

Environment
Effects Statement

Chapter 28

Conclusion



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28.1 Overview

This chapter concludes the Environment Effects Statement (EES) for North East Link and provides an overview of how the assessment has responded to the scoping requirements issued by the Minister for Planning.

North East Link would connect Melbourne's freeway network between the M80 Ring Road and the Eastern Freeway. It would be a safe and efficient freeway connection for 100,000 vehicles per day, reducing travel times, getting trucks off local roads and linking key growth areas in the north and south-east.

The purpose of the EES is to assess the positive and negative environmental effects of the proposed North East Link. Through the EES process, the North East Link Project (NELP) has:

- Addressed the scoping requirements issued by the Minister for Planning
- Undertaken an integrated assessment of the potential environmental effects of North East Link through the preparation of 18 technical reports
- Evaluated the project's risks and potential impacts on a precinct and project-wide basis and recommended Environmental Performance Requirements (EPRs) and proposed measures to avoid or offset these impacts.

28.2 Reference design and Environmental Performance Requirements

A reference design for North East Link has been developed to demonstrate a technically feasible means by which the project could be designed, constructed and operated.

The reference design, design options and indicative construction methodology forms the basis of the impact assessments in this EES and has been used to develop the EPRs for the project, setting the environment outcomes that must be achieved by the project, irrespective of the ultimate design solution selected for the project.

The recommended EPRs define the outcomes that must be achieved in project delivery and operation, rather than specifying how the outcomes would be achieved. The EPRs are part of North East Link's Environmental Management Framework (EMF), which is discussed in detail in Chapter 27 of this EES. Compliance with the EMF and the recommended EPRs would be a requirement of the contractual arrangements for delivery of the project.

28.3 Project evaluation against the scoping requirements

North East Link has been assessed against the evaluation objectives set out in the scoping requirements. Assessment against the evaluation objectives will assist the Minister for Planning to determine whether the environmental effects of the project would be acceptable. The evaluation objectives identify the desired outcome to be achieved by North East Link in terms of identifying and managing the potential impacts of constructing and operating the project.

A summary of the assessment of North East Link against the evaluation objectives is provided in the following sections.

28.3.1 Transport capacity, connectivity and traffic management

Evaluation objective – To increase transport capacity and improve connectivity to, from and through the north-east of Melbourne, particularly freight movement via the freeway network instead of local and arterial roads, while managing the effects of the project on the broader and local road, public transport, cycling and pedestrian transport networks.

North East Link would complete the 'missing link' in Melbourne's orbital freeway network between the M80 Ring Road and the Eastern Freeway. The project has the potential to redistribute traffic and change travel patterns in Melbourne's north-east and across the broader metropolitan area. Benefits and impacts associated with the construction and operation of North East Link could be experienced by all types of road users, including cars, trucks, buses, on-road trams, pedestrians and cyclists.

To assess the potential effects of North East Link on traffic, freight, public transport, cyclists and pedestrians a traffic and transport impact assessment was undertaken. The assessment included analysis of strategic transport modelling outputs to understand potential effects across metropolitan Melbourne. Modelling was undertaken for the year 2036 for both a 'no project' and 'with project' scenario.

During construction, North East Link would:

- Increase the number of trucks on the existing road network, particularly in the area between Kempston Street and the northern tunnel portal
- Require a number of short-term road closures, which may result in some redistribution of traffic away from construction areas
- Result in some disruption to public transport services, including temporary closure of the Hurstbridge rail line and potential temporary relocation of some bus stops.

During operation, North East Link would:

- Improve travel times across north-east Melbourne, with users of North East Link saving up to 35 minutes of travel time between M80 Ring Road and the Eastern Freeway in 2036 compared to the 'no project' scenario
- Benefit public transport users by introducing the new Doncaster Busway
- Improve accessibility for pedestrians and cyclists through the construction of new and upgraded walking and cycling paths
- Redistribute traffic, including heavy vehicle traffic, from local and arterial roads. Specifically, it is anticipated that Rosanna Road would experience a reduction of approximately 12,000 vehicles per day and Greensborough Road would experience a reduction in 19,000 vehicles per day
- Increase traffic volumes on some arterial roads south of the Eastern Freeway and near the Greensborough Bypass/Grimshaw Street interchange. These increases are primarily anticipated to occur outside peak periods.

