North East Link Project

EES Inquiry and Advisory Committee (IAC)

Statement of landscape and visual amenity evidence

Prepared by

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On behalf of Maddocks Lawyers & Harwood Andrews Lawyers

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1 Preamble

1. My name is Stephen Schutt and I am a Registered Landscape Architect and a Director of Hansen Partnership. I have 25 years professional experience in urban design and landscape architectural projects in Australia and overseas. I hold a Bachelor's degree in Planning and Design and a Master's degree in Landscape Architecture.

2. I am instructed by Harwood Andrews Lawyers on behalf of Manningham City Council and Maddocks Lawyers on behalf of Banyule City Council, Boroondara City Council and Whitehorse City Council to prepare a statement of evidence in relation to matters of landscape and visual amenity associated with the proposed North East Link Project, to the extent that it is located within or immediately adjacent to land within each of those four municipalities. With respect to key project components, my evidence considers the following:

   - Roadway structures elevated above natural ground level;
   - Roadway structures on grade or within a cutting;
   - Noise walls and flood walls;
   - Tunnel portal structures;
   - Ventilation structures;
   - Elevated shared-use overpasses;
   - Landscape treatments;
   - Ancillary elements, and
   - Construction compounds.

3. Specifically, my instructions are as follows:

   Prepare a single expert witness report on behalf of the Councils for circulation that contains your opinion on the following matters, as relevant to your area of expertise:

   a) Does the EES adequately document and assess the nature and extent of the environmental effects of the Project? In addressing this question please explain where you are satisfied with the content of the EES and why, and if not, what if any deficiencies exist in the documentation and/or assessment of the nature and extent of environmental impacts contained in the EES;

   b) Can the Project (including the Urban Design Strategy) as described in the EES achieve a level of environmental performance which is consistent with relevant legislation, documented and endorsed policy or acknowledged best practice;

   c) If the Project, as described in the EES cannot achieve a level of environmental performance which is consistent with relevant legislation, documented and endorsed policy or acknowledged best practice, are there any recommendations that you would make as to specific measures which you consider necessary and/or appropriate to prevent, mitigate and/or offset adverse environmental effects? If so, please explain your reasoning in detail. To the extent that it is within your expertise to comment upon the feasibility of any of your recommendations, please state whether or not any recommendations are feasible, explaining your reasoning;

d) How does the Project as described in the EES respond to the principles and objectives of "ecologically sustainable development" as defined in the Ministerial Guidelines for assessment of environmental effects under the Environmental (sic) Effects Act 1978 (2006);1

e) Are there any recommendations that you would make as to specific measures which you consider necessary and/or appropriate to improve the response of the Project to the principles and objectives of "ecologically sustainable development"? If so, please explain your reasoning in detail. To the extent that it is within your expertise to comment upon the feasibility of any of your recommendations, please state whether or not any recommendations are feasible, explaining your reasoning; and

f) To the extent that the content of the draft planning scheme amendment, works approval and environmental protection requirements lies within your expertise, do you have any recommendations for changes that should be made to the draft planning scheme amendment, works approval or planning approval and/or draft environmental performance requirements in order to improve the environmental outcome of the Project?

4. I have visited the subject site and surrounds numerous times, most recently on Monday 1st July 2019.

5. In preparing this statement, I have reviewed:

- Relevant sections of the *North East Link Project Environment Effects Statement*, notably *Chapters 1-9, Chapter 13, Chapter 16* and *Chapter 28*;
- Relevant appendices to the *North East Link Project Environment Effects Statement*, notably *Technical Report H – Landscape & Visual*, *Attachment II – Urban Design Strategy, Attachment III – Risk Report, Attachment V – Draft Planning Scheme Amendment* and the *Map Book;*
- Ministerial Guidelines for assessment of environmental effects under the *Environment Effects Act 1978*;
- Manningham City Council's public submission on the EES (dated 5th June 2019);
- Banyule City Council, Boroondara City Council and Whitehorse City Council's joint public submission on the EES (dated 7th June 2019);
- IAC document titled *Preliminary Matters and Further Information Request* (dated 20th June 2019), and

6. My evidence, as outlined in this report, has been prepared in the form of a peer review of the landscape and visual assessment undertaken by GHD and XUrban on behalf of the North East Link Authority and encapsulated within *Chapter 16* of the EES and *Technical Report H – Landscape & Visual* appended to the EES. My review focuses on two key subject areas, summarised as follows:

- The technical adequacy of the methodology used to undertake the assessment, and
- The rationale upon which key findings and conclusions are based.

7. With reference to my instructions as outlined in paragraph 3 above, I am not able to provide recommendations regarding design measures which would result in improvements to the project within the realm of landscape and visual amenity as I have not been provided with base level technical data which I would require to undertake the level of assessment necessary and would enable me to recommend design revisions. The data I would require in order to undertake such an assessment – for which a formal request was put to the North East

Link Authority's legal representatives by Harwood Andrews Laywers on my behalf – comprises the *NELP-supplied Road Design Data – EES Reference design version August 2018* and *NELP supplied Noise wall Design Data – EES Reference Design version December 2018* (as listed on page 14 of Technical Report H).

8. Autocad-compatible digital files containing the above-mentioned data would have enabled me to undertake my own Zone of Theoretical Visibility (ZTV) modelling and to prepare my own photomontage images. The pdf-format material within the Map Book is not suitable for such an assessment.

9. In summary, I am of the opinion that – in respect of landscape and open space matters – the proposed North East Link Project as described in the Environmental Effects Statement will result in visual impacts and impacts upon the amenity of existing and future publicly-accessible and publicly-usable land which have been inadequately considered within the EES Landscape and Visual Impact Assessment (LVIA) and as a result have the potential to result in a significant diminution of the amenity and visual quality of the landscapes where these impacts will be felt.

10. The inadequacies which I have identified and described within my evidence include:

    - The categorisation of landscape character types is simplistic, with only three character types identified for the entire area likely to be affected by the project, and hence fails to recognise changes in landscape character at a scale appropriate for the assessment of impacts on each municipality and on individual suburbs or neighbourhoods;
    - There is a lack of evidence that existing policies, strategies, guidelines and controls within the Planning Schemes of each affected municipality have been considered in informing the resulting characterisation of landscapes;
    - The EES LVIA fails to adequately identify, consider or describe the inherent landscape values of the areas likely to be affected by the project, and in failing to do so, effectively fails to achieve its identified evaluation objective;
    - Key reference documents - including *Guidelines for Landscape & Visual Impact Assessment* - Third Edition, Landscape Institute and Institute of Environmental Management & Assessment (2013) and *Visual Landscape Planning in Western Australia*, Western Australian Planning Commission (2007) - are listed as references in the EES LVIA, however there is no evidence within the report that either document has informed the methodology or the findings of the EES LVIA;
    - The EES LVIA fails to adequately consider, describe or assess the landscape sensitivity of areas likely to be impacted by the project;
    - The ZTV approach utilises elevation data obtained from VicMAP with a 10-metre contour interval, however VicMAP provides 1-metre contour data for the entirety of the affected municipalities, and the failure to utilise that data has significantly – and uneccesarily - reduced the precision of the ZTV mapping;

- The manner by which assumptions built in to the ZTV modelling with respect to the height of proposed structures that are represented is disingenuous in that it substantially under-represents the actual extent of the ZTV of proposed project elements;
- The rationale for viewpoint selection is compromised by its reliance upon the ZTV analysis, which is poorly-conceived and hence unreliable, by its failure to adequately consider viewpoints which are considered important to affected municipalities and their communities, and by its failure to provide an adequate explanation as to why selected viewpoints were considered to be 'representative' of views available from other locations for which assessment of impacts has not been undertaken;
- Many of the 'photomontages' provided in the EES LVIA have not been prepared in accordance with the stated parameters for photomontage preparation within the report, and as such should not be relied upon as accurate representations of the likely visual impact which will result from the Project;
- The reliance upon the proposed planting of new vegetation as the sole means of mitigating visual impacts is concerning in that the EES LVIA has purportedly assessed 81 viewpoints across 4 municipalities and in not one case has the assessment determined that the level of visual impact likely to be experienced requires the consideration of design modifications to project infrastructure;
- Questionable objectivity and independence of the EES LVIA on the basis that it makes no recommendations for any re-design of any project elements, even in circumstances where the assessment concludes that visual impact will be high and cannot be mitigated through the proposed planting of new vegetation;
- Overly-ambitious and overtly speculative assumptions within the EES LVIA with respect to projected growth rates of new planting given that no proposed landscape design has been prepared for the project;
- The assessment of visual impact at specific viewpoints within the municipalities of Banyule, Boroondara, Manningham and Whitehorse is in many instances poorly-conceived, incomplete, inaccurate or misleading and as such should not be relied upon as a means of understanding the extent of visual impact expected in this location as a result of the project, and
- The failure of the EES LVIA to consider the full extent of visual impact likely to result from the project.

11. The following sections of this report provide a detailed assessment of each of those key subject areas, and articulate my opinions with respect to issues identified which apply generally to the assessment as well as site-specific issues which apply to each of the affected municipalities.

2 Technical adequacy of EES LVIA methodology

12. The methodology utilised to undertake the landscape and visual assessment encapsulated within the EES documentation is outlined in *Section 3* of *Technical Report H – Landscape and Visual*. I have reviewed that methodology, and on the basis of my own professional experience and expertise in the field of landscape and visual impact assessment, I have identified a number of concerns with respect to the technical adequacy of the employed methodology, which are articulated below.

2.1 Landscape character

13. It is my observation that the categorisation of landscape character types throughout project extents is over-simplistic, with only three character types identified for the entire area likely to be affected by the project. The EES LVIA fails to recognise changes in landscape character at a scale appropriate for the assessment of impacts on each municipality and indeed on individual suburbs or neighbourhoods within each municipality.

14. I am aware that the Planning Schemes for each of the four affected municipalities incorporate clear and prescriptive information with regard to landscape and neighbourhood character at municipal, suburban and neighbourhood scales, however there is a lack of evidence that these policies, strategies, guidelines and controls have been considered in informing the resulting characterisation of the landscapes likely to be affected by the project.

15. It is my opinion that a more considered approach to the definition of landscape character, which would involve clear acknowledgement and consideration of the existing body of research encapsulated within the Planning Schemes of each of the affected municipalities, would result in a more accurate and reliable basis upon which impacts on identified landscape character attributes could be assessed.

2.2 Landscape value

16. The EES LVIA identifies the evaluation objective of the assessment as follows:

> ***Landscape and visual impact*** *– 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.*

17. It is my observation that the EES LVIA fails to adequately identify, consider or describe the inherent landscape values of the areas likely to be affected by the project, and in failing to do so, effectively fails to achieve the identified evaluation objective.

18. Where landscape values are mentioned, the EES LVIA only refers to physical features found broadly throughout the study area, and does not adequately identify, consider or describe the visual amenity, recreational and open space values of the study area. There is a lack of clarity with respect to the inherent value of the landscapes considered at each view point assessed within the EES LVIA. Nor is there any clarity

with regard to the manner by which impacts on landscape value have influenced the overall impact rating at each identified location.

19. It is my opinion that a far greater consideration of landscape value is necessary to inform the assessment of impacts, particularly given the emphasis afforded to landscape 'value' within the stated evaluation objective. This should involve a clear consideration of existing documented Planning Policy and with industry 'best practice' as articulated by key reference documents, including *Guidelines for Landscape & Visual Impact Assessment* - Third Edition, Landscape Institute and Institute of Environmental Management & Assessment (2013) and *Visual Landscape Planning in Western Australia*, Western Australian Planning Commission (2007). Both of these reference documents are listed as references in the EES LVIA (on page 286 of *Technical Report H*) however there is no evidence within the report that the manner by which either document defines and describes 'landscape value' has informed the methodology or the findings of the EES LVIA.

