal of trees, the EES does not demonstrate that the proposed construction sites have minimised tree loss. For example, the EES has not shown what configurations of the Tunnel Boring Machine (**TBM**) site in Burwood have been considered in an attempt to preserve the trees in Sinnott Street Reserve. Council is concerned that the EES does not provide for sufficient measures to minimise the number of trees predicted to be removed as required in the EES Scoping Requirements.

In addition to the Project's impact on public trees, Council is also concerned about loss of vegetation on private land. The value of trees on private land is presently protected by Significant Landscape Overlays (**SLO**) covering residential areas within the municipality. The current SLOs require a planning permit to remove, destroy or lop a tree (other than those trees listed as exempt within Whitehorse Planning Scheme).

Section 8.2.3 of the Arboriculture Impact Assessment states:

"It is likely that SRL East station precincts would see considerable urban development on private and public land following completion of the Project. This would most likely result in impacts to trees and tree canopy cover on private and public land as trees are removed to make way for this development. While the extent of development is unknown at this point in time, it will be crucial for local government authorities that existing trees are protected, and that removed trees are replaced through their planning controls where possible, to avoid cumulative impacts to the urban forest."

It is true that Council has extensive controls in place that aim to protect vegetation on private land. However, considering the scale and impacts of the Project, alongside the introduction of additional planning controls and exemption, it has not been established that existing controls will be enough to protect the vegetation from Victorian Government projects. It is completely inappropriate to impose the onus on Council to dissuade others from removing trees where the EES should provide for measures to achieve this. Although the EES identifies the impacts of cumulative public and private projects on trees and canopy cover, it is clear that it does not provide for any solution apart from the suggestion that local governments accept this as inevitable and continue to implement its own tree protection policies.

Council is cognisant that in addition to the amenity and environmental impacts the proposed tree removals will have across the project, there is a correlation between canopy cover and land property values¹⁰. It is therefore suggested that there will be community concern relating to the loss of vegetation and potential impacts upon property values.

In addition to the replacement of trees, Council seeks an additional EPR requiring financial compensation to the owner of the land that trees are removed from, as part of acquisition or occupation licence arrangements.

Nonetheless, the Project's expectation that canopy cover will be replaced at a 100% net gain and the provision of a 3 year period for maintenance and protection, as per EPR AR3, is supported by Council. However, Council considers that existing trees should be retained as a priority, with replacement planting being employed only where removal is completely unavoidable. Council is also supportive of the early planting requirements outlined in ERP AR3. Council partnered with NELP to deliver the first round of early offset tree plantings in 2021, and this approach is supported and appreciated by the local community.

¹⁰ <http://www.aecom.com/content/wp-content/uploads/2017/04/Green-Infrastructure-vital-step-brilliant-Australian-cities.pdf>

14. BUSINESS AND RETAIL

Although Council acknowledges that the EES places great emphasis on the business and retail benefits of the Project in the long-term, it has not been demonstrated that business and retail impacts of the Project are acceptable, and additional measures must be implemented to ensure that significant impacts are avoided or mitigated as much as possible.

The Box Hill Metropolitan Activity Centre (**MAC**) comprises the largest MAC in Melbourne's East, and it serves as Council's primary activity centre. Council's commitment to enhancement of the Box Hill MAC is no more apparent than in its ongoing review of the Box Hill MAC Structure Plan, which seeks, amongst other things, to support and build upon the area's distinctive business, retail and employment values.

The Victorian Government's significant investment in the Melbourne East Region is welcome, especially with the long term benefits for Box Hill and Burwood. However, in order for this *Big Build* project to be truly 'city shaping,' the need for this investment is clearly broader than just the development of Project infrastructure.

Given the relatively short amount of time that public information has been available about this Project, Council and business owners have not had the opportunity to develop an informed understanding about the expected impacts on business and retail uses in the municipality. It is for this reason that Council advocates so strongly for extensive business support and a comprehensive place-based impact investment strategy for the Project. Now that this opportunity has arisen, Council considers that these impacts will be significant unless further measures are implemented to ensure that impacts may be minimised or, ideally, avoided during both the construction and operation stages of the Project.

In particular, it is clear that:

- the Project will have a significant impact on businesses within and beyond the Box Hill and Burwood station areas;
- of all the municipal councils, the City of Whitehorse will bear the greatest number of businesses being impacted along the Project alignment;
- the expected 6-7 year construction timeline (notwithstanding the potential for delays) is significant and will create an unattractive environment for businesses to operate in, employees to work in and customers to visit, because:
 - disruptions associated with the Project will deter existing and new customers, including the temporary/long-term closure of roads/footpaths, and the generation of noise and dust;
 - given the duration of construction, consumers may develop new shopping and service habits and possibly never return to Box Hill;
 - the potential for substantial vacant tenancies in the precincts will be very difficult, if not fatal, for many businesses; and
 - as it stands, economic, social cohesion, place-fabric and place-making impacts have not been adequately addressed in the EES.