The project EPRs would minimise potential impacts associated with construction and operation of North East Link on traffic and transport. Transport Management Plan(s) would identify appropriate construction traffic routes; measures to maintain transport capacity and connectivity, including limits to construction haulage in peak periods; and safety for pedestrians and cyclists. Traffic performance would be assessed before, during and after the project's construction.

28.3.2 Health, amenity and environmental quality

Evaluation objective – To minimise adverse air quality, noise and vibration effects on the health and amenity of nearby residents, local communities and road users during both construction and operation of the project.

The EES has set out the results of the detailed modelling of the potential noise and vibration (including tunnel vibration) and air quality changes associated with the construction and operation of North East Link. The modelling demonstrates that the project can be constructed and operated in compliance with applicable regulatory standards and best practice guidelines. The human health impact assessment considered changes in emissions to air and noise and vibration resulting from the construction and operation of the project. In addition, the assessment considered potential effects on health associated with social changes arising from North East Link. Application of the project EPRs would minimise impacts related to air quality, noise and vibration, contamination and social impacts.

A number of construction scenarios were modelled to determine the expected noise impacts that would occur from works during the day, evening and night-time period. This highlighted a number of potential impacts that warrant the need for additional mitigation and time restrictions for certain activities. In order to manage the predicted noise levels during operation, noise walls up to 10 metres high would be constructed along the road corridor. The EES predicted that 159 properties cannot achieve compliance with the project noise standard even with the proposed noise walls, due mainly to the relative heights of the property with respect to the roadway or due to instances where continuous noise walls cannot be constructed at particular locations. Such properties would be considered for at-property mitigation during detailed design. In contrast, a reduction in noise is predicted at approximately 2,300 residences along the North East Link alignment.

The EES also confirms vibration impacts from tunnelling activities would produce minor, but at some locations perceptible levels of vibration and audible regenerated noise. Mitigation measures based on appropriate local and international standards would restrict vibration or regenerated noise to levels that are acceptable to the majority of people. Although the performance requirements would not restrict the amenity impacts to imperceptible or inaudible levels, they are considered to prevent vibration-induced damage to property and other infrastructure. Controlling impacts that relate to personal amenity would consequently limit physical damage to assets.

There is the potential for air quality impacts during construction, mainly in the form of various particulate matter (particularly dust) and possibly odour. These impacts are likely to be localised, of short duration and intermittent in nature and could be appropriately managed through EPRs. To determine the potential impacts during operation, modelling was conducted to assess the air quality impacts of proposed roads, realigned roads, and existing roads predicted to be affected by the project. Predicted decreases in traffic volumes on 16 roads due to North East Link mean that air quality is improved for the assessed pollutants. Conversely, predicted increases in traffic volumes on eight roads mean that air quality decreases for assessed pollutants.

EPRs have been recommended which take into account the potential impacts on nearby residents, businesses and local communities and the special needs of health and education facilities along North East Link. The technical appendices to the EES provide details of management actions and mitigation measures that would be implemented to meet the air quality, noise and vibration targets set for the project.

The impacts identified for noise and vibration (including tunnel vibration during construction) and air quality would be managed through the implementation of EPRs, and there are no significant impacts to community health. This is because the changes associated with the project are not considered to result in significant or measurable impacts on the health of the community.

28.3.3 Social, business, land use and infrastructure

Evaluation objective – To manage effects of the project on land use and the social fabric of the community with regard to wellbeing, community cohesion, business functionality and access to goods, services and facilities.

The construction and operation of North East Link has the potential to change the physical and social environment in a number of ways. These changes may in turn result in flow on effects to communities and businesses with regard to wellbeing, community cohesion, business functionality and access to goods, services and facilities.