2.3 Landscape sensitivity

20. Notwithstanding the failure of the EES LVIA to adequately define or assess the impacts of the project on landscape value, there is some discussion of landscape sensitivity, albeit in an over-simplified, general form, which in my opinion does not adequately consider variations in relative levels of landscape sensitivity in different parts of the study area. Rather, the discussion of landscape sensitivity is limited to generic categorisations based solely on the previously-determined landscape character typologies, which are themselves overly-simplified and lacking in consideration of localised influences which might result in differences in levels of visual sensitivity within each landscape character typology.

21. In describing landscape sensitivity, the EES LVIA states that:

> *Landscape sensitivity is defined as the extent to which the landscape can accept a change of a particular type and scale without unacceptable adverse impacts on its character. Generally, the greater the extent of existing modifications within the landscape, the lesser its sensitivity to change. (p.9)*

22. The EES LVIA does not attribute that definition to any particular reference, however I note that it appears to have been derived from the definition and discussion of landscape sensitivity within the *Guidelines for Landscape & Visual Impact Assessment (2013)* and – importantly in my view – that reference document describes landscape sensitivity as being intrinsically-related to landscape value, which is neither mentioned in the EES LVIA definition nor given sufficient consideration in the assessment of impacts contained therein. As with landscape value, the EES LVIA fails to adequately consider, describe or assess the landscape sensitivity of areas likely to be impacted by the project.

2.4 Zone of Theoretical Visibility

23. It is my opinion that the manner by which the EES LVIA has determined the Zone of Theoretical Visibility (ZTV) for the project has involved the use of imprecise data and assumptions which cumulatively result in a potentially misleading representation of the likely extent of visibility of the project, which has a 'knock-on effect'

of potentially under-representing the actual extent of visual impact likely to be experienced in areas affected by the project.

24. With respect to imprecise data, the EES LVIA states that the digital modelling used to inform the ZTV utilised elevation data obtained from VicMAP with a 10-metre "spatial resolution" (or contour interval). Noting that VicMAP provides 1-metre contour data for the entirety of the affected municipalities, it is my opinion that the failure to utilise that data has significantly – and uneccesarily - reduced the precision of the ZTV mapping.

25. The parameters used to inform the ZTV calculations as described on page 40 of Technical Report H are described as follows:

    - *Ventilation outlet at 30 metres (75 per cent of the design height)*
    - *Noise walls at 50 per cent of the design height for all new walls*
    - *Viaduct structures at 10 metres (55 per cent of the design height)*

26. It is my opinion that such an approach substantially under-represents the actual extent of the ZTV of proposed project elements. In my professional experience, ZTV calculations are done on the basis of the height and scale of proposed infrastructure as designed, rather than to some arbitrary proportion of that height and scale. There is no clear explanation provided with the EES LVIA as to whether this approach is consistent with professional best-practice, nor is a clear justification provided, other than to state:

    > *The halfway mark is just a guide which provides a realistic mapping of the areas from which a significant proportion of the project (be it noise walls, viaduct or towers) can be seen. (p. 40)*

27. The *Guidelines for Landscape and Visual Impact Assessment* (2013) include a detailed description of the process and outcomes of ZTV mapping, including commentary dealing specifically with road projects, as follows:

    > *In the case of linear developments such as road or rail schemes the ZTV must be constructed for a sequence of points along the road, a process that can now easily be carried out digitally. In addition, the height of structures such as bridges or gantries, and of vehicles that will use the route, should be built into the ZVT construction so that the visibility of all aspects of the proposal is considered. (p. 103)*

28. I note that this description says nothing about arbitrarily reducing the modelled height of design elements such that "a significant proportion" can be seen. Rather, it emphasises the importance of ensuring that the "visibility of all aspects" of the project are considered. It is my opinion that the parameters described above, within which the ZTV modelling has been prepared, have the effect of making the resultant ZTV mapping within the EES LVIA – and the subsequent conclusions drawn from that mapping – unreliable for the purposes of informing the IAC of the likely extent of visual impacts on the affected areas.

2.5 Viewpoint selection

29. The EES LVIA provides for the identification and assessment of 81 viewpoints; 69 of which are located within the public domain and 12 of which are located on private land. The rationale for viewpoint selection is outlined on page 10 of *Technical Report H*, as follows:

> *1. Identify locations where project components may be visible (considering tunnel portals, ventilation structures, viaducts, noise walls and shared use overpasses)*
>
> *2. Considering terrain, vegetation and buildings, identify representative locations showing this project infrastructure (as identified in 1 above)*
>
> *3. Identify locations considered as being important landscape and views through feedback from local councils and via community consultations*
>
> *4. Identify a variety of locations reflecting the various viewers and landscape located through the study area.*

30. It is my opinion that there are a number of shortcomings in relation to this rationale, including:

- It is not stated, however in relation to identifying locations where project components may be visible, it is my understanding that this process would have relied upon the ZTV analysis, which as I have described above, is in my view poorly-conceived and hence unreliable;
- There is no evidence within *Technical Report H* that the selected viewpoints include locations considered important to affected municipalities and their communities, and
- There is no explanation provided as to why selected viewpoints were considered to be 'representative' of views available from other locations for which assessment of impacts has not been undertaken.

2.6 Photomontage preparation

31. Section 3.5.4 of *Technical Report H* describes the manner by which photomontage images have been prepared and utilised as a means of reflecting the various impacts throughout the study area. Among other things, it states the following:

> *"Photomontages can assist with the assessment of the visual impact at selected viewpoints by illustrating the scale and location of the project in the existing landscape. The urban design and landscape treatments shown in the photomontages have been guided by the project's Urban Design Strategy. The photomontages do not represent the final design and are subject to change.*
>
> *This assessment is partly based on photomontages which typically show the changes in an 80 (sic) horizontal field of view. This horizontal field of view represents the central cone of view in which symbol recognition and colour discrimination can occur. The vertical field of view is between 22 to 27.*
>
> *The horizontal and vertical field of view of human vision is shown in Figure 3-1.*
>
> *The photography used in the photomontages were taken with a 50 millimetre lens on a Canon 6D full frame digital camera. This lens has a vertical angle of view of 26.5 and a horizontal angle of view of approximately 39.6." (p. 13-14)*

32. On the basis of my own expertise in visual impact assessment, I agree with the parameters described above as appropriate for the representation of photomontage images as a "human eye equivalent". It suggests that in order to be representative of a human eye field of view, a visual simulation (or 'photomontage') should represent a horizontal field of view in the order of 80 degrees, being 40 to 50 degrees for each eye with an allowance for overlap. Figure 1 provides a graphic representation of the manner by which the panoramic photographs I have prepared as part of this evidence are constructed, so as to provide a close representation of the horizontal angle of view a person sees when looking in a particular direction.

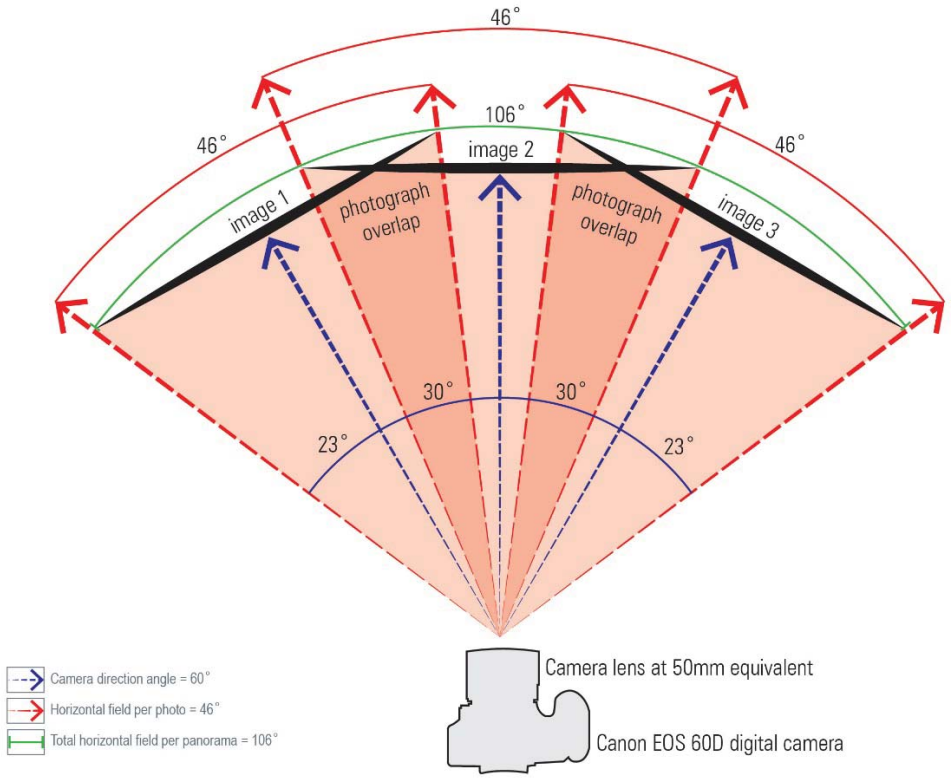


Figure 1: Diagrammatic representation of the composition of a panoramic photo to provide a horizontal field of view in the order of 100 degrees.

33. I note that many of the 'photomontages' provided within *Technical Report H* as the basis for demonstrating the visual impact of the Project do not represent a horizontal field of view of 80 or 100 degrees. It is my estimation that they represent a horizontal field of view of roughly half that extent. To demonstrate, the 'photograph of existing conditions' at Figure 3 below is a reproduction of Viewpoint 58 in EES *Technical Report H*, which – like every other Viewpoint in the EES *Technical Report H* is used as the basis for the preparation of subsequent 'Photomontage' images. By comparison, the panoramic photo in Figure 3 on the following page was taken by a Landscape Architect employed at Hansen Partnership, at a location estimated as being within very close proximity to Viewpoint 58 within *Technical Report H*. The panoramic photo prepared by my office utilised a full-frame digital camera with a 50mm lens, with a series of photos joined to form a panoramic view which comprises a horizontal field of view in the order of 106 degrees, consistent with the diagram provided in Figure 1 above.

Figure 2: Technical Report H - Photo 9-33 'VP58 - Existing view north-east'

Figure 3: Appendix A - Photomontage 2 Existing View from Koonung Creek Wetlands Elgar Park, facing north-east towards proposed bridge and noise wall

34. When comparing the Hansen photo to the photo used to represent Viewpoint 58 in the *EES Technical Report H*, the horizontal field of view for the latter is clearly significantly narrower. By representing this – and other – viewpoints with a significantly reduced horizontal field of view to that which a person standing in these locations would actually see, the 'photomontages' provided in *Technical Report H* significantly under-represent the full extent of the proposed structures which would actually be visible. In doing so they significantly under-represent the actual visual impact which will be experienced at those view locations, given that the proposed structures are not individual buildings but rather are continuous linear structures which – by virtue of their horizontality – will have a tendency to occupy significant proportions of any available horizontal field of view.

35. On the basis of the explanation above, it is my opinion that the 'photomontages' provided in *Technical Report H* should not be relied upon as accurate representations of the likely visual impact which will result from the Project.

3 General findings and conclusions of EES LVIA

36. With respect to the findings and conclusions within the EES LVIA, it is my opinion that as a result of the technical deficiencies within the adopted methodology which I have described in the previous section of this report, the findings and conclusions should not be relied upon by the IAC as a reliable assessment of the visual impact likely to result from the project.

37. Of equal concern in my opinion is the reliance upon the proposed planting of new vegetation as the sole means of mitigating visual impacts, in circumstances where the EES LVIA identifies a need for mitigation. It is in my opinion concerning that the EES LVIA has purportedly assessed 81 viewpoints across 4 municipalities and in not one case has the assessment determined that the level of visual impact likely to be experienced requires the consideration of design modifications to project infrastructure. In my own experience assessing the visual impact of infrastructure projects, I have on a number of occasions made recommendations for the re-design or relocation of project elements as the only appropriate means of mitigating identified visual impacts. I question the objectivity and independence of the EES LVIA on the basis that it makes no recommendations for any re-design of any project elements, even in circumstances where the assessment concludes that visual impact will be high and cannot be mitigated through the proposed planting of new vegetation.