Relevantly, because the Business Disruption Mitigation Plan (**BDMP**)¹¹ is not yet developed and the nature and extent of "bespoke" support is not outlined, it is difficult to comment on the appropriateness of support being offered by the SRLA. Accordingly, affected businesses do not know what measures are proposed.

¹¹ Required by EPR B3.

The Business and Retail Impact Assessment (**BRIA**) identifies three potential impacts of the construction and operation of the proposed Box Hill Station at page 71:

- *some loss of businesses due to displacement, potentially significant if relocations prove to be difficult or impractical;*
- *the potential reduction of effective demand for businesses in the locality during the Project's construction, with the displacement of the businesses in the area bordered by Market Street, Main Street, Station Street and Whitehorse Road in the heart of the strip centre; and*
- *significant improvement in the long-term attractiveness of the locality as a business destination and in the attractiveness of the Box Hill MAC as a shopping, dining, employment and entertainment destination.*

Additionally, the BRIA identifies potential impacts of the Project on Burwood at page 64:

The most significant potential impacts of SRL station at Burwood on business and retail are the potential loss of businesses due to displacement and impacts to electricity distribution for Melbourne customers. However, at time of writing the report, SRLA has reached an 'in-principle' agreement in relation to the property acquisition and therefore would not disrupt the electricity distribution business which would mitigate the potential impact.

In Council's view, the extent of impacts on business and retail uses within the City of Whitehorse have not been adequately captured in the EES, and as a result, Council is very concerned that proposed mitigation measures will not sufficiently avoid those impacts. Council considers that a number of issues that remain unresolved and should be determined as part of the EES process, including:

- the permanent loss of car parking remains a particular concern for Council. While car parking may be available further from the core of Box Hill, Council is concerned that visitors may be deterred from visiting business within the area, particularly during construction of the Project;
- in addition to the support offered to individual businesses in the EPRs, it is Council's view that additional measures should be implemented to develop a stronger strategic marketing and communications strategy for the entire Box Hill MAC, as well as a separate strategy for Burwood, that can be implemented throughout the construction phase;
- insufficient consideration has been given to the existing and ongoing impacts of COVID-19. Given the continued long-term uncertainty, further disruptions on these businesses due to the construction of the Project should be considered as part of the EES process;
- the EES needs to implement a broader approach to better exploit economic opportunities to build adaptation, evolution and resilience, rather than just simply mitigating disruption to existing businesses. This should include additional opportunities for compensation, collective marketing support to businesses, and the provision of specific support to business employees.
- although the BRIA recognises likely impacts of the overlapping of Project construction with the redevelopment of Box Hill Central Shopping Centre, it fails to identify measures to address the extra pressure of these combined impacts; and
- the deferral of precinct planning leaves the assessment of the true extent of positive and negative impacts of the Project to be considered at a later stage.

Council remains concerned that the proposed Business and Residential Relocation Guidelines (**BRR Guidelines**)¹² do not presently protect those businesses that are required to relocate as a result of the Project. In particular:

¹² EES Attachment D.

- proper consultation has not been undertaken in their preparation;
- measures in the BRR Guidelines do not meet expectations of the community;
- unreasonable emphasis is placed on the responsibility of local government to mitigate the Project's impacts, where such measures should be addressed as part of the EES process;
- the BRR Guidelines do not provide adequate support for workers of impacted businesses, and instead defers this responsibility to business owners that will be directly impacted by the Project; and
- the targeted/bespoke programs need to be specifically developed and tailored for each of the Box Hill and Burwood areas, in order to ensure localised issues and opportunities can be capitalised upon.

Changes sought to EPRs

The EPRs should be founded and improved upon those which were applied for the NELP, that provide for, at a minimum:

- The revision of the SRL Business and Residential Support Guidelines to provide additional and updated measures to support acquired businesses and businesses otherwise impacted by the Project. The revised Guidelines must be developed after consultation with impacted businesses, relevant local Councils, trader associations and other relevant stakeholders;
- SRLA to develop and implement an Employee Assistance Strategy to provide individualised support and assistance to the employees of businesses which are closing or relocating due to the Project. The strategy is to provide details of support available, including but not limited to provision of retraining, counselling, information about government support and resume writing. Consideration is to also be given where appropriate to the provision of employment opportunities being made available with the SRLA and/ or its contractors; and
- Engagement needs to commence immediately with businesses regarding the specific acquisition process that they can expect over the coming years.

15. SOCIAL IMPACTS AND LOSS OF OPEN SPACE

Council supports some of the positive social outcomes that the Project will provide once it is operational, including additional transport options, additional/ improved walking/cycling facilities, improved Gardiners Creek environment, and additional public realm areas in the Whitehorse Road centre medians. There are however significant detrimental social impacts, mainly during the lengthy construction phase, that require detailed attention.

The Social Impact Assessment (**SIA**) comprising part of the EES understates the impacts of the acquisition of private homes to facilitate the Project. In this respect, Burwood is rated as 'Low' impact and Box Hill is rated as 'Medium'.

However, Council is concerned that a number of issues have not been adequately addressed in the EES and the Business and Residential Support Guidelines:

- The offer of early purchase and provision of checklists, amongst other provisions, is unlikely to remove the anxiety and stress associated with moving property and the wider impacts of exiting established communities;
- Social impacts of the Project from business acquisitions have not been adequately assessed;
- The impact of the Project's lengthy construction phase has been underestimated; and
- An EPR is required for SRLA to develop and implement a voluntary purchase scheme for residential and business properties where there are significant amenity impacts from the Project, including but not limited to construction impacts and built form impacts. The scheme needs to give special consideration to vulnerable occupants.

The Victorian Government's 'Big Build' features an ambitious pipeline of projects that features mega road and rail projects that aim to transform how people travel, connect and move through Victoria. Within the City of Whitehorse, three major big build projects will be delivered concurrently. These include North East Link, Level Crossing Removal (Mont Albert) and Suburban Rail Loop.

Council estimates that approximately 300,000m² of open space will be occupied at some point in time as a result of these big build projects. Using the common analogy, that's nearly 15 MCG's of open space that will be occupied (one MCG = 20,000m²). This is a massive imposition for the Whitehorse community. Council is seeking a co-ordinated approach to state government project planning to ensure the community is adequately protected and compensated.

It is critically important that the agencies planning these major infrastructure projects (NELP, SRLA and LXRP) work collaboratively to explore where there may be efficiencies to reduce the disruption to our open space network, and compensate Council and the Whitehorse community for the prolonged disruption during the project construction phases.

Despite the huge impact to our open space network by the Victorian Government projects and their reference within various SRL EES documents, no mitigation measures are proposed, nor EPRs that mandate a coordinated approach to minimising the collective impacts within the City of Whitehorse.

Box Hill

It is Council's view that the EES underestimates the social and community impact of the loss of a large component of Box Hill Gardens. It is also submitted that the EES underestimates impacts of the Project on the remaining sections of Box Hill Gardens during construction. It has not been demonstrated that the expected impacts of the Project on trees, amenity and access within Box Hill Gardens is an acceptable outcome.

The EES outlines that up to a third of Box Hill Gardens will be occupied for construction activities as part of SRL East.

Council seeks to draw the distinction between the occupation of land and impacts on the useability of the remaining land. Regrettably, the remaining portion of Box Hill Gardens will itself be subject to numerous impacts on its useability and social utility, due to the impacts of construction such as noise, air quality, visual amenity, character and safety.

Section 8.2.3 of the SIA states:

"Noise levels would decrease with distance across the [Box Hill] gardens such that noise levels at 80 to 100 m from the construction site are expected to generally comply with the 60 dB LAeq benchmark for passive open space.....This level of noise would likely discourage people from undertaking recreational activities adjacent to the construction zone, resulting in them moving to the centre or western side of the reserve where there would be a reduced level of airborne noise".

The area highlighted in the SIA as being impacted by noise includes is shown in the image below, and includes a municipal level play space and additional sections of the running circuit. The SIA and the Public Open Space Framework do not propose avoidance, minimisation or mitigation measures that address the limited usability of this additional section of Box Hill Gardens.



Source: Whitehorse City Council

It is to be noted that the Public Open Space Framework does not mention the impact on the play space within Box Hill Gardens, and only proposes to realign the running circuit.

Table 7-5 of the Land Use Planning Impact Assessment (**LUPIA**) is shown below:

Table 7-5 Potential land use planning and infrastructure impacts and key avoidance and mitigation measures

Potential impacts (pre-mitigation)	Key design avoidance and mitigation measures
Loss of community facilities and open space at Box Hill Gardens (during construction) and occupation and reconfiguration of the Whitehorse Road Linear Reserve (during construction and operation).	<ul style="list-style-type: none"> The Project's occupation of Box Hill Gardens would result in the temporary loss of a large volume of open space largely used for passive recreation as well as the severance of a running track and loss of established trees (refer to the Arboriculture Impact Assessment Report – Technical Appendix D.2 for maps and assessment of impacted trees). Impacts are minimised through the avoidance of occupation of most internal equipment such as the playground, multipurpose courts, and toilets. The Project should minimise its above-ground footprint on the existing open space as much as practicable. The loss of public open space during construction is expected to be longer-term at Box Hill Gardens than other Project sites as the TAS location may be used for SRL North once SRL East has been completed. Temporary occupation of the site is predicted to be for eight years. The return of surplus land as open space, with remediation and planting of established trees, should be done as soon as possible post-construction. SRLA is preparing an Open Space Framework to set out a clear approach to mitigate impacts on open space from construction and operation of the Project. Consultation with the Whitehorse City Council should occur throughout the precinct planning process to identify further mitigation measures and investigate opportunities for providing open space and community facilities in the Project design or surrounding precinct. Although the Whitehorse Road Linear Reserve is open space, the impact of occupying this space is reduced by its current low level of use. It is limited as a crossing point for pedestrians, benches, vegetation, a tram terminus, and kiosk. Impacts should be minimised by reducing tree removal as much as practicable and providing a return to open space (post-construction) that is a quality and usable offset for the Box Hill community.

Of particular note to Council about the above statements is:

- The LUPIA claims that the Project is avoiding impacts on the play space, in contrast to the acknowledgment in the SIA that the play space will indeed be impacted;
- The community will suffer greater impacts from the Project's use of Box Hill Gardens due to its occupation during the construction of SRL North; and
- Consultation with Council is to be contemplated during the Precinct Planning process to identify additional opportunities for open space. Given the impacts are as a result of the Project's construction, it is ridiculous to suggest mitigation measures should be deferred to the precinct planning phase.

Given the high density nature of living, working and learning in Box Hill, access to open space is even more important than some other areas along the SRL East alignment. Council urges the SRLA to think carefully about potential mitigation options to address the serious issue of access to open space.

Additionally, Council is concerned with the following issues:

- The Uniting AgeWell Box Hill Community aged care facility will be surrounded by ongoing building works through both the current Project and SRL North. The impact of noise, vibrations and lack of access to amenity for walks and social activities will have a significant and ongoing impact on the lives of older people within this facility and in surrounding properties. A specific EPR is needed to address impacts for residents and employees of the facility, given that the SIA acknowledges that the Residential Support Guidelines *"may be difficult to apply in the case of Uniting AgeWell Box Hill Community, with vulnerable residents likely to have specific needs requiring a tailored approach to mitigating the impact on residents."* The report recommends early engagement with the facility as the only additional mitigation measure, which is considered insufficient;
- The establishment of a slurry plant within Box Hill Gardens (in very close proximity to the play space) is proposed as part of SRL North. Although it is accepted that SRL North, which is intended to be constructed from Box Hill Gardens north towards Doncaster, is not the subject of the IAC inquiry, Council considers that the additional impacts that would inevitably result from the continuation of the SRL must be accounted for in assessing its long-term impacts on Box Hill Gardens;
- The Victorian Government will be concurrently constructing North East Link, including the reconstruction of the Eastern Freeway within the City of Whitehorse. The cumulative impacts of NELP and the Project will be intensely felt by community members between Whitehorse Road and the Eastern Freeway, exacerbating the impacts for residents who will be dealing with construction vehicles from the two biggest transport infrastructure projects in Victoria's history;
- Given large private developments within Box Hill, particularly Vicinity Centre's major redevelopment of 17-21 Market Street, adjacent to the SRL Box Hill site, there is potential for *construction fatigue* within the community, including its significant cumulative impacts on:
 - residents, who may choose to move out of the area;
 - workers, who may look for alternative employment; and
 - visitors, who may visit alternative locations for business, health care, education and recreation;
- The land on the west side of Station Street between Whitehorse Road and Main Street is proposed in some EES documentation to be for the purposes of 'future development' and in other documents shown as 'public realm' (see various figures below). Council

contends that the land must be returned as public realm, particularly to cater for the replanting of Project vegetation.

Examples of figures in EES documentation showing land to be 'public realm':

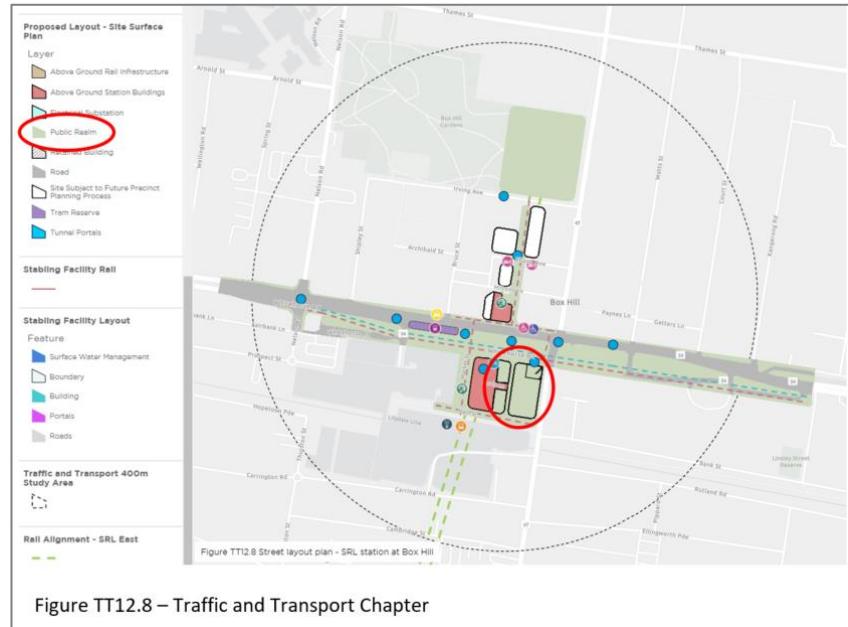




Figure 9-58 LVIA

Example of figures in the EES documentation showing land marked for 'future development':



Figure 8-7 SIA

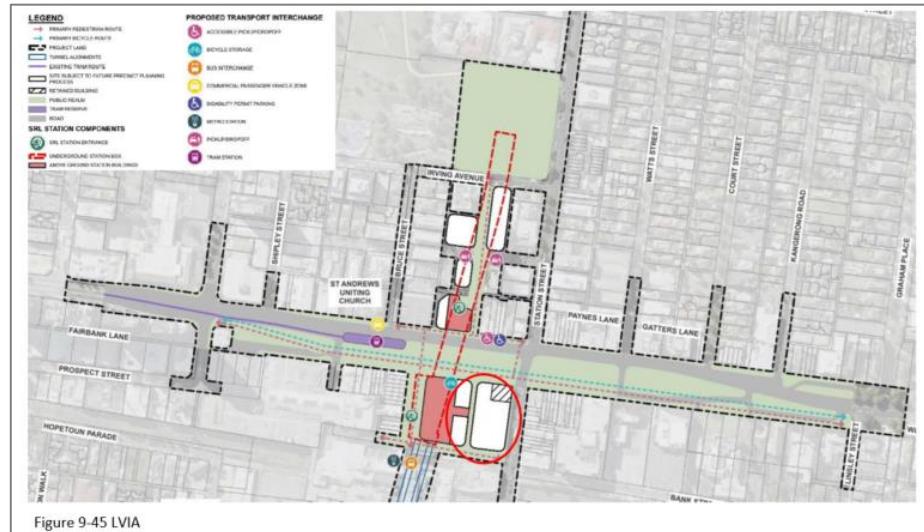


Figure 9-45 LVIA

Recommendations

- As a priority, provide new open spaces, including a play space, within close proximity to central Box Hill prior to the commencement of construction.
- Minimise to the greatest extent, the amount of Box Hill Gardens needed for construction activities;
- A specific EPR is needed to address to impacts for residents and employees of the Uniting AgeWell facility, given that the SIA acknowledges that the Residential Support Guidelines “*may be difficult to apply in the case of Uniting AgeWell Box Hill Community*”; and
- Return to Council all surplus construction land for open space and civic infrastructure once the construction of the Project has been completed, including land on the west side of Station Street between Whitehorse Road and Main Street, Box Hill.

Burwood Station

The social impacts of the Project on the area surrounding the proposed Burwood Station have been understated and inadequately assessed within the EES.

It remains Council's view that:

- residential displacement and reductions in residential amenity during and following construction will be significant, and additional measures should be undertaken to mitigate these impacts;
- although the EES acknowledges the significant impact of the Project on the Burwood neighbourhood area, particularly on amenity, pedestrian movement, access and privacy, it does not provide for acceptable ways to mitigate these impacts;
- during operation, commuters and visitors are likely to congregate nearby Burwood Station, with resulting impacts on nearby residents, particularly at night, from noise and light spill; and
- the EES has not assessed the social impacts associated with a new bus route being introduced along Sinnott Street. Residents will have noise and air quality impacts that are not part of the existing environment of the street.

Council is very concerned with the proposed acquisition of Sinnott Street Reserve. The land is not required for station infrastructure following construction of the Project and it is therefore an unacceptable social outcome to permanently acquire land and designate most of it for ‘future development’. This presents as the wrong priority.

In relation to the impacts at Burwood, the Social and Community Impact Assessment states at page 85:

“Construction of SRL Station at Burwood would require the permanent occupation of Sinnott Street Reserve and Burwood Skyline Drive-In Park. This would reduce the amount of public open space available to the community for active and passive recreation. There are alternative open spaces in the broader area such as Lundgren Chain Reserve and the western, northern and southern extents of the Gardiners Creek Reserve, however, for some users these alternative open spaces would be more than 400 meters away and inconsistent with the aims of the Whitehorse Open Space Strategy which aims to deliver open space for everyone within a five minute walk (approximately 400m). Further the Lundgren Chain Reserve acts as a linear reserve and does not support a similar level of activity to Sinnott Street Reserve. Further these alternative open spaces do not all have

replacement play spaces, resulting in a diminishment of the formal equipment that children can use in the immediate area. Further, users would need to cross Burwood Highway, Station Street, Sinnott Street or Highbury Road to access playgrounds or comparable open spaces. Sinnott Street would be carrying truck traffic, while the other roadways carry high levels of traffic, reducing the accessibility of these alternative open spaces. The level of traffic may also present a barrier to access, with parents of younger children likely to have safety concerns about accessing these alternative spaces unaccompanied. The increased walking distance required may also prove a barrier to persons unable to walk longer distances such as the elderly or disabled.

Operation

Sinnott Street Reserve would be acquired for the Project. Occupation of these open spaces would adversely impact adjoining residential community who use these spaces for active and passive recreation.

The community would benefit from the creation of alternative open space east of Gardiners Creek. Rehabilitation of this land presents an opportunity to better tailor it to the needs of the current and future community. However, this open space may not be able to support some of the activities that the existing Sinnott Street Reserve supports such as informal ball sports.

The loss of established trees and other vegetation alongside Gardiners Creek and the placement of Project infrastructure such as the pedestrian bridge would likely concern the local community. The concern would stem both from the perceived loss of environmental values. The Project would return much of the affected open space in Gardiners Creek Reserve. The reinstatement of this land presents an opportunity to better tailor it to the needs of the community. However, it is likely that much of the mature vegetation such as trees would take longer to replace to a comparable level (Arboriculture Impact Assessment, Technical Appendix D.2). This may be perceived as a diminishment of the sense of place within these parks and reserves until those trees are established.”

A lineal strip of open space adjacent to Gardiners Creek is proposed by SRLA. While this will improve the interface with the station infrastructure, it cannot be compared to losing approximately 8,400m² of open space at Sinnott Street Reserve that is used for passive and active recreation activities.

The proposal to naturalise Gardiners Creek only as far south as the existing foot bridge near where Sinnott Street Reserve is currently, is considered a poor visual and social outcome and it is strongly recommended to naturalise the creek through to Highbury Road.

There is an existing Community Garden located close to the Burwood Station. It is unclear how the impacts upon the community gardens (eg dust) will be managed.

It is submitted that the overall impacts of the loss of public open space at Burwood are unacceptable.

Recommendations

- An EPR is required to ensure acquisition only applies to land that is required for permanent Project infrastructure. All other land required for construction can be occupied on a temporary basis, and must be returned to its pre-existing use post-construction, unless otherwise agreed with the land owner. This will ensure Sinnott Street Reserve will be returned as public open space in its entirety following the construction of the Project;
- Prior to occupation of Sinnott Street Reserve for construction, provide replacement public open space of equal area in the vicinity of the Burwood Station to enable continuity of the active recreation activities (ie use of the play space);

- Naturalise Gardiners Creek between Burwood Highway and Highbury Road; and
- Ensure the amenity for residents surrounding the station (eg residents of McComas Grove and Sinnott Street) is respected through the provision of the highest level of protection during the construction and operation phases of the Project.

16. GROUNDWATER

Council considers that the EES appropriately addresses the Project's impacts on groundwater and supports the implementation of EPRs to manage groundwater impacts during construction and operation.

Council recommends that several minor amendments to the mitigation measures provided in the EES should be pursued:

- additional testing should be undertaken within the Box Hill Station area to ensure that the pumping, treatment and disposal of contaminated groundwater can be adequately managed, including the implementation of an additional EPR requiring ongoing monitoring in this instance;
- additional measures to ensure impacts will be properly managed where PFAS is detected during construction; and
- an additional or amended EPR should require the durability of Project infrastructure materials to be assessed while engineering assessments are undertaken during detailed design. This assessment should consider groundwater quality and its potential for aggressive impacts on materials.

17. SURFACE WATER

Council considers that surface water impacts of the Project need to be further assessed in order to demonstrate that there are no impacts to properties and buildings located close to the Project stations, especially Burwood Station. Mitigation works are not to increase flood levels on neighbouring properties.

As it stands, Council remains concerned with a number of issues:

- the capacity of the drain/culvert underneath Burwood Highway, particularly whether the possibility of blockage and the resultant impacts. The blockage needs to be considered as part of the detailed design and details provided to Council prior to any detailed design approval;
- the proposed modelling does not adequately establish that the risk of unreasonable stormwater discharge through buildings and structures will be mitigated; and
- mitigated flood mapping shows afflux through some properties within the vicinity of Burwood Highway and McComas Grove, which the EES does not adequately consider.

18. NOISE AND VIBRATION

Airborne Noise

Council is concerned that airborne noise impacts caused by the construction and operation of the Project have not been properly addressed with the EES. Airborne noise poses a particular issue during construction, where disruptions to the use and enjoyment of the various existing uses within the Project station areas are expected to be long-term and significant.

As we have explored in other sections in this submission, the potential for airborne noise to be properly estimated and accounted for during construction and operation is of paramount importance.

In particular, Council considers that the following issues have not been adequately addressed in the EES:

- it is unclear whether adopting the Passenger Rail Infrastructure Noise Policy (**PRINP**) to evaluate operation noise impacts of the Project will allow a full assessment of operational noise impacts and additional assessments are required to consider all relevant train noise limits for the Project;
- the appropriateness of relying on 14 suitable noise measurements over the 26km alignment for the Project;
- further assessments should be undertaken, particularly to ensure that the Project comprises an acceptable impact on nearby properties where it appears that train noise at noise sensitive receiver locations exceed the prescribed noise levels provided in the Better Apartment Design Guidelines (**BADs**) and relevant Australian Standards;
- equally, appropriate noise limiting treatments have not been sufficiently considered at the Project, instead relying on acoustic shielding at particular properties where the relevant thresholds are not achieved;
- as constructed layouts for the Project remain indicative, the EES lacks sufficient detail on the location and extent of noise sources from the Project; and
- additional noise monitoring should be required once the Project becomes operational to ensure opportunities are available to mitigate these impacts should they arise.

Ground-borne Noise and Vibration

Council considers that the EES does not adequately demonstrate that ground-borne noise and vibration impacts from the Project have been properly mitigated.

Of particular concern to Council is:

- the availability and specification of data sources used in the noise modelling;
- whether variations have been properly accounted for in modelling;
- how the Residential and Business Support Guidelines will be applied to the Project to mitigate any impacts from ground-borne noise and vibration during construction and operation of the Project;
- insufficient detail regarding sources of noise and associated input levels.

Considering the potential for noise and vibration to significantly impact upon values like human health, business, amenity and existing developments, Council considers that the scrutiny of modelling and mitigation measures at the EES stage is crucial to ensuring that the EMF and EPRs can appropriately manage any issues that may arise.

19. AIR QUALITY

It is acknowledged that EPR AQ1 requires that an Environmental Air Pollution and Dust Management Plan (**EAPDMP**) to be developed and implemented. Council considers that the EAPDMP should expressly provide for some additional measures to ensure human health is not impacted by the construction and operation of the Project, including:

- the consideration of complete or partial enclosures of the load-out area nearby the proposed Burwood Station, to ensure that the impacts of raised dust does not unduly impact nearby residences open spaces and the community gardens on Sinnott Street; and
- measures to ensure that real time alerts from ongoing dust monitoring to allow for the swift and real-time response to and rectification of unreasonable dust impacts, should they arise.

20. PLANNING SCHEME AMENDMENT

The drafting of the planning scheme amendment documents is directly related to the question of whether the project is a reference design. As per our comments in section 2 of this submission, we have assumed that the EES is based on a reference design and the drafting of the incorporated document and the EMF seems to proceed on that basis. Thus the provisions are very broad and allow the Minister to approve various documents which can be different to the form of the documents exhibited with the EES. This brings into question whether an EES will have been undertaken on the project that is built as distinct from the reference design.

Council reserves its right to expand on this issue after hearing how the Authority presents its case.

We make the following preliminary comments in relation to the Incorporated Document introduced by SCO 14 :

- Clause 4.4.5 should be amended to expressly require the SRLA to engage with affected councils where the Minister for Planning exercises power to amend the EMF, any of the EPRs or key documents such as the UDS or any of the relevant plans, particularly the urban design and landscape plans.
- The Urban Design Advisory Panel (**UDAP**) proposed in clause 4.5 should specifically include a Council representative.
- The definition of ‘preparatory buildings’ in clause 4.10.2 is vague, and should be amended to provide for more certainty of the particular types of buildings that meet the definition. Currently, preparatory buildings and works are defined as “include, but are not limited to”.
- Stronger provisions and criteria should be included for the process of amending key documents such as the EMF and UDS. These are intended to be foundational documents and should not be amended “to the satisfaction of the Minister”

We make the following preliminary comments in relation to the Incorporated Document introduced by SCO 15 :

- The introduction of the SCO 15 Incorporated Document has the potential to introduce additional and unnecessary work for local government through unnecessary planning permit triggers. The SCO proposes to trigger permits for development (including demolition) based upon a ‘weight above surface level’ criteria. While the permit trigger on demolition is acceptable, it is unreasonable for councils to have to manage the permit trigger for new development based on technical criteria.
- Rather than trigger planning permits and then having planning departments having to refer, write reports and determine an application, provisions should be introduced that require a development proposal to seek pre-approval from the SRLA prior to lodgement of a permit application, to enable an application to be assessed and determined quickly. This puts the onus back onto a developer to seek pre-approval of detailed designs, rather than Council. The consideration of a proposal by a council can then be limited to the usual planning considerations with the technical details left to the pre-approval process and conditions of a planning permit which would then require formal sign off by the SRLA before endorsement of plans under a planning permit.
- Given the scale of development, particularly in Box Hill, further clarity of process is required regarding permits that have current approval however may seek to be amended by the developer.
- Proactive communication by the SRLA is warranted to ensure developers with current or proposed planning permits fully understand the proposed Planning Scheme Amendment.

- Council heard many concerns from property owners in Whitehorse regarding SCO 15. The comments received by Council demonstrated that community members are confused by the requirements proposed in the PSA as well as being unsure of the impacts of having the tunnel infrastructure under their land. Council suggests EPRs be developed that ensure:
 - Improved and streamlined processes be put in place to reduce the burden on land owners to apply for and receive planning permits; and
 - additional community engagement be undertaken to ensure land owners understand the intent of the PSA as well as the processes required should works on their land trigger the need for a planning permit.

21. COMMUNITY ENGAGEMENT

Council engaged an independent company to facilitate a number of community engagement activities at the commencement of the EES exhibition period. The aim of the engagement activities was to understand views of the Whitehorse community regarding the Project and to align Council's advocacy priorities with community concerns.

A high level summary of the outcomes from the engagement activities is listed below. The outcomes demonstrate that Council's submission regarding the EES is representative of the views of the impacted community within Whitehorse.

The following community engagement activities were facilitated during 8 to 21 November 2021:

- An online survey was open between 8 November 2021 and 21 November 2021. 114 responses were received;
- An online community forum was hosted on 10 November 2021. The forum provided general information about the Project within Whitehorse and invited comments from participants. 152 community members participated in the forum; and
- A community panel was established, comprising 23 representatives from the Whitehorse community. The panel participated in two online workshops on 11 November 2021 and 18 November 2021 to undertake a deeper dive into the issues and opportunities regarding SRL.

All activities were advertised via email, web, social media and letters mailed to property owners and occupiers in the vicinity of the SRLE alignment within the City of Whitehorse.

The combined key priorities that have come through the community engagement activities are:

Burwood

- Direct underground connection between the Burwood SRL station and the northern side of Burwood Hwy;
- Protection of vegetation and open space; and
- Provision of support to impacted businesses and residents.

Box Hill

- Direct underground connection between the existing Box Hill station and the new SRL station;
- Protection of vegetation and open space, particularly in Box Hill Gardens;
- Provision of support to impacted businesses and residents; and
- Connection of the cycling path along Whitehorse Road to the existing Box Hill to Ringwood path and the proposed Box Hill to Hawthorn path.

Tunnels

- Protect the integrity of structures, open space and vegetation above the tunnels; and
- Limit noise and vibration from the tunnel's construction and operation.

There was an overall feeling that community members would have benefited from more information about the Project from SRLA, particularly regarding the impacts of the tunnels under properties. Concerns were raised about the lack of transparency regarding future precinct planning.