To assess these potential effects, a social impact assessment, business impact assessment and land use planning impact assessment was undertaken. This included meetings with local councils (Banyule, Boroondara, Nillumbik, Manningham, Whitehorse, Whittlesea and Yarra), and surveys with businesses, community infrastructure facilities and user groups. Workshops were held with residents living in close proximity to the alignment and input was also drawn from project-wide engagement activities.

Acquisition would affect land currently used for residential, commercial, open space and community facility purposes. In the case of the acquisition of land within the Bulleen Industrial Precinct, this would be inconsistent with local and State planning policy, which seeks to maintain existing industrial land uses. More than 80 businesses within this precinct are identified for permanent acquisition. These businesses are likely to experience high turnover prior to acquisition and following acquisition, displacement would cause business and employment loss if these businesses were unable to relocate to other premises.

The social assessment found that land acquisition has the potential to disrupt social networks and neighbourhoods, and may result in stress and worry for some individuals. Similarly, the project's temporary occupation and acquisition of recreational and open space areas would reduce the availability of these facilities at the neighbourhood level, which has the potential to reduce the immediate opportunity for active lifestyle activities and to connect with nature.

Increased noise levels and changed air quality during construction have the potential to negatively affect people's day-to-day lives and the operation of businesses. Additionally, changes to the transport environment during construction would increase travel times. Changes in visual amenity, including increased overshadowing, would reduce the amenity at some dwellings, and may negatively affect people's use of their private open spaces.

The project would be required to minimise the design project footprint to the extent practicable. Where land acquisition is required, EPRs have been developed to reduce the severity of the impact on residents, businesses and users of community facilities. Changes in amenity and the transport environment, including increased overshadowing would be minimised during the final design and through EPRs identified by a number of other studies (ie the noise, air quality, landscape and visual amenity, and traffic and transport assessments).

Notwithstanding the above, the project's operation would generate social benefits for residents, businesses and communities in the nearby area and wider region with improved access, reduced travel times and improved amenity.

28.3.4 Landscape, visual and recreational values

Evaluation objective – To minimise adverse effects on landscape values, visual amenity, recreational and open space values and to maximise the enhancement of these values where opportunities exist.

North East Link would extend across a large geographic area, crossing three distinct environments defined by topography, geology, vegetation and waterways. These environments have influenced the surrounding urban development, land uses and landscape values. To inform the existing conditions and assess the landscape and visual impacts, the assessment divided the project according to these three distinct landscape character areas. These are the Ridgeline, the Yarra River Valley and the Koonung Creek Valley. These landscape character areas also underpin the project's Urban Design Strategy.

The visual components of North East Link include proposed noise walls, flood walls, tunnel portals, ventilation structures, viaducts and overpasses. To assess the landscape and visual impact of this infrastructure, an analysis was undertaken of viewpoints in both the public and private domain, within each landscape character area. The viewpoint locations were determined using a zone of theoretical visibility which uses Geographical Information Systems (GIS) software to identify the area from which the project could be visible. This was also supported by an assessment of potential overshadowing and light spill impacts.

The impact assessment highlighted that the project's landscape and visual impacts would be minimised by adoption of tunnels within the Ridgeline and Yarra River Valley landscape character areas, and because the Eastern Freeway upgrades would be contained largely within the existing freeway footprint. However, in places where permanent new infrastructure would be located close to residential and commercial properties and open space, the potential visual impacts could be significant and lasting. This is because in some locations there would be insufficient space for vegetation buffers to screen or filter views of noise walls and elevated structures. Where there is sufficient space for planting, the landscape and visual impact would be reduced.

There would also be significant landscape and visual impacts during construction due to the temporary occupation of open space in proximity to residential areas. However, most of the occupied open space would be returned to its original use when construction finishes, restoring the landscape character of these areas.