38. Further to this, it is my opinion that the assumptions within the EES LVIA which underlie the effectiveness of proposed planting as the primary means of mitigating identified visual impacts are overly-ambitious with respect to projected growth rates of new planting and overtly speculative given that it is my understanding that no proposed landscape design has been prepared for the project.

4 Assessment of impacts on Banyule municipality

39. The EES LVIA identifies and provides an assessment of selected viewpoints within Banyule municipality. Over and above the general concerns raised in previous sections of this report, I have identified specific concerns with respect to the manner by which the assessment has been undertaken and conclusions formed in relation to a number of identified viewpoints, and these are explained as follows.

4.1 Viewpoint 1 – Healy Court, Bundoora

40. The rationale for the selection of this viewpoint is not stated. It is unclear whether this viewpoint is intended to be representative of broader impacts, and if so what the likely extent of those broader impacts is.

41. The 'existing view' shown in *Photo 9-45* within *Technical Report H* does not represent an 80-degree horizontal field of view, and as such neither adequately represents the 'human eye' view extent from this location or the extent to which that view is likely to be impacted by the project.

Figure 4: Technical Report H - Photo 9-45 'VP1 - Existing view looking north'

42. The assessment of visual impact as "low" at Year 0 is questionable on the basis that a 10-metre high noise wall is proposed in place of all existing vegetation, which is proposed for removal. No photomontage is provided to support the assessment.

43. A simplified cross-section is provided, however it appears be inaccurate, for the following reasons:

    - It is unscaled, however proportionally it appears to provide for a landscape reserve with a width in the order of 1.6 times the height of the noise wall shown, and
    - Assuming the noise wall is 10 metres high this suggests a landscape reserve in the order of 16 metres wide, however the *EES Map Book* indicates that the landscape reserve in this location will be no more than 12.5 metres wide, hence restricting the potential for the proposed planting which the assessment relies upon for visual impact mitigation.

44. Furthermore, the assessment relies in part upon the advice of the EES Urban Design Strategy with respect to the design of the noise wall, and in particular its form, colour, texture and finishes as a means of mitigating visual impact, however there is no design guidance in that regard provided within Urban Design Strategy for proposed walls in this location.

45. On the basis of the above, it is my opinion that the assessment of visual impact at Viewpoint 1 is incomplete and inaccurate and as such should not be relied upon as a means of understanding the extent of visual impact expected in this location as a result of the project.

4.2 Viewpoint 2 – Killarney Ridge, Greensborough

46. The rationale for the selection of this viewpoint is not stated. It is unclear whether this viewpoint is intended to be representative of broader impacts, and if so what the likely extent of those broader impacts is.

47. The 'existing view' shown in *Photo 9-46* within *Technical Report H* does not represent an 80-degree horizontal field of view, and as such neither adequately represents the 'human eye' view extent from this location or the extent to which that view is likely to be impacted by the project.

Figure 5: Technical Report H - Photo 9-46 'VP2 - Existing view looking south'

48. The assessment makes references to the visual impact on the viewpoint, but fails to consider the visual impact on the realigned shared use path, which will likely experience significantly greater foot and bicycle traffic than the selected viewpoint within the road carriageway of Killarney Ridge, and as illustrated in *Figure 9-113 VP2 – Landscape treatment section view east*, and by virtue of its close proximity to the proposed 7-metre high noise wall will not benefit from any visual impact mitigation through proposed buffer planting.

49. On the basis of the above, it is my opinion that the assessment of visual impact at Viewpoint 2 is misleading as it fails to represent the impact on the shared use path and as such should not be relied upon as a means of understanding the extent of visual impact expected in this location as a result of the project.

4.3 Viewpoint 3 – M80 Ring Road Pedestrian Overpass

50. The rationale for the selection of this viewpoint is not stated. It is unclear whether this viewpoint is intended to be representative of broader impacts, and if so what the likely extent of those broader impacts is.

51. The 'existing view' shown in *Photo 9-47* within *Technical Report H* does not represent an 80-degree horizontal field of view, and as such neither adequately represents the 'human eye' view extent from this location or the extent to which that view is likely to be impacted by the project.

Figure 6: Technical Report H - Photo 9-47 'VP3 - Existing view looking south-east'

52. The rationale for the selection of this viewpoint - in a location where the assessment observes that "*viewer sensitivity would be low*" is questionable given that the nearby shared use path is arguably at significantly greater risk of detrimental visual and landscape impacts.

53. Furthermore, the proposed removal of established roadside vegetation and lack of opportunity to reinstate this vegetation does not appear to have been considered in the assessment of visual impact.

54. Finally, the cross section provided in lieu of a photomontage image does not identify the overpass where the view was taken from, further reducing any opportunity for the reader to critically appraise the assessment and its findings.

55. On the basis of the above, it is my opinion that the assessment of visual impact at Viewpoint 3 is poorly conceived and as such should not be relied upon as a means of understanding the extent of visual impact expected in this location as a result of the project.

4.4 Viewpoint 5 – Greensborough Bypass shared use path adjacent to M80 Ring Road Interchange

56. The rationale for the selection of this viewpoint is not stated. It is unclear whether this viewpoint is intended to be representative of broader impacts, and if so what the likely extent of those broader impacts is.

57. The 'existing view' shown in *Photo 9-49* within *Technical Report H* does not represent an 80-degree horizontal field of view, and as such neither adequately represents the 'human eye' view extent from this location or the extent to which that view is likely to be impacted by the project.

Figure 7: Technical Report H - Photo 9-49 'VP5 - Existing view looking south-west'

58. The viewpoint location is unclear, with the location shown in *Figure 9-119 VP5 – Location Plan* seemingly different to the location represented in *Figure 9-120 VP5 – Landscape treatment section view south*.

59. The assessment of visual impact as "medium" at Year 0 and "medium-low" at Year 10 is questionable on the basis that the rationale provided for the reduction in impact is that "landscaping would screen the proposed noise wall", however, *Figure 9-120 VP5 – Landscape treatment section view south* does not show any proposed landscaping between the shared use path and the proposed noise wall.

60. On the basis of the above, it is my opinion that the assessment of visual impact at Viewpoint 5 is misleading as it fails to adequately assess the impact on the shared use path and as such should not be relied upon as a means of understanding the extent of visual impact expected in this location as a result of the project.

4.5 Viewpoint 8 – Corner of Hamlet Street & Saxon Court, Greensborough

61. The rationale for the selection of this viewpoint is not stated. It is unclear whether this viewpoint is intended to be representative of broader impacts, and if so what the likely extent of those broader impacts is.

62. The 'existing view' shown in *Photo 9-52* within *Technical Report H* does not represent an 80-degree horizontal field of view, and as such neither adequately represents the 'human eye' view extent from this location or the extent to which that view is likely to be impacted by the project.

Figure 8: Technical Report H - Photo 9-52 'VP8 - Existing view looking south-west''

63. *Figure 9-126* and *Figure 9-127* show 'photomontage' views from this viewpoint at Year 0 and Year 10 respectively. Neither image represents an 80-degree horizontal field of view, and as such they do not adequately represents the 'human eye' view extent from this location or the extent to which that view is likely to be impacted by the project.

64. The assessment of "medium" visual impact at Year 0 is in my opinion inconsistent with the image represented by the photomontage, which – even allowing for the narrow field of view – is visually-dominated by the proposed noise wall.

65. The assessment of "medium" visual impact at Year 10 includes the following speculative observation:

> *If creepers were to be established on and along the noise wall the appearance would be softened but visually prominent.*

66. This observation is in my opinion both uninformed and ultimately misleading, as the photomontage views clearly demonstrate that the shared use path directly abuts the proposed noise wall, hence extinguishing any opportunity for the planting and growing of 'creepers'.

67. On the basis of the above, it is my opinion that the assessment of visual impact at Viewpoint 8 is incomplete and inaccurate and as such should not be relied upon as a means of understanding the extent of visual impact expected in this location as a result of the project.

4.6 Viewpoint 9 – A. K. Lines Reserve

68. The rationale for the selection of this viewpoint is not stated. It is unclear whether this viewpoint is intended to be representative of broader impacts, and if so what the likely extent of those broader impacts is.

69. Helpfully, the 'existing view' shown in *Photo 9-53* and the photomontage views shown in *Figure 9-129* and *Figure 9-130* within *Technical Report H* do represent an 80-degree horizontal field of view, and as such adequately represent the 'human eye' view extent from this location and the extent to which that view is likely to be impacted by the project.

Figure 9: Technical Report H - Photo 9-52 'VP9 - Existing view looking north-east'

70. However, it is my opinion that the extent to which existing vegetation is shown retained and visible above proposed project elements is inaccurate and hence misleading. The vegetation in question is located immediately east of the existing Greensborough Road carriageways, between Greensborough Road and the Hurstbridge Railway Line, in an area which the *Map Book* identifies as being extensively-modified by the project. It is my expectation that much – if not all – of this vegetation will be removed, and that removal would likely result in a significantly-different photomontage, whereby the project infrastructure would not benefit from the 'visual softening' afforded by the canopy vegetation represented as being above the silhouette of the road infrastructure.

71. On the basis of the above, it is my opinion that the assessment of visual impact at Viewpoint 9 is misleading as the photomontage images prepared to assist in informing the assessment are inaccurate in their depiction of the impacts on existing vegetation and as such should not be relied upon as a means of understanding the extent of visual impact expected in this location as a result of the project.

4.7 Viewpoint 10 – Greensborough Road, North of Teresa Street

72. The rationale for the selection of this viewpoint is not stated. It is unclear whether this viewpoint is intended to be representative of broader impacts, and if so what the likely extent of those broader impacts is.

73. The 'existing view' shown in *Photo 9-54* within *Technical Report H* does not represent an 80-degree horizontal field of view, and as such neither adequately represents the 'human eye' view extent from this location or the extent to which that view is likely to be impacted by the project.

Figure 10: Technical Report H - Photo 9-54 'VP10 - Existing view looking north-west'

74. The assessment of "medium" visual impact at Year 0 is in my opinion inconsistent with the description of the proposed change, which describes the removal of all existing vegetation, the introduction of a 10-metre high shared use overpass and a 7-metre high noise wall within 15 metres of the viewpoint and no opportunity for landscaping as a means of mitigating the resultant visual impact.

75. On the basis of the above, it is my opinion that the assessment of visual impact at Viewpoint 10 is poorly-conceived and as such should not be relied upon as a means of understanding the extent of visual impact expected in this location as a result of the project.

4.8 Viewpoint 11 – Intersection of transmission line corridor and Fensham Road, Watsonia

76. The rationale for the selection of this viewpoint is not stated. It is unclear whether this viewpoint is intended to be representative of broader impacts, and if so what the likely extent of those broader impacts is.

77. The 'existing view' shown in *Photo 9-55* within *Technical Report H* does not represent an 80-degree horizontal field of view, and as such neither adequately represents the 'human eye' view extent from this location or the extent to which that view is likely to be impacted by the project.

Figure 11: Technical Report H - Photo 9-55 'VP11 - Existing view looking north-west'

78. The assessment of "medium" visual impact at Year 10 relies upon proposed landscaping to partially screen the noise walls and the 10-metre high shared use overpass, however the *Urban Design Strategy* (at p. 39) notes that such landscaping – being located within the transmission line easement – is outside the project scope. Given this, it is unclear why the EES LVIA has assumed that such landscaping will be provided, and misleading that the assessment has relied upon this landscaping as a means of mitigating visual impacts resulting from the project.

79. On the basis of the above, it is my opinion that the assessment of visual impact at Viewpoint 11 is misleading and as such should not be relied upon as a means of understanding the extent of visual impact expected in this location as a result of the project.

4.9 Viewpoint 12 – Power line easement, Watsonia

80. The rationale for the selection of this viewpoint is not stated. It is unclear whether this viewpoint is intended to be representative of broader impacts, and if so what the likely extent of those broader impacts is.

81. The 'existing view' shown in *Photo 9-56* and the photomontage views shown in *Figure 9-136* and *Figure 9-137* within *Technical Report H* do represent an 80-degree horizontal field of view, and as such adequately represent the 'human eye' view extent from this location and the extent to which that view is likely to be impacted by the project.

Figure 12: Technical Report H - Photo 9-56 'VP12 - Existing view looking north-west'

82. The assessment of "medium" visual impact at Year 10 relies upon proposed landscaping to partially screen the noise walls, however the *Urban Design Strategy* (at p. 39) notes that such landscaping – being located within the transmission line easement – is outside the project scope. Given this, it is unclear why the EES LVIA has assumed that such landscaping will be provided, and misleading that the assessment has relied upon this landscaping as a means of mitigating visual impacts resulting from the project.

83. On the basis of the above, it is my opinion that the assessment of visual impact at Viewpoint 12 is misleading and as such should not be relied upon as a means of understanding the extent of visual impact expected in this location as a result of the project.

4.10 Viewpoint 18 – Fairlie Avenue, Macleod

84. The rationale for the selection of this viewpoint is not stated. It is unclear whether this viewpoint is intended to be representative of broader impacts, and if so what the likely extent of those broader impacts is.

85. The 'existing view' shown in *Photo 9-62* within *Technical Report H* does not represent an 80-degree horizontal field of view, and as such neither adequately represents the 'human eye' view extent from this location or the extent to which that view is likely to be impacted by the project.

Figure 13: Technical Report H - Photo 9-62 'VP18 - Existing view looking east'

86. It is difficult to understand why a view location was selected in Fairlie Avenue when the location plan at *Figure 9-150* in *Technical Report H* shows that the next street south – Sydney Street – is only 100 metres away and provides a direct line of sight towards a proposed ventilation structure with an anticipated height in the order of 40 metres, based on my interpretation of relevant information provided in the Map Book. No such direct line of sight is available from Fairlie Avenue. The assessment acknowledges that:

> *It is noted that from viewing locations closer to Simpson Barracks the visual impact would be higher.*

87. On the basis of the above, it is my opinion that the assessment of visual impact at Viewpoint 18 is misleading as many other locations within close proximity to this viewpoint will experience significantly-greater visual impacts and as such should not be relied upon as a means of understanding the extent of visual impact expected in this location as a result of the project.

4.11 Viewpoint 19 – Simpson Barracks

88. The rationale for the selection of this viewpoint is not stated. It is unclear whether this viewpoint is intended to be representative of broader impacts, and if so what the likely extent of those broader impacts is.

89. The 'existing view' shown in *Photo 9-63* within *Technical Report H* does not represent an 80-degree horizontal field of view, and as such neither adequately represents the 'human eye' view extent from this location or the extent to which that view is likely to be impacted by the project.

Figure 14: Technical Report H - Photo 9-63 'VP19 - Existing view looking west'

90. The assessment of the visual impact of the project at this location being "medium" appears to be reliant upon a number of assumptions, including:

    - That existing vegetation which is retained will screen "the lower half" of the proposed ventilation outlet and associated ventilation building, although *Figure 9-153* and the *Map Book* appear to indicate substantial earthworks associated with alterations to existing ground level which would necessitate the removal of affected trees, and
    - An unsubstantiated suggestion that – subject to an as-yet unknown design – the 40-metre tall ventilation structure may be seen as a "positive element in the landscape".

91. On the basis of the above, it is my opinion that the assessment of visual impact at Viewpoint 19 is poorly-conceived and relies upon a number of speculative assumptions and as such should not be relied upon as a means of understanding the extent of visual impact expected in this location as a result of the project.

4.12 Viewpoint 31 – Outlook Drive, Eaglemont

92. The rationale for the selection of this viewpoint is not stated. It is unclear whether this viewpoint is intended to be representative of broader impacts, and if so what the likely extent of those broader impacts is.

93. The 'existing view' shown in *Photo 9-7* within *Technical Report H* does not represent an 80-degree horizontal field of view, and as such neither adequately represents the 'human eye' view extent from this location or the extent to which that view is likely to be impacted by the project.

Figure 15: Technical Report H - Photo 9-7 'VP31 - Existing view south-east'

94. The assessment of "negligible" visual impact at this Viewpoint is questionable on the basis of the proposed changes:

> *The proposed ventilation structure would be located approximately 1.2 kilometres from the viewpoint and the proposed noise walls 1.3 kilometres. The proposed ventilation outlet in this location would be approximately 40 metres high, proposed ventilation building approximately 15 metres high and the proposed noise walls approximately four metres high.*

95. Moreover, the assessment is not substantiated by photomontage evidence or any cross sections which significantly reduces the opportunity for the reader to critically appraise the assessment and its findings.

96. The rationale for the assessment of visual impact on Viewpoint 31 does not appear to consider the local legislation and policies which, as later identified in the report conclusion, has *"particular reference to views to and from the vegetated ridgeline".*

97. On the basis of the above, it is my opinion that the assessment of visual impact at Viewpoint 31 is unsubstantiated and incomplete, and should not be relied on as a means for understanding the extent of visual impact expected in this location as a result of the project.

4.13 Other viewpoints not assessed

98. It is my observation that there are proposed changes as a result of the project which would be expected to have visual impacts - yet these visual impacts have not, in my opinion, been adequately considered through the viewpoint assessments within *Technical Report H*. As such, it is my opinion that the report has failed to consider the full extent of visual impact.

99. I have consulted with Banyule Council officers who have identified the following location within the Banyule municipality that would likely experience significant visual impacts, and has not been adequately assessed in the report.

100. The visual impact of the proposed 40m high ventilation structure in Macleod has been assessed by numerous viewpoint locations. However, based upon the information available within the EES, it is my opinion that *Technical Report H* has failed in its assessment of visual impacts that would be expected as a result of the proposed structure for the following reasons:

- The assessment for Viewpoint 17 in *Technical report H* has produced photomontages however, the cropped field of view is limiting to the reader's ability to critically appraise the report's assessment of visual impact. Moreover, the location has been selected near the northern part of the structure where less of the structure is visible to footpath users along Greensborough road;
- The assessment for Viewpoint 18 in *Technical report H* has produced photomontages however, the location selected has no direct line of sight to the proposed structure, and
- The assessment for Viewpoint 19 in *Technical report H* is located directly within the line of sight of the proposed structure however, no photomontage has been produced and the illustrative cross section in *Figure 9-153* of *Technical Report H* is unreliable.

101. It is my opinion that a viewpoint located on the footpath on Corner Sydney St and Greensborough Rd, Macleod (*Refer Appendix A - Photomontage 15*), looking east toward the proposed ventilation building would show the full extent of visual impact experienced due to the proposed structure. This view is demonstrated in Figure 15 below.

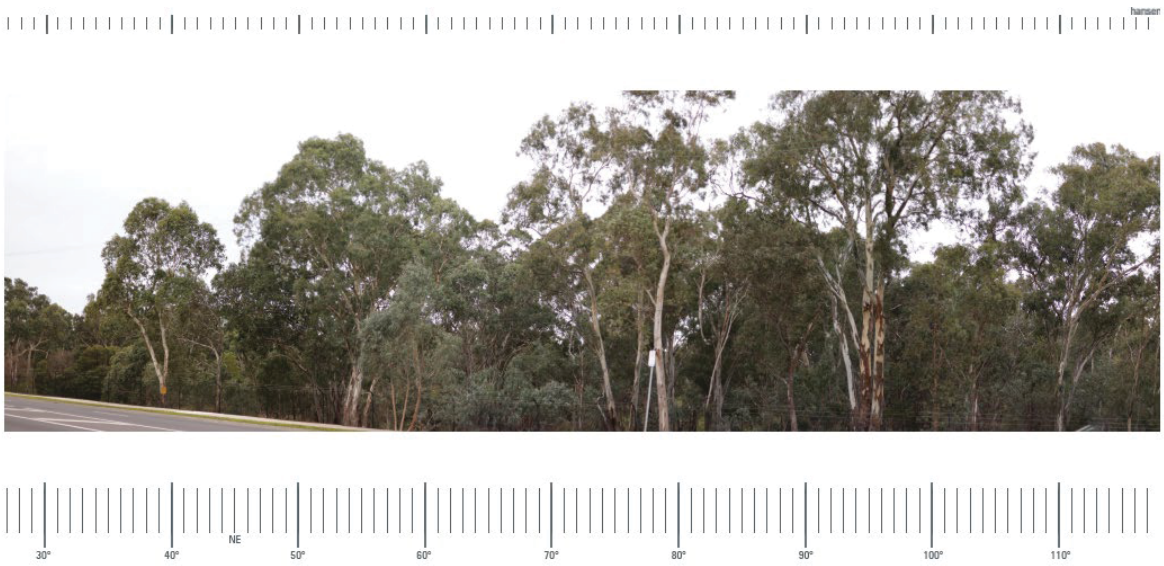


Figure 16: Appendix A - Photomontage 15 Existing View from corner Sydney Street and Greensborough Road, facing east towards proposed ventilation building

5 Assessment of impacts on Boroondara municipality

102. The EES LVIA identifies and provides an assessment of selected viewpoints within Boroondara municipality. Over and above the general concerns raised in previous sections of this report, I have identified specific concerns with respect to the manner by which the assessment has been undertaken and conclusions formed in relation to a number of identified viewpoints, and these are explained as follows.

5.1 Viewpoint 39 – Freeway Public Golf Course, Bulleen

103. The rationale for the selection of this viewpoint is not stated. It is unclear whether this viewpoint is intended to be representative of broader impacts, and if so what the likely extent of those broader impacts is.

104. The 'existing view' shown in *Photo 9-15* within *Technical report H* does not represent an 80-degree horizontal field of view, and as such neither adequately represents the 'human eye' view extent from this location or the extent to which the view is likely to be impacted by the project.

Figure 17: Technical Report H - Photo 9-15 'VP39 - Existing view looking east'

105. The assessment of "Medium to low" visual impact at Year 10 is questionable on the basis that a busway and viaduct is proposed in place of an extensive stand of existing screening vegetation, which is proposed for removal.

106. No photomontage is provided to support the assessment. With reference to section *3.5.4 Photomontages* of *Technical report H*, the viewpoint appears to adhere to the criteria listed for selecting viewpoints that would have a photomontage:

> *Viewpoint is adjacent to a key project element such as a ventilation structure, viaduct, noise wall or shared use overpass*
>
> *Viewpoints that represent a variety of impacts with the landscape character area*
>
> *Viewpoints that represent views generally experienced in that immediate area*
>
> *Viewpoints where a visual representation of the project would assist in communicating the impacts at that location.*

107. However, for reasons which are not articulated in the report, no photomontage has been prepared, which in my opinion represents a failure to adhere to the stated methodology.

108. A simplified cross section is provided in lieu of a photomontage image however, it does not represent the viaduct structures that would be visible from this view. This further reduces the opportunity for the reader to critically appraise the assessment and its findings.

109. Based on the above, it is my opinion that the assessment rationale for the visual impact at Viewpoint 39 is incomplete and as such, the assessment should not be relied upon as a means of understanding the extent of visual impact expected in this location as a result of the project.

5.2 Viewpoint 40 – Columba Street, Balwyn North

110. The rationale for the selection of this viewpoint is not stated. It is unclear whether this viewpoint is intended to be representative of broader impacts, and if so what the likely extent of those broader impacts is.

111. The 'existing view' shown in *Photo 9-16* within *Technical report H* does not represent an 80-degree horizontal field of view, and has represented a horizontal field of view in the order of 65-degrees only. As such neither adequately represents the 'human eye' view extent from this location or the extent to which the view is likely to be impacted by the project.

Figure 18: Technical Report H - Photo 9-16 'VP40 - Existing view looking north east'

112. The photomontage of expected changes at Year 0 and Year 10 conflicts with the assessment rationale that there will be a '*higher noise wall, with limited views beyond the wall'.* Consequentially it is not clear whether the visible ramp structures shown in the photomontage have been considered in the assessment of Viewpoint 40 and this reduces the opportunity for the reader to critically appraise the report findings.

113. In addition, though removal of vegetation between the viewpoint and road is identified in the report, it does not seem to have been considered in the rationale for assessment. The visual change due to tree loss is clearly evident in the photomontage provided, and on the basis that "*there would be no room for landscape",* it is my opinion that this change should be considered in the overall assessment of visual impact. Again, the lack of explanation for the assessment rationale reduces the opportunity for the reader to critically appraise the report findings.

114. The assessment of visual impact relies upon "*the project's Urban Design Strategy"* and lists general design principles as a means of mitigating visual impact. The report does not however provide any direct reference to the relevant guidance within the UDS or reveal the landscape treatments applied to the structure and consequentially, the assumptions relied on to produce the photomontage are undocumented. This does not allow the reader to critically appraise the assessment and its findings.

115. In summary, it is unclear what has and has not been considered as part of the assessment, and what information has been relied upon to create the photomontages in the report. On the basis of the above findings, it is my opinion that the assessment of visual impact at Viewpoint 40 should not be relied upon as a means of understanding the extent of visual impact expected in this location as a result of the project

5.3 Viewpoint 41 – Musca Street Reserve, Balwyn North

116. The rationale for the selection of this viewpoint is not stated. It is unclear whether this viewpoint is intended to be representative of broader impacts, and if so what the likely extent of those broader impacts is.

117. The 'existing view' shown in *Photo 9-41* within *Technical Report H* does not represent an 80-degree horizontal field of view, and as such neither adequately represents the 'human eye' view extent from this location or the extent to which that view is likely to be impacted by the project.

Figure 19: Technical Report H - Photo 9-17 'VP41 - Existing view looking west'

118. The assessment of visual impact as "Negligible" is questionable on the basis that existing vegetation would be removed and an existing noise wall replaced by a noise wall that is higher. The assessment of visual impact at year 0 is "negligible" however, the supporting cross section *Figure 9-17 'VP41 – Landscape treatment looking west'* shows proposed buffer planting which appears to be relied upon to screen the proposed noise wall. In my opinion, the assessment rationale that existing vegetation would sufficiently screen the proposed noise wall is contradictory to the supporting information in the report. No photomontage is provided to support the assessment.

119. A simplified cropped cross section is provided however it is my opinion that this does not represent the extent of the visual impact to shared path users in this location. It is also unscaled and appears to be disproportionate, and as such can not be used as a means to substantiate the report findings.

120. On the basis of the above, it is my opinion that the assessment of visual impact on Viewpoint 41 is poorly conceived and unsubstantiated. As such the assessment for Viewpoint 41 should not be relied upon as a means for understanding the extent of visual impact expected in this location.

5.4 Viewpoint 46 – River Circuit Trail (Yarra River)

121. The rationale for the selection of this viewpoint is not stated. It is unclear whether this viewpoint is intended to be representative of broader impacts, and if so what the likely extent of those broader impacts is.

122. The 'existing view' shown in *Photo 9-21* within *Technical Report H* does not represent an 80-degree horizontal field of view, and as such neither adequately represents the 'human eye' view extent from this location or the extent to which that view is likely to be impacted by the project.

Figure 20: Technical Report H - Photo 9-21 'VP46 - Existing view south'

123. The assessment of "medium" impact at year 0 and year 10 is questionable, given that the rationale for the camera position at this viewpoint is not stated and it is difficult to understand why the camera is positioned off the main trail path and down an embankment, when the location plan at *Figure 9-56* in the *Technical Report H* shows a direct line of sight from the main trail, and there would be higher viewer numbers.

124. Furthermore, the assessment of visual impact at this location relies upon existing vegetation to *"partially screen"* the visual effects of the proposed 14m high shared use bridge. The alignment of the proposed

structure appears on *Sheet 26 of 42* in the *NELP EES Map book Horizontal Alignment Plans,* to be in the order of (at least) 10m closer to the camera location than the existing structure. It is my expectation that much of the vegetation shown in the photomontage will be removed and therefore, the assessment is inaccurate and hence misleading.

125. Moreover, the assessment of visual impact relies upon "*the project's Urban Design Strategy*" and lists general design principles as a means of mitigating visual impact. The report does not however provide any direct reference to the relevant guidance within the UDS or reveal the landscape treatments applied to the structure and consequentially, the assumptions relied on to produce the photomontage are undocumented. This does not allow the reader to critically appraise the assessment and its findings.

126. On the basis of the above findings, it is my opinion that the assessment of visual impact is misleading as it fails to adequately assess the impact on the main trail and assumptions regarding the proposed urban design treatments have not been clearly stated. Therefore, the assessment should not be relied upon as a means of understanding the visual impact expected in this location as a result of the project.

5.5 Viewpoint 47 – Belle Vue Primary School, Balwyn North

127. The rationale for the selection of this viewpoint is not stated. It is unclear whether this viewpoint is intended to be representative of broader impacts, and if so what the likely extent of those broader impacts is.

128. The 'existing view' shown in *Photo 9-22* within *Technical Report H* does not represent an 80-degree horizontal field of view, and as such neither adequately represents the 'human eye' view extent from this location or the extent to which that view is likely to be impacted by the project.

Figure 21: Technical Report H - Photo 9-22 'VP47 Existing view looking north'

129. The assessment of reduced visual impact from “medium-high’ at Year 0 to “low” at Year 10 is questionable. It is unclear how landscaping proposed to mitigate the visual impact achieves the reduction of visual impact stated. Given the report notes that the landscaping would only “filter views” to the wall, it is unclear how much of the wall is visible and the effects of the increased height on visual impact with restricted land available to apply screen planting. A photomontage is not provided.

130. A cross section is provided in lieu of a photomontage image (*Figure 6-61)* and is unscaled. However, reading the cross section proportionally based upon proposed noise wall barrier shown at 8m high, the majority of proposed screening buffer of trees adjacent to the Belle Vue Primary School are depicted at heights over 10m. These assumed growth rates are in excess of what was established in *Technical Report H* at *3.10 Limitations, uncertainties and assumptions.* The cross section therefore is an imprecise illustration of visual effects at Year 10 and is misleading.

131. Based on the above, it is my opinion that the assessment of visual impact at Viewpoint 47 is unsubstantiated and as such, should not be relied upon as a means of understanding the extent of visual impact expected in this location as a result of the project.

5.6 Viewpoint 48 – Highview Road, Balwyn North

132. The rationale for the selection of this viewpoint is not stated. It is unclear whether this viewpoint is intended to be representative of broader impacts, and if so what the likely extent of those broader impacts is.

133. The 'existing view' shown in *Photo 9-23* within *Technical Report H* does not represent an 80-degree horizontal field of view, and as such neither adequately represents the 'human eye' view extent from this location or the extent to which that view is likely to be impacted by the project.

Figure 22: Technical Report H - Photo 9-23 'VP48 - Existing view north-west'

134. The assessment of Viewpoint 48 makes reference to the visual impact of the proposed noise wall on users, where the camera is located on a residential footpath looking towards the proposed structure. However, the report fails to consider the visual impact on the shared use path which is in closer proximity to the proposed structure and would likely experience higher foot and bicycle traffic than the selected viewpoint.

135. On the basis of the above, it is my opinion that the assessment of visual impact at Viewpoint 48 is misleading as it fails to represent the impact on the shared path and as such should not be relied upon as a means of understanding the extent of visual impact in this location as a result of the project.

5.7 Viewpoint 49 – Mountain View Road, Balwyn North

136. The rationale for the selection of this viewpoint is not stated. It is unclear whether this viewpoint is intended to be representative of broader impacts, and if so what the likely extent of those broader impacts is.

137. It is unclear why this location has been selected to represent the impact of the proposed changes rather than a view representative of shared path users, which is in closer proximity to the proposed structures, and would likely experience significantly greater viewer numbers.

138. The 'existing view' shown in *Photo 9-24* within *Technical Report H* does represent an 80-degree horizontal field of view, and adequately represents the 'human eye' view extent from this location. However, the camera position along the footpath is not representative of the full extent of visual impacts experienced in the broader landscape in and around Koonung Creek Reserve.

Figure 23: Technical Report H - Photo 9-24 'VP49 - Existing view looking north east'

139. It is my opinion that the assessment of "low" visual impact at Viewpoint 49 is questionable, on the basis that the full extent of visual impact to shared path users in this location does not appear to have been considered in the assessment. With reference to the *Sheet 33 of 47* in *EES Map Book Vertical Alignment Plans and Indicative Cross Sections*, it is my interpretation that the proposed raised ramp structures with elevations in the order of 30m would have the highest visibility from other locations with more user numbers. However, the assessment has not included any viewpoints that assess the full height of the ramp structures that would be experienced in this location.

140. Moreover, based on my interpretation of information provided in the *NELP EES Map Book Horizontal Alignment Plans* it is not clear how the proposed landscape mitigation has reduced the visual impact assessment from "medium" at Year 0 to "low" at Year 10. The assumptions relied upon to propose effective screen planting are not clearly stated and it is questionable whether the limited space between the noise wall and shared user path, would allow for enough buffer planting to substantiate the reduction in visual impact to "low" at year 10.

141. On the basis of the above, it is my opinion that the assessment of visual impact at Viewpoint 49 is misleading as it fails to represent the impact on the shared path and the assessment is unsubstantiated. As such, the assessment of visual impact for Viewpoint 49 should not be relied upon as a means of understanding the extent of visual impact in this location as a result of the project.

5.8 Viewpoint 56 – Sweyn Street, Balwyn North

142. The rationale for the selection of this viewpoint is not stated. It is unclear whether this viewpoint is intended to be representative of broader impacts, and if so what the likely extent of those broader impacts is.

143. The 'existing view' shown in *Photo 9-31* within *Technical Report H* does not represent an 80-degree horizontal field of view, and as such neither adequately represents the 'human eye' view extent from this location or the extent to which that view is likely to be impacted by the project.

Figure 24: Technical Report H - Photo 9-31 'VP56 - Existing view looking north-east'

144. It is unclear why this location has been selected to represent the impact of the proposed changes rather than a view representative of shared path users, which is in closer proximity to the proposed structures, and would likely experience higher viewer numbers.

145. It is my opinion that the rationale for assessment of visual impact as 'negligible' at year 10 at this viewpoint – in a location where the assessment observes that "*view numbers would be low*" - is questionable given that the nearby shared use path is arguably at greater risk of detrimental visual and landscape impacts.

146. It is also my opinion that the assessment of "negligible" visual impact at this viewpoint is unsubstantiated and therefore, unreliable. No photomontage has been provided to support the assessment of Viewpoint 56. Instead, a cropped illustrated cross section *Figure 9-84* is included in the report that does not clearly explain how much of the vegetation shown in the illustration is retained and what is proposed vegetation.

    On the basis of the above, the final assessment of visual impact at Viewpoint 56 as 'negligible' after 10 years is misleading as it fails to represent the impact on the shared use path and it is not clearly evident how the proposed landscaping mitigates the visual impacts of the proposed change. Hence, the assessment of Viewpoint 56 should not be relied upon as a means of understanding the extent of visual impact expected in this location as a result of the project.

6 Assessment of impacts on Manningham municipality

147. The EES LVIA identifies and provides an assessment of selected viewpoints within Manningham municipality. Over and above the general concerns raised in previous sections of this report, I have identified specific concerns with respect to the manner by which the assessment has been undertaken and conclusions formed in relation to a number of identified viewpoints, and these are explained as follows.

6.1 Viewpoint 25 – Banksia Park, Bulleen

148. The rationale for the selection of this viewpoint is not stated. It is unclear whether this viewpoint is intended to be representative of broader impacts, and if so what the likely extent of those broader impacts is.

149. The 'existing view' shown in *Photo 9-1* within *Technical Report H* does not represent an 80-degree horizontal field of view, and as such neither adequately represents the 'human eye' view extent from this location or the extent to which that view is likely to be impacted by the project.

Figure 25: Technical Report H - Photo 9-1 'VP25 - Existing view looking south-east'

150. The assessment of visual impact as "low to negligible" at Year 0 and Year 10 is questionable given the extent of visual change proposed at Year 0. Based upon information provided on *Sheet 19 of* 42 in the *EES Map Book Horizontal Plans*, an area represented in this Viewpoint in which the 'Helmet' sculpture is located, is marked as a "*TBM retrieval site".* As such, it is expected that the sculpture would be impacted by the proposed

changes. However, the assessment has not clearly stated any impacts to the 'Helmet' sculpture at Year 0 due to this activity, and no photomontage has been produced to represent the visual impacts.

151. A simplified cross section *Figure 9-4 'VP-25 – Landscape treatment section view south'* has been provided however, the cross section does not represent land relevant to the visual impact assessed in Viewpoint 25, and therefore can not be relied upon for critical appraisal of the assessment and its findings.

152. It is unclear why the location has been selected to represent the visual impacts for Viewpoint 25 on the basis that the location is further away from another sensitive viewpoint on an existing pedestrian path that has a direct line of sight toward the proposed changes. Therefore, it is questionable if the assessment of visual impact based on this viewpoint location has considered the full extent of visual impact resulting from the project.

153. On the basis of the above, it is my opinion that the assessment of visual impact at Viewpoint 25 is misleading and fails to adequately assess the extent of the impact of the proposed design, and as such should not be relied upon as a means of understanding the extent of visual impact expected as a result of this project.

6.2 Viewpoint 26 – Heide 1, Heide Museum of Modern Art, Bulleen

154. The rationale for the selection of this viewpoint is not stated. It is unclear whether this viewpoint is intended to be representative of broader impacts, and if so what the likely extent of those broader impacts is.

155. The 'existing view' shown in *Photo 9-2* within *Technical Report H* does not represent an 80-degree horizontal field of view, and as such neither adequately represents the 'human eye' view extent from this location or the extent to which that view is likely to be impacted by the project.

Figure 26: Technical Report H - Photo 9-2 VP26 - Existing view south-west'

156. The assessment of visual impact as “negligible” in this location is questionable on the basis that a 9-metre substation and a smoke duct with an anticipated height in the order of 14-metres is proposed in visual proximity to the viewpoint location.

157. Based on my interpretation of supporting material in the EES, it is my opinion that the proposed works at the TBM retrieval site, proposed elevated shared use path, and new road alignment at Manningham Road would result in further loss of vegetation than what has been represented in the photomontages produced. Because these proposed changes have not clearly been identified in the assessment of visual impacts to Viewpoint 26, it is unclear if the extent of visual impact has been fully represented in the assessment.

158. On the basis of the above, it is my opinion that the assessment of visual impact at Viewpoint 26 is misleading and fails to adequately assess the extent of the impact of the proposed design, and as such should not be relied upon as a means of understanding the extent of visual impact expected as a result of this project.

6.3 Viewpoint 28 – Manningham Road, Bulleen

159. The rationale for the selection of this viewpoint is not stated. It is unclear whether this viewpoint is intended to be representative of broader impacts, and if so what the likely extent of those broader impacts is.

160. The ‘existing view’ shown in *Photo 9-4* within *Technical Report H* does not represent an 80-degree horizontal field of view, and as such neither adequately represents the ‘human eye’ view extent from this location or the extent to which that view is likely to be impacted by the project.

Figure 27: Technical Report H - Photo 9-4 'VP28 - Existing view looking south-west'

161. No photomontage is provided, and instead the report includes a cross section *Figure 9-11 'VP28 – Landscape treatment section view south'*. The cross section does show a proposed flood-wall, however it fails to represent the full extent of the proposed visual impact at Viewpoint 28. The assessment of "Negligible" impact at this viewpoint, therefore is in my opinion questionable.

162. Further to the above, the assessment does not fully identify the changes proposed in the reference design that are likely to be viewed from Viewpoint 28:

    - Based upon my interpretation of the *EES Mapbook Horizontal Alignment Plans* with reference to Sheet 19 of 42, an elevated ramp structure is proposed in the order of 20m from Viewpoint 28 to the south-west. This is not represented in the illustrated cross section and it is not identified as a proposed change elsewhere in the assessment of Viewpoint 28 within *Technical Report H*.
    - Based on my interpretation of the *EES Mapbook Vertical Alignment Plans and Indicative Cross Sections* on *Sheet 17 of 47*, it is my opinion likely that the proposed emergency smoke exhaust structure with an anticipated height in the order of 14m would also be visible from Viewpoint 28. This structure has been recognised as a proposed change in the assessment however, the cross section *Figure 9-11 'VP28 – Landscape treatment section view south'* does not represent this structure.

163. It is difficult to understand why the view location and direction for this assessment was selected, when the *EES Map Book horizontal Plan - Sheet 19 of 42* shows structures in the vicinity of Viewpoint 28 that have not been

assessed: Within approximately 150m of Viewpoint 28 there is a proposed 10m high substation building to the north, and an elevated ramp structure proposed to the north of the Viewpoint 28 location.

164. On the basis of the above, it is my opinion that the assessment of visual impact for Viewpoint 28 as "Negligible" at Year 0 is unreliable and misleading as it fails to consider the complete extent of proposed changes; and it fails to adequately represent the impact of proposed changes. Hence, the assessment should not be relied upon as a means of understanding the extent of visual impact expected in this location as a result of the project.

6.4 Viewpoint 29 – Yarra River embankment adjacent to Kim Close Reserve

165. The rationale for the selection of this viewpoint is not stated. It is unclear whether this viewpoint is intended to be representative of broader impacts, and if so what the likely extent of those broader impacts is.

166. The 'existing view' shown in *Photo 9-5* within *Technical Report H* does not represent an 80-degree horizontal field of view, and as such neither adequately represents the 'human eye' view extent from this location or the extent to which that view is likely to be impacted by the project.

Figure 28: Technical Report H - Photo 9-5 'VP29 - Existing view north-east'

167. The rationale for the camera position at this viewpoint is not stated and it is difficult to understand why the camera is positioned off the main trail path and down an embankment, rather than from the main trail where there would be higher viewer numbers.

168. The assessment of "medium" visual impact at Year 0 and "low" impact at Year 10 is based on visual impact due to flood walls. However, it is my interpretation based on information provided in *EES Map Book horizontal Plan - Sheet 19 of 42* that users on the existing main trail may also experience visual impacts from the nearby emergency smoke exhaust structure east of Viewpoint 29 – of which a height in the order of 14m above ground level is anticipated.

169. On the basis of the above, it is my opinion that the assessment of Viewpoint 29 is unreliable on the basis that the assessment does not appear to consider the full extent of the proposed works that may be experienced by trail users.

6.5 Viewpoint 32 – Trinity Grammar School Sporting Complex, Bulleen

170. The rationale for the selection of this viewpoint is not stated. It is unclear whether this viewpoint is intended to be representative of broader impacts, and if so what the likely extent of those broader impacts is.

171. The 'existing view' shown in *Photo 9-8* within *Technical Report H* does not represent an 80-degree horizontal field of view, and as such neither adequately represents the 'human eye' view extent from this location or the extent to which that view is likely to be impacted by the project.

Figure 29: Technical Report H - Photo 9-8 'VP32 - Existing view looking west'

172. The assessment of "medium to low" visual impact at Year 10 is reliant upon proposed landscape treatments which have not been clearly demonstrated. No photomontage has been produced for Viewpoint 32, and instead a simplified cross section *Figure 9-20 'VP32 – Landscape treatment section view south'* is provided. Though the assessment acknowledges that there will be direct views from VP32 toward the proposed 40-metre high ventilation outlet, the impact of this structure is not illustrated in this cross section. As such, the ability of the proposed landscape treatments to reduce the visual impact expected at Viewpoint 32 is unsubstantiated.

173. Further to the above, the lack of supporting photomontage and unrepresentative cross section has failed to explain the reduction of assessed visual impact from "high to medium" at year 0 to a "medium to low" visual impact at Year 10 is alsoquestionable on the basis that it relies on "*landscaping between the shared use path and the playing field*". The proposed change to the landscape includes a 40-metre high ventilation structure that I expect cannot be fully screened by vegetation, and no further mitigation treatment has been proposed in order to minimise the visual impact expected from the proposed change.

174. On the basis of the above, it is my opinion that the assessment of visual impact as "medium to low" at year 10 is unsubstantiated and proposed landscape treatments are ineffective in responding to the proposed design. Therefore, the assessment for Viewpoint 32 should not be relied upon as a means to understanding the visual impact expected in this location as a result of the project.

6.6 Other viewpoints not assessed

175. It is my observation that there are proposed changes as a result of the project which would be expected to have visual impacts - yet these visual impacts have not, in my opinion, been adequately considered through the viewpoint assessments within *Technical Report H*. As such, it is my opinion that the report has failed to consider the full extent of visual impact, and conclusions regarding the overall visual impact are unreliable.

176. I have consulted with Manningham Council officers who have identified two locations within the Manningham municipality that would likely experience significant visual impacts, and have not been adequately assessed in the report. The rationale for each location is provided below:

177. The visual impact on Bulleen Park, Bulleen due to a proposed 40m high ventilation structure has been assessed at Viewpoint 35 in the Technical report. However, the selected location 670m from the structure is questionable on the basis that there is a closer viewing pavilion and carpark within Bulleen Park which, on the basis of closer proximity, would be more sensitive to the proposed change. The existing view from the Bulleen Park Pavilion is shown in *Photomontage 9* in *Appendix A* (refer Figure 30 below).

Figure 30: Appendix A: Photomontage 9 – from Bulleen Park Oval viewing pavilion facing north-east towards the proposed ventilation outlet and potential construction compound.

178. In addition, and on the basis of my interpretation of supporting information in the EES, the report has also failed to assess the full extent of proposed change at Bridge Street and Manningham Road intersection, Bulleen. With reference to *Sheet 19 of* 42 in the NELP *EES Map book Horizontal Alignment Plans*, I have identified the following proposed elements of which the extent of visual impact has not been adequately represented in the report:

- Substation building of 10m anticipated height
- Two elevated road structures
- An elevated pedestrian overpass
- Emergency smoke exhaust structure with an anticipated height in the order of 14m
- Removal of existing highly valued River Red Gum
- Removal of Banksia Park Helmet sculpture

179. It is my opinion that assessment of the above elements is achievable with correct viewpoint selection and photomontage technique, at the camera position shown in Figure 31 below (refer to Appendix A – Photomontage 13).

Figure 31: Appendix A: Photomontage 13 – from Bridge Street & Manningham Road intersection (Bulleen), facing south-east towards proposed raised pedestrian overpass and new road alignment

7 Assessment of impacts on Whitehorse municipality

180. The EES LVIA identifies and provides an assessment of selected viewpoints within Whitehorse municipality. Over and above the general concerns raised in previous sections of this report, I have identified specific concerns with respect to the manner by which the assessment has been undertaken and conclusions formed in relation to a number of identified viewpoints, and these are explained as follows.

7.1 Viewpoint 58 – Koonung Creek Wetlands, Mont Albert North

181. The rationale for the selection of this viewpoint is not stated. It is unclear whether this viewpoint is intended to be representative of broader impacts, and if so what the likely extent of those broader impacts is.

182. The 'existing view' shown in *Photo 9-33* within *Technical Report H* does not represent an 80-degree horizontal field of view, and as such neither adequately represents the 'human eye' extent of view from this location or the extent to which that view is likely to be impacted by the project.

Figure 32: Technical Report H - Photo 9-33 'VP58 - Existing view north-east'

183. Though the assessment of "high" visual impact on Viewpoint 58 at both Year 0 and Year 10 would indicate that landscape and urban design treatments are ineffective in mitigating the visual impacts of the project at this location, there is no clear recommendation in the report that the resulting impacts are unacceptable.

184. On the basis of the above, it is my opinion that the assessment of visual impact at Viewpoint 58 is incomplete and should not be relied upon as a means of understanding the extent of visual impact expected in this location as a result of the project.

7.2 Viewpoint 59 – Koonung Creek Wetlands overpass along the Eastern Freeway, Doncaster

185. The rationale for the selection of this viewpoint is not stated. It is unclear whether this viewpoint is intended to be representative of broader impacts, and if so what the likely extent of those broader impacts is.

186. The 'existing view' shown in *Photo 9-34* within *Technical Report H* does not represent an 80-degree horizontal field of view, and as such neither adequately represents the 'human eye' extent of view from this location or the extent to which that view is likely to be impacted by the project.

Figure 33 Technical Report H - Photo 9-34 'VP59 - Existing view looking east'

:

187. The assessment of visual impact as “low” at Year 0 and Year 10 at Viewpoint 59 is questionable given the extent of proposed change to the road landscape, with particular regard to the loss of vegetation as a result of the proposed changes. No photomontage has been provided to support the assessment.

188. On the basis of the above, it is my opinion that the assessment of visual impact at Viewpoint 59 is unsubstantiated and as such should not be relied upon as a means of understanding the extent of visual impact expected in this location as a result of the project.

7.3 Viewpoint 60 – Corner of Stanton Street and Heyington Avenue, Doncaster

189. The rationale for the selection of this viewpoint is not stated. It is unclear whether this viewpoint is intended to be representative of broader impacts, and if so what the likely extent of those broader impacts is.

190. The ‘existing view’ shown in *Photo 9-35* within *Technical Report H* does not represent an 80-degree horizontal field of view, and as such neither adequately represents the ‘human eye’ extent of view from this location or the extent to which that view is likely to be impacted by the project.

Figure 34: Technical Report H - Photo 9-35 'VP60 - Existing view looking south'

191. It is my opinion that the assessment of visual impact as "negligible" at Year 0 and Year 10 at Viewpoint 60 is unsubstantiated and misleading on the basis that the rationale conflicts with the description of proposed change:

> *…the barrier would be approximately three metres high. Minimal vegetation would be removed for the re-aligned shared use overpass and the overpass would be at grade with Stanton Street.*

192. Moreover, the assessment is not substantiated by photomontage evidence and the cross section provided *Figure 9-92 'VP60 – Landscape treatment section view east'* reduces the opportunity for the reader to critically appraise the assessment and its findings.

193. On the basis of the above, it is my opinion that the assessment of visual impact at Viewpoint 3 is poorly conceived and as such should not be relied upon as a means of understanding the extent of visual impact expected in this location as a result of the project.

7.4 Viewpoint 62 – Elgar Park, Mont Albert North

194. The rationale for the selection of this viewpoint is not stated. It is unclear whether this viewpoint is intended to be representative of broader impacts, and if so what the likely extent of those broader impacts is.

195. The assessment makes references to the visual impact on the viewpoint location, but fails to consider the visual impact on the Koonung Creek Trail, which will likely experience higher foot and bicycle traffic than the selected viewpoint shown in *Photo 9-37 VP62 – existing view looking north-west.*

Figure 35: Technical Report H: Photo 9-37 'VP62 - Existing view looking north-west'

196. On the basis of the above, it is my opinion that the assessment of visual impact at Viewpoint 2 is misleading as it fails to represent the impact on the shared use path and as such should not be relied upon as a means of understanding the extent of visual impact expected in this location as a result of the project.

7.5 Viewpoint 63 – Frank Sedgeman Reserve, Box Hill North

197. The rationale for the selection of this viewpoint is not stated. It is unclear whether this viewpoint is intended to be representative of broader impacts, and if so what the likely extent of those broader impacts is.

198. The 'existing view' shown in *Photo 9-38* within *Technical Report H* does not represent an 80-degree horizontal field of view, and as such neither adequately represents the 'human eye' extent of view from this location or the extent to which that view is likely to be impacted by the project.

Figure 36: Technical Report H - Photo 9-38 'VP63 - Existing view looking north'

199. It is not clear how the value of this landscape has influenced the assessment of visual impacts as "low" at Year 10 for Viewpoint 63. The location of the viewpoint is questionable given it does not appear to best represent the creek environs.

200. The rationale for the assessment of this viewpoint is questionable on the basis that it relies upon landscape treatments that have not clearly been demonstrated to mitigate the full extent of visual impacts to users of Frank Sedgeman Reserve by the photomontage location selected. It appears that there are more sensitive areas of the reserve from which the full extent of visual impact would be experienced by users of the reserve

201. Furthermore, the photomontages have been produced based on reliance upon specific urban design guidance that has not been clearly stated nor referenced in *Technical Report H,* further reducing any opportunity for the reader to critically appraise the assessment and its findings.

202. On the basis of the above, it is my opinion that the assessment of visual impact at Viewpoint 63 is misleading and as such should not be relied upon as a means of understanding the extent of visual impact expected in this location as a result of the project.

7.6 Viewpoint 65 – Koonung Creek Trail, adjacent to Eram Road, Box Hill North

203. The rationale for the selection of this viewpoint is not stated. It is unclear whether this viewpoint is intended to be representative of broader impacts, and if so what the likely extent of those broader impacts is.

204. The 'existing view' shown in *Photo 9-40* within *Technical Report H* does not represent an 80-degree horizontal field of view, and as such neither adequately represents the 'human eye' extent of view from this location or the extent to which that view is likely to be impacted by the project.

Figure 37: Technical Report H - Photo 9-40 'VP65 - Existing view looking east't

205. The assessment of visual impact as "medium" at Viewpoint 65 is questionable given the proposed changes. No photomontage has been produced to substantiate the assessment, and the cross section provided is not an

appropriate method of representing the extent of visual impact that would be expected to be experienced by shared path users due to the project in this location.

206. On the basis of the above, it is my opinion that the assessment of visual impact at Viewpoint 65 is unsubstantiated and as such should not be relied upon as a means of understanding the extent of visual impact to shared path users in this reserve.

8 Summary of opinion

207. In summary, I am of the opinion that – in respect of landscape and open space matters – the proposed North East Link Project as described in the Environmental Effects Statement will result in visual impacts and impacts upon the amenity of existing and future publicly-accessible and publicly-usable land which have been inadequately considered within the EES LVIA and as a result have the potential to result in a significant diminution of the amenity and visual quality of the landscapes where these impacts will be felt.

208. The inadequacies which I have identified and described within my evidence include:

- The categorisation of landscape character types is simplistic, with only three character types identified for the entire area likely to be affected by the project, and hence fails to recognise changes in landscape character at a scale appropriate for the assessment of impacts on each municipality and on individual suburbs or neighbourhoods;
- There is a lack of evidence that existing policies, strategies, guidelines and controls within the Planning Schemes of each affected municipality have been considered in informing the resulting characterisation of landscapes;
- The EES LVIA fails to adequately identify, consider or describe the inherent landscape values of the areas likely to be affected by the project, and in failing to do so, effectively fails to achieve its identified evaluation objective;
- Key reference documents - including *Guidelines for Landscape & Visual Impact Assessment* - Third Edition, Landscape Institute and Institute of Environmental Management & Assessment (2013) and *Visual Landscape Planning in Western Australia*, Western Australian Planning Commission (2007) - are listed as references in the EES LVIA, however there is no evidence within the report that either document has informed the methodology or the findings of the EES LVIA;
- The EES LVIA fails to adequately consider, describe or assess the landscape sensitivity of areas likely to be impacted by the project;
- The ZTV approach utilises elevation data obtained from VicMAP with a 10-metre or contour interval, however VicMAP provides 1-metre contour data for the entirety of the affected municipalities, and the failure to utilise that data has significantly – and uneccesarily - reduced the precision of the ZTV mapping;
- The manner by which assumptions built in to the ZTV modelling with respect to the height of proposed structures are represented is disingenuous in that it substantially under-represents the actual extent of the ZTV of proposed project elements;
- The rationale for viewpoint selection is compromised by its reliance upon the ZTV analysis, which is poorly-conceived and hence unreliable, by its failure to adequately consider viewpoints considered important to affected municipalities and their communities, and by its failure to provide an adequate explanation as to

why selected viewpoints were considered to be 'representative' of views available from other locations for which assessment of impacts has not been undertaken;

- Many of the 'photomontages' provided in the EES LVIA have not been prepared in accordance with the stated parameters for photomontage preparation within the report, and as should not be relied upon as accurate representations of the likely visual impact which will result from the Project;
- The reliance upon the proposed planting of new vegetation as the sole means of mitigating visual impacts is concerning in that the EES LVIA has purportedly assessed 81 viewpoints across 4 municipalities and in not one case has the assessment determined that the level of visual impact likely to be experienced requires the consideration of design modifications to project infrastructure;
- Questionable objectivity and independence of the EES LVIA on the basis that it makes no recommendations for any re-design of any project elements, even in circumstances where the assessment concludes that visual impact will be high and cannot be mitigated through the proposed planting of new vegetation;
- Overly-ambitious and overtly speculative assumptions within the EES LVIA with respect to projected growth rates of new planting given that no proposed landscape design has been prepared for the project;
- The assessment of visual impact at specific viewpoints within the municipalities of Banyule, Boroondara, Manningham and Whitehorse is in many instances poorly-conceived, incomplete, inaccurate or misleading and as such should not be relied upon as a means of understanding the extent of visual impact expected in this location as a result of the project, and
- The failure of the EES LVIA to consider the full extent of visual impact likely to result from the project.

9 Conclusion

209. I declare that I have made all the enquiries that I believe are desirable and appropriate and that no matters of significance which I regard as relevant have to my knowledge been withheld from the Panel.

Stephen Schutt BPD (Hons) M L Arch Grad Dip Proj Mgt RLA

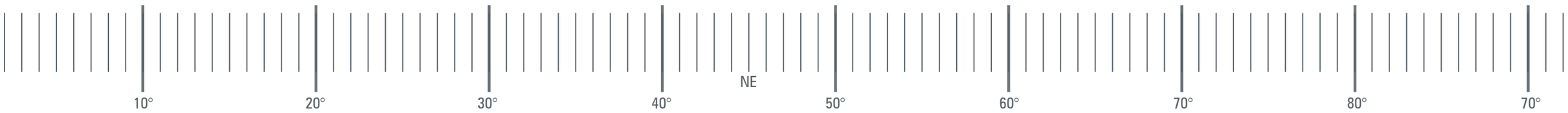
Director

Hansen Partnership Pty Ltd.

14th July 2019

appendix a

Existing condition photomontages prepared (by Hansen Partnership) to support assessment of NELP EES Technical Report H



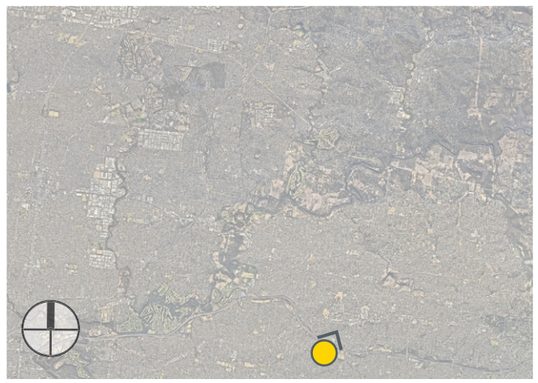
View location 2 - from Koonung Creek Wetlands Elgar Park (Mont Albert North), facing northeast towards proposed bridge and noisewall

Photomontage created by:
SH - B.Arch
Images created using:
3ds max 2019, autocad 2019, adobe photoshop, illustrator & indesign cc 2018, vray 3
Method used to collect relevant data:
Photo locations obtained on site by Geocomp Consulting pty ltd on the 01/07/19
Camera:
Canon EOS 5Ds Digital SLR
Camera lens:
Canon EF 50mm f/1.8 USM

Photograph taken:
12.41pm on the 01/07/19
Photo taken at:
160cm above ground level

View location 2:
e: 333776.8320
n: 5815154.2960
rl: 41.6000

Camera location



project ref: 19.187
dwg no.: VIA-002
date: 01/07/19
revision: P

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North East Link Project

Photomontage 13
Existing view

hansen

80° 90° 100° 110° 120° 130° SE 140° 150° 160°

E

View location 13 - from Bridge Street & Manningham Road intersection (Bulleen), facing southeast towards proposed raised pedestrian overpass and new road alignment

Photomontage created by:
SH - B.Arch
Images created using:
3ds max 2019, autocad 2019, adobe photoshop, illustrator & indesign cc 2018, vray 3
Method used to collect relevant data:
Photo locations obtained on site by Geocomp Consulting pty ltd on the 01/07/19
Camera:
Canon EOS 5Ds Digital SLR
Camera lens:
Canon EF 50mm f/1.8 USM

Photograph taken:
03.37pm on the 01/07/19
Photo taken at:
160cm above ground level

View location 13:
e: 330945.1500
n: 5819076.5380
rl: 18.8170

Camera location

project ref: 19.187
dwg no.: VIA-012
date: 01/07/19
revision: P

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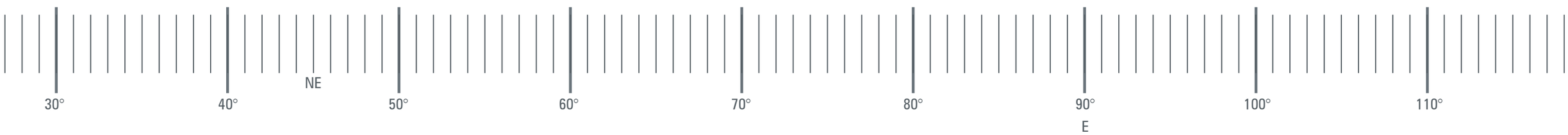

View location 15 - from corner Sydney St and Greensborough R (Macleod), facing east towards proposed Ventilation outlet building

Photomontage created by:
SH - B.Arch
Images created using:
3ds max 2019, autocad 2019, adobe photoshop, illustrator & indesign cc 2018, vray 3
Method used to collect relevant data:
Photo locations obtained on site by Geocomp Consulting pty ltd on the 01/07/19
Camera:
Canon EOS 5Ds Digital SLR
Camera lens:
Canon EF 50mm f/1.8 USM

Photograph taken:
04.13pm on the 01/07/19
Photo taken at:
160cm above ground level

View location 15:
e: 330824.5640
n: 5823117.5910
rl: 71.7580

Camera location

project ref: 19.187
dwg no.: VIA-014
date: 01/07/19
revision: P

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appendix b
Curriculum vitae for Stephen Schutt

Steve Schutt
Director

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Summary of Experience

Steve is a Registered Landscape Architect with extensive experience in Australia and internationally in the delivery of projects across the fields of public domain design, residential landscapes, educational institutions, recreational facilities, natural and rehabilitated landscapes, commercial developments and large-scale infrastructure projects. His skills and experience embrace the full spectrum of landscape architecture, from conceptual design to design development, documentation, contract administration, master planning, visual assessment, community consultation and the provision of expert evidence to planning tribunals.

As a director of **Hansen Partnership**, Steve is able to apply his skills and experience across a broad range of projects, from landscape master planning to urban design studies and the detailed implementation of landscape designs in both urban and non-urban environments. In this regard, Steve is able to operate effectively as a multi-disciplinary professional, offering skills in urban planning, urban design and landscape architecture.

Current

Director
Hansen Partnership
July 2006 – present

Experience

Hansen Partnership
Associate (July 2002 - July 2006)

Context Landscape Design
Associate (January 1997 – June 2002)

GBLA
Landscape architect (June 1995 – November 1996)

Melbourne Parks & Waterways
Landscape architect (June 1994 – November 1995)

Qualifications

- Graduate Diploma in Project Management, RMIT University (2004)
- Master of Landscape Architecture, The University of Melbourne (1994)
- Bachelor of Planning & Design (hons), The University of Melbourne (1992)

Affiliations

- Australian Institute of Landscape Architects (AILA) - RLA
- Victorian Planning & Environmental Law Association (VPELA) - Member

Specialisations

- Public domain design
- Master planning
- Landscape design
- Strategic planning & design
- Visual assessment
- VCAT expert witness

Key Project Experience

Public Domain Design

- Ballarat Avenue of Honour, Ballarat City Council (2017)
- Croydon Town Centre Development, Maroondah City Council (2017)
- Rose Street, Fitzroy, City of Yarra (2017)
- Williams Reserve, East Richmond, City of Yarra (2016)
- Charles St & Mollison St, Abbotsford, City of Yarra (2016)
- Windsor Siding, City of Stonnington (2016)
- Upper Ferntree Gully Streetscape Design, Knox City Council (2015)
- Yarra Trail Gipps Street Ramp, Parks Victoria (2015)
- Alfred Street, Hastings, Mornington Peninsula Shire Council (2013)
- Vernon Street, South Kingsville, Hobsons Bay City Council (2013)
- Empire Mall, Mornington, Mornington Peninsula Shire Council (2013)
- Richmond Terrace Park, City of Yarra (2012)
- Sherbrook Park, Ringwood, Maroondah City Council (2012)
- Langtree Mall Redevelopment, Mildura, Mildura Rural City Council (2011)
- Port of Echuca Visitor Experience, Shire of Campaspe (2011)
- Devonport Foreshore Plaza, Devonport City Council (2011)
- Nunawading Village Urban Realm Vision, Whitehorse City Council (2009)
- Alfrieda Street Improvements, St Albans, Brimbank City Council (2009)
- Lakes Reserve, Taylors Lakes, Brimbank City Council (2008)
- Montrose Linear Garden, Shire of Yarra Ranges (2007)
- Frankston CAD Urban Renewal, Frankston City Council (2004)
- Frankston Waterfront Entry, Frankston City Council (2004)
- Hastings Anzac Plaza, Mornington Peninsula Shire (2001)
- University of New South Wales Mall, UNSW (2001)
- St Mary's Cathedral, Sydney, Catholic Archdiocese (2000)
- Sydney Olympic Velodrome, Bankstown, Sydney Olympic Coordination Authority (1999)
- Wollongong Entertainment Centre Foreshore Plaza, Wollongong City Council (1998)
- Toukley Village Green, Wyong Shire Council (1997)

Master Planning

- Bridge Road Streetscape Master Plan, City of Yarra (2016)
- Merricks Station Reserve Master Plan, Mornington Peninsula Shire Council (2016)
- Korumburra Town Centre Streetscape Master Plan, South Gipsland Shire Council (2015)
- Queenscliff Caravan Parks Master Plan, Borough of Queenscliff (2015)
- Stonnington Public Realm Strategy, City of Stonnington (2015)
- South Yarra Railway Station Design Study, City of Stonnington (2015)
- Princes Gardens Framework Master Plan, City of Stonnington (2015)
- Portland to Cape Bridgewater Shared Pathway, Portland Pathways Group (2014)
- Windsor Siding Master Plan, City of Stonnington (2014)
- Mount Alexander Master Plan, Mount Alexander College (2014)
- Alfred Street Landscape Master Plan, Hastings, Mornington Peninsula Shire Council (2013)
- Mount Baw Baw Development Concept Plan, Mount Baw Baw Management Board (2013)
- 'Re-Discover' Chapel Street Public Domain Master Plan, City of Stonnington (2013)
- Yarra Junction Community Precinct Master Plan, Yarra Ranges Shire Council (2012)
- Bridport Central Foreshore Precinct Plan, Dorset Council (2012)
- Traralgon Railway Station Precinct Master Plan, Latrobe City Council (2011)
- Warragul Town Centre Master Plan, Baw Baw Shire (2011)
- Gaskin Park Master Plan, Churchill, Latrobe City Council (2010)
- Eastern Park and Geelong Botanic Gardens Strategic Plan, City of Greater Geelong (2008)
- Ted Summerton Reserve Master Plan, Moe, Latrobe City Council (2008)
- Cathedral Range Golf Resort Master Plan, Golf Club Properties (2004)
- Sandridge Beach Foreshore Reserve Master Plan, City of Port Phillip (2002)

Landscape Design

- Arthur St & Pryor St Etham, Eltham Outlook Unit Trust (2017)
- Swan Hill South West Development Precinct, private client (2016)
- 1-3 Station St, Riddells Creek, private client (2015)
- Stewart St, Richmond, City of Yarra (2015)
- Mount Hotham Precincts Concept Design, Mount Hotham Resort Management Board (2015)
- Melbourne Metro Rail Project, City of Stonnington (2015)
- Chapel Street Mid-Block Upgrade, City of Stonnington (2015)
- Martha Cove Harbour, Mornington, private client (2015)
- Coles, Lara, Coles Property Group (2013)
- Coles, Hallam, Coles Property Group (2013)
- Scenic Estate Master Plan, Bass Coast Shire Council (2013)
- Zumsteins and MacKenzie Falls Precinct Plan, Grampians National Park, Parks Victoria (2012)
- Devonport Maritime Museum, Devonport City Council (2011)
- Riverside Park Concept Plan, Mildura, Mildura Rural City Council (2011)
- Morningside Estate, Gisborne, Dennis Family Corporation (2010)
- Whitehorse Civic Centre Forecourt, Whitehorse City Council (2008)
- Mildura Council Offices Forecourt, Mildura Rural City Council (2011)
- Walsh Bay Redevelopment, Sydney, Mirvac (2000)

Strategic Planning and Design

- Wyndham RDF Landscape Plans, City of Wyndham (2014)
- Hastings Laneways Strategy, Mornington Peninsula Shire Council (2014)
- Phillip Island Integrated Transport Study, Bass Coast Shire Council (2013)
- Werribee River Shared Trail Strategy, Melton Shire Council (2012)
- New Gisborne Development Plan, Macedon Ranges Shire (2011)
- Ballarat Avenue of Honour Urban Design Guidelines, Ballarat City Council (2010)
- Warragul Town Centre Urban Design Framework and Railway Station Master Plan, Baw Baw Shire Council (2009)
- Mersey Bluff Precinct Urban Design Framework, Devonport City Council (2008)
- Spring Creek Growth Framework Plan, Torquay, Surf Coast Shire (2009)
- Jackass Flat New Development Area Structure Plan, City of Greater Bendigo (2005)
- San Remo, Newhaven and Cape Woolamai Structure Plan, Bass Coast Shire (2005)
- Geelong Western Wedge Urban Design Framework, City of Greater Geelong (2002)
- Point Lonsdale Village Urban Design Framework, Borough of Queenscliff (2002)

Landscape and Visual Impact Assessment

- Westgate Tunnel Project, Melbourne City Council (2017)
- 130 Bells Rd, Bells Beach, priviate client (2016)
- 5 Broadbeach Rd, Jan Juc, private client (2016)
- Melbourne Metro Rail Project, City of Stonnington (2015)
- Central Victorian Livestock Exchange, private client (2015)
- Baringhup West Visual Assessment, private client (2015)
- Arthurs Seat Skylift, Arthurs Seat Skylift Pty Ltd (2014)
- 86 Paradise Drive, St Andrews Beach, private client (2014)
- Torquay Eco-Park, Torquay, BCR Asset Management (2013)
- Casey Foothills Landscape Assessment, City of Casey (2012)
- Pakenham East