



Victoria Government Gazette

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Environment Effects Act 1978

PUBLIC WORKS ORDER: NORTH EAST LINK PROJECT

Order under section 3(1) of the Environment Effects Act 1978

The Minister for Planning, being satisfied that works proposed in relation to the North East Link Project (Project), could reasonably be considered to have or be capable of having a significant effect on the environment, declares the works proposed to be undertaken by or on behalf of the North East Link Authority for the purposes of the Project to be 'public works' for the purposes of the **Environment Effects Act 1978** (Public Works).

The public works to which the Order relates comprise the following:

- Western Ring Road to Lower Plenty Road – from the M80 and Greensborough Bypass to the northern tunnel portal, this section would include a mixture of above, below and at surface road sections, with new road interchanges at M80, Grimshaw Street and Lower Plenty Road.
- Tunnels – from the northern tunnel portal located just north of Lower Plenty Road to south of Manningham Road, twin tunnels would travel under residential areas, Banyule Flats and the Yarra River. Near each tunnel portal supporting tunnel infrastructure would be required, including ventilation structures, substations and associated infrastructure. This section would include a new interchange at Manningham Road.
- Bridge Street to Eastern Freeway – this section would include open cut and bored or mined tunnel with the southern tunnel portal located south of the Veneto Club. Further south, surface road and viaduct structures would connect to the Eastern Freeway via a new interchange.
- Eastern Freeway upgrades – from around Hoddle Street in the west through to Springvale Road in the east, modifications to the Eastern Freeway would include widening to accommodate future traffic volumes, provision of new dedicated bus lanes for rapid bus services and associated works; and
- Relevant ancillary temporary works to support the construction project.

Procedures and requirements under section 3(3) of the Environment Effects Act 1978

The following procedures and requirements are to apply to the environment effects statement (EES) for the Public Works:

- (i) The EES is to document investigations of potential environmental effects of the Public Works, including the feasibility of design alternatives and relevant environmental mitigation and management measures, in particular for:
 - a. potential effects on biodiversity, including through loss, degradation or fragmentation of habitat or through other causes (e.g. shading, light, noise and vibration), as well as related ecological effects;
 - b. potential effects on beneficial uses of surface water and groundwaters due to changes in flows, water quality, hydrology connectivity, mobilisation of existing groundwater contamination, or dewatering arising during construction or operation;
 - c. potential for ground movement or other geophysical conditions including risks related to land and river bank or bed stability;
 - d. effects on cultural heritage values including Aboriginal cultural heritage;
 - e. potential effects on health and amenity during construction and operation due to changes in visual conditions, changes in land use, redistributed traffic and transport changes, air quality, traffic noise and vibration;
 - f. potential temporary and permanent effects on transport network and services, both for residents and businesses located in the vicinity of the proposed and related works and for the broader community;

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- g. potential for displacement or severance of commercial and residential properties;
 - h. potential for acid sulphate soils, other contaminated materials and the management of spoil throughout construction; and
 - i. other effects on land uses and the community, including recreational value of open space.
- (ii) The matters to be investigated and documented in the EES will be set out more fully in scoping requirements. Draft scoping requirements will be exhibited for at least 15 business days for public comment, before final scoping requirements are endorsed by the Minister for Planning.
 - (iii) The North East Link Authority is also to prepare and submit to the Department of Environment, Land, Water and Planning (DELWP) a draft EES study program to inform the preparation of scoping requirements.
 - (iv) The North East Link Authority is to prepare a schedule for the completion of studies, and preparation and exhibition of the EES to facilitate the alignment of the North East Link Authority's and DELWP's timeframes, including for review of technical studies for the EES and the main EES documentation.
 - (v) The level of detail of investigation for the EES studies should be consistent with the approach set out in the scoping requirements and be adequate to inform an assessment of the significance and acceptability of the potential environmental effects of the proposed works, in the context of the Ministerial Guidelines.
 - (vi) DELWP will convene an inter-agency technical reference group (TRG) to advise DELWP and the North East Link Authority, as appropriate, during the preparation of the EES, the scoping requirements, the design and adequacy of the EES studies, and coordination with statutory approval processes.
 - (vii) The North East Link Authority is to prepare and implement an EES consultation plan for informing the public and consulting with stakeholders during the preparation of the EES, having regard to advice from DELWP and the TRG.
 - (viii) The North East Link Authority is to apply appropriate peer review and quality management procedures to enable the completion of EES studies to a satisfactory standard.
 - (ix) The EES is to be exhibited for a period of 30 business days for public comment, unless the exhibition period spans the Christmas–New Year period, in which case 40 business days will apply.
 - (x) An inquiry appointed pursuant to section 9(1) of the Environment Effects Act 1978 will be established to consider the environmental effects of the Public Works.

Planning and Environment Act 1987

Section 12(2)(a)

DIRECTION NO. 18

VICTORIAN PLANNING AUTHORITY
ADVICE ON PLANNING SCHEME AMENDMENTS

Purpose

1. The purpose of this Direction is to provide consistent and coordinated urban development of places in relation to which the Victorian Planning Authority (or any superseded Authority) is, or has been, approved or directed by the Minister to provide advice.
2. The Direction ensures that a planning authority seeks, and has regard to, the advice of the Victorian Planning Authority when preparing an amendment to rezone land in relation to which the Authority has, or has previously been directed to provide advice.
3. It will ensure that amendments remain generally in accordance with approved strategic plans and policies.

Definition

4. In this Direction, *superseded Authority* means the Metropolitan Planning Authority or the Growth Areas Authority.

Application

5. This Direction applies to the preparation of any planning scheme amendment that provides for the rezoning of land within or affecting:
 - any area that is, or has been, subject of a direction from the Minister to the Victorian Planning Authority issued pursuant to section 36(1) of the **Victorian Planning Authority Act 2017**; or
 - any area that is, or has been, subject of activity or advice on the part of any superseded Authority (including, but not limited to, land within a Precinct Structure Plan prepared by a superseded Authority).

Requirements to be met

6. In preparing an amendment to rezone land within or affecting any area in relation to which the Victorian Planning Authority (or any superseded Authority) is, or has been, approved or directed by the Minister to provide advice, a planning authority must consult with the Victorian Planning Authority and have regard to that advice.
7. In preparing an amendment to rezone land within or affecting any area in relation to which the Victorian Planning Authority (or any superseded Authority) is, or has been, approved or directed by the Minister to provide advice, a planning authority must include in the explanatory report discussions of how the amendment addresses the following matters:
 - Whether any advice was provided by the Victorian Planning Authority.
 - The planning authority's response to that advice.
 - How the provisions give effect to the intended outcomes sought by the Victorian Planning Authority or any superseded Authority.

Exemption by Minister

8. The Minister may grant an exemption from the need to comply with this Direction in relation to a particular amendment. An exemption may be granted subject to conditions.

Dated 28 January 2018

HON. RICHARD WYNNE MP
Minister for Planning

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