To manage landscape and visual impacts, the EPRs require that the project's landscape treatments and design response are generally in accordance with the project's Urban Design Strategy. This requires the project to avoid or minimise landscape and visual, overlooking and overshadowing impacts in duration and intensity, and to maximise opportunities for enhancement of public amenity, open space and facilities and heritage places. The project contractor would also be required to minimise landscape and visual impacts during construction, which could include temporary landscape treatments, aesthetic hoardings and planted screenings. To address lighting impacts, the contractors would also be required to minimise light spill during construction and operation to protect the amenity of adjacent neighbourhoods, parks, native fauna habitat and community facilities.

28.3.5 Habitat and biodiversity

Evaluation objective – To avoid or minimise adverse effects on vegetation (including remnant, planted and regenerated) listed rare and threatened species and ecological communities, habitat for listed threatened species, listed migratory species and other protected flora and fauna, and address offset requirements for residual environmental effects, consistent with relevant State policies.

The existing roadways and urban landscape along the majority of North East Link's alignment means that many areas have a long history of disturbance and have been cleared of native vegetation. A notable exception is the Yarra River and its floodplain, which provides habitat for a range of threatened terrestrial and aquatic species. The reference project has been developed to avoid impacts on this sensitive area by tunnelling beneath the Yarra River and the surrounding Banyule Flats and Warringal Parklands. Furthermore, the project has established a series of no-go zones which protect other ecologically sensitive areas, including a Grey-headed Flying fox campsite within Yarra Bend Park, Bolin Bolin Billabong, and a Plains Grassy Woodland patch near the intersection of the M80 Ring Road and Plenty Road. Investigation of potential indirect impacts within these areas, and indirect and direct impacts outside of these areas has been undertaken as part of the EES.

To facilitate impact assessment, the project has undertaken comprehensive field surveys and completed a review of available literature to understand the existing values and threatened flora and fauna that are likely to use the area proposed to be occupied by the project.

A key finding of the assessment has been identification of a large population of Matted Flax-lily within Simpson Barracks, as well as several other individuals along the proposed alignment. Matted Flax-lily is protected at the national and state level. Noting the importance of this species, the project has committed to translocating the directly impacted individuals to a suitable location prior to the commencement of construction. Translocation of Matted Flax-lily has been successfully undertaken for other projects in Victoria, and the processes of salvage and translocation would be subject to strict approval process administered by DELWP and DoEE.

It is acknowledged that clearing of up to 52 hectares of native vegetation would be required to enable construction of the project. The EPRs require that clearing is minimised to the extent possible, particularly through sensitive areas such as Simpson Barracks, Yarra Bend Park, Trinity Grammar wetlands and the Koonung Creek Valley. Where the removal of native vegetation is unavoidable, the project must meet the assessment and offset requirements of DELWP's Guidelines for the removal, destruction or lopping of native vegetation.

During construction, potential impacts to fauna would be managed through the implementation of a Construction Environmental Management Plan (CEMP) which would require pre-clearing surveys, reporting of incidental flora and fauna finds, and management of noise and vibration around the Yarra River at migration or breeding times to prevent impacts on Australian Grayling.

The potential for indirect impacts has also been informed by other studies, such as groundwater modelling that has informed the assessment of impacts on groundwater dependant ecosystems. The tunnels have been designed to prevent significant inflow of groundwater by casing the tunnel with concrete panels. This reduces the opportunity for groundwater drawdown to occur and has largely restricted potential impacts to an area within Simpson Barracks where some large trees may be affected by groundwater drawdown over time. Conservatively, the project is committed to offsetting trees with the potential to be affected in accordance with DELWP's requirements.

In addition, the project has also considered its impact on trees. It is estimated that around 16,000 planted trees would be removed (and an additional 10,000 planted trees would be potentially impacted) to allow for construction and these are of varying age, quality and predicted lifespan, and are situated within a range of landscape contexts. The EPRs recommend maximising tree retention during detailed design to minimise canopy loss. Furthermore, recognising the value of canopy within the landscape, the project has committed to replacing lost canopy cover to achieve a net gain in canopy over time.

28.3.6 Cultural heritage

Evaluation objective – To avoid or minimise adverse effects on Aboriginal and historical cultural heritage values.

North-east Melbourne has a long history of Aboriginal occupation and more recent European settlement. Places and objects of Aboriginal and historical heritage are highly valued by the community and contribute to a sense of history and identity. Aboriginal heritage places in particular can speak to the momentous changes which have occurred since contact, as well as to the continuities in cultural values and traditions which persist.

It is important to understand the heritage assets and values in the vicinity of the North East Link and to assess the nature and severity of any impact the project may have on these. To do so, an Aboriginal cultural heritage assessment and a historical heritage assessment were undertaken, involving desktop assessments, site visits to ground-truth the results, and sub-surface investigations.

The assessments found that the majority of impacts to historical heritage can be avoided as North East Link is in tunnel for a substantial portion of the project, including through the sensitive areas of the Yarra River and its environs. In other parts of the project, there are relatively few locations where project works would intersect or otherwise have an impact on historical heritage places or values.

Detailed design would be undertaken to minimise impacts to historical heritage values.

An Archaeological Management Plan would be developed to minimise and manage the disturbance of archaeological sites. Vibration monitoring would be undertaken during construction for heritage sites at risk of impact. Archival photographic recording would be undertaken for heritage places disturbed by works.

For Aboriginal cultural heritage assessment it was found that there would be impacts to a number of artefact scatters and historical references. To manage these impacts, a Cultural Heritage Management Plan (CHMP) would be developed. This would guide the detail of the assessment undertaken and provide recommendations to minimise, avoid or mitigate the impact to Aboriginal cultural heritage values.

28.3.7 Land stability

Evaluation objective – To avoid or minimise adverse effects on land stability from project activities, including tunnel construction and river and creek crossings.

For North East Link, the key land stability issues are ground movement associated with tunnelling and works that could affect the bed and banks of waterways.

Ground movement is the horizontal and vertical movements of ground due to sub-surface activities like tunnelling. Whilst tunnelling would be undertaken using well-tested engineering methods to minimise ground movement, some movement is expected. Where ground movement does occur, there is potential for damage to buildings, structures and environmental features.

The reference project has been informed by geotechnical investigations and modelling of potential ground movement impacts has demonstrated that the project can be constructed and operated with negligible to slight damage to buildings and structures. A sculptural installation, Helmet is proposed to be relocated during tunnelling beneath Banksia Park to avoid damage to this artwork. To manage ground movement during construction, EPRs require further assessment of ground movement levels prior to construction commencement and condition surveys of buildings and structures susceptible to impact.

Works in the vicinity of Koonung Creek, Banyule Creek and the Yarra River have the potential to impact on the stability of beds and banks of these waterways. The road tunnels would pass under the Yarra River to avoid direct impacts on the river. The potential for subsidence due to tunnelling has been assessed to be insignificant with respect to the function and stability of the Yarra River.

Works undertaken within other waterways or floodplains that involve removing soil from the bed or banks would have mitigation measures such as the provision of erosion protection on banks, efficient vegetation establishment or other erosion control measures suitable to mitigate the potential for bed or bank instability. Further, works on waterways or within floodplains would be undertaken to the satisfaction of Melbourne Water or the relevant drainage authority in consultation with relevant local councils and property managers.

28.3.8 Waste management

Evaluation objective – To manage excavated spoil and other waste streams generated by the project in accordance with the waste hierarchy and relevant best practice principles.

An estimated 6.1 million cubic metres of spoil would be generated for the construction of North East Link. The great majority of this spoil would be 'clean fill' (material that can potentially be re-used or recycled). Consistent with the EPA Victoria waste hierarchy, opportunities for reusing this spoil would be investigated and spoil that is unable to be reused would be transported to landfill along designated haulage routes.

A Spoil Management Plan, developed in consultation with EPA Victoria, would incorporate requirements and measures for identifying, excavating, storing, handling and disposing of spoil, including clean fill. Additionally, an Acid Sulfate Soil Management Plan would ensure that acid sulfate soil and rock are managed safely in accordance with EPA Victoria guidelines.

Separately, measures would be established for the management of other wastes generated through construction such as construction and demolition wastes, organic wastes and inert solid wastes. Waste minimisation measures would be developed and implemented for these waste streams.

28.3.9 Catchment values

Evaluation objective – To avoid or minimise adverse effects on the interconnected surface water, groundwater and floodplain environments.

The project would be located within the urban waterway reaches of the Yarra River catchment. This highly urbanised part of Melbourne includes long-established residential areas, industrial precincts, parks and reserves, and community and recreation facilities. The project would intersect with existing floodplains of Yarra River, Banyule Creek and Koonung Creek. Maintenance of these floodplains is important for their ongoing ecological function as well as management of flood risk.

As part of the water cycle, groundwater discharges to surface water bodies such as rivers, creeks and swamps, connecting these water systems, or it can also be extracted for human benefit. For this project, groundwater is understood to discharge to Yarra River and the culturally significant Bolin Bolin Billabong. Review of available records indicated that there is little abstractive use of groundwater in the area, and most identified groundwater wells are used for groundwater investigation or observation purposes.

To assess the potential for changes to catchment values, the EES includes detailed modelling of changes to groundwater and flood regimes with the installation of project infrastructure within the landscape.

To manage potential flood risks due to the introduction of obstructions within existing floodplains, the reference project includes provision of flood storages, modification of existing waterways and installation of flood walls. In addition, EPRs recommend that modelling of permanent and temporary works be undertaken based on the final design, and that any changes meet the requirements of the relevant drainage authority. Flood emergency management plans would also be implemented where there is the potential for a public safety risk, including at the tunnel portals.

Impacts to surface water quality would be managed by meeting the State Environment Protection Policy (Waters) requirements, and developing plans that include methods for minimising, handling, classifying, treating, disposing and otherwise managing waste water. A water monitoring program would also be implemented during construction to inform the need for contingency mitigation. During operation, spill containments and adoption of water sensitive urban design and integrated water management principles in the stormwater treatment design would minimise adverse effects on catchment values.

The tunnels have been designed to prevent significant inflow of groundwater by casing the tunnel with concrete panels. This reduces the opportunity for groundwater drawdown to occur and has restricted potential impacts to the ecological receptors discussed in Section 28.3.5.

The EPRs recommend predictive modelling to confirm groundwater drawdown and potential impacts based on the final detailed design, taking into account the proposed construction techniques and mitigation measures. A groundwater management plan would also be required to ensure that appropriate groundwater disposal measures are adopted, to identify and manage any contaminated groundwater encountered during works (in consultation with EPA Victoria) and to implement a groundwater monitoring regime and contingency plan to address any issues that arise during construction.

28.3.10 Greenhouse gases

Evaluation objective – To demonstrate that the project will contribute to the need for an effective, integrated and climate change-resilient transport system that provides a wide range of travel choices for all Victorians.

Changes to climate have been observed globally, including increased atmospheric and sea surface temperatures, increased sea levels, increased water vapour in the atmosphere, and decreased sea and glacier ice. In Australia, climate change affects temperature, rainfall, snow, tropical cyclones and fire weather. The increase of atmospheric carbon dioxide concentrations since around 1750 is the largest contributing factor to global climate change.

The construction and operation of North East Link would involve activities that generate carbon dioxide and other greenhouse gases. To assess the potential greenhouse gas emissions from the construction and operation of North East Link, an estimation of emissions was made. The assessment included Scope 1 and Scope 2 greenhouse gas emissions sources and select Scope 3 emissions sources. For construction, key activities considered included fuel consumption, electricity consumption, the manufacture of construction materials and vegetation clearance. For operation key activities considered included electricity consumption, fuel consumption, the manufacture of maintenance materials and emissions from vehicle traffic.

The assessment found that the construction of North East Link represents an estimated 0.25 per cent of Victorian emissions on an annual basis for the construction period. For the operation and maintenance of North East Link, it is estimated that electricity consumption would represent 0.07 per cent of Victorian emissions per annum. For greenhouse gas emissions related to vehicle traffic, North East Link would marginally reduce emissions due to heavy vehicles using North East Link instead of local roads. In the context of Victoria's overall emissions, North East Link does not represent a barrier to Victoria achieving the 2050 target, which would require significant uptake of renewable energy and improvements in vehicle efficiencies.

The Sustainability Strategy includes themes and objectives that seek to minimise greenhouse gas emissions. Theme six seeks to reduce carbon emissions during construction and operation. This could include measures such as the use of biofuels or lower emissions fuels, sourcing materials locally, on-site generation, purchase of renewable energy and sourcing materials with lower embodied energy.

Guided by the Sustainability objectives, NELP has steps in place so that potential impacts of climate change on North East Link are adequately understood, managed and reflected in design and management practices. Climate change risks were considered in the development of the North East Link reference design and the EES. In identifying the most material climate risks, this has informed the integration of adaptation options into the reference design and contractual requirements for North East Link.

28.4 Environmental Management Framework

Section 3.6 of the scoping requirements states that, 'The environmental management framework in the EES should provide a transparent framework with clear accountabilities for managing and monitoring the environmental effects and hazards associated with construction and operational phases irrespective of the final form of the ultimate design to be implemented for the project'.

The proposed Environmental Management Framework for the construction and operational phases of North East Link addresses this objective by specifying the proposed environmental management arrangements for project delivery. This is included in Chapter 27 – Environmental management framework.

The development of the Environmental Management Framework has been informed by the specialist technical reports completed as part of the EES as well as relevant legislation, policy and guidelines.

The Environmental Management Framework includes recommended EPRs that are a suite of performance-based environmental standards and outcomes that apply to the design, construction and operation of North East Link. This includes requirements that set out the monitoring, reporting and auditing obligations on NELP and each contractor during construction and operation of North East Link.

Delivery of the project would be required to comply with the final EPRs approved for the project. This is facilitated by:

- The North East Link Incorporated Document, which requires the preparation of an Environmental Management Framework for approval by the Minister for Planning. NELP would update the Environmental Management Framework and the EPRs in response to the Minister for Planning's assessment of the EES. These revised documents would then form the stand-alone Environmental Management Framework and EPRs required to be approved in accordance with the Incorporated Document. This would be an Incorporated Document titled 'North East Link Project', under the Banyule, Boroondara, Manningham, Nillumbik, Whitehorse, Whittlesea and Yarra Planning Schemes. The planning scheme amendments would permit the use and development of North East Link.
- Compliance with the Environmental Management Framework and EPRs would be mandated and enforced by NELP on behalf of the State through the contractual arrangements established between the State and contractors appointed for delivery of the project. It would also be mandated by the terms of the North East Link Incorporated Document requiring the project to be developed in accordance with the Environmental Management Framework and EPRs approved by the Minister for Planning.

28.5 Next steps

The EES will be on public exhibition for 40 business days. During this time, members of the public can view the EES and make written submissions. At the end of this period, the Minister for Planning is expected to appoint an EES Inquiry and Advisory Committee to evaluate the effects of the project, having regard to the EES, the proposed planning scheme amendment and public submissions.

The Inquiry may take one of three forms: a desktop review of written submissions, a conference of submitters and a review of submissions, or a formal hearing where the proponent and submitters can speak and present expert witnesses. Given the scale and complexity of the North East Link, the Inquiry would be expected to take the form of a formal hearing. The duration of the formal hearing would be dependent on the number of public submissions and determined by the EES Inquiry and Advisory Committee. Recent similar projects required four to six weeks.

Following receipt of the Inquiry's report, the Minister for Planning would prepare an assessment of the environmental effects of the project that considers the EES documents, public submissions, the proponent's response and the Inquiry report. This assessment is usually provided within 25 days of the Inquiry's report being finalised. The Minister's assessment may conclude that the project:

- Would have an acceptable level of environmental effects, or
- Would have an unacceptable level of environmental effects, or
- Would need major modifications and/or further investigations to establish that acceptable outcomes would be achieved.

Chapter 3 – Legislative framework outlines the statutory approvals required for North East Link, if the Minister's Assessment concludes that the project would be acceptable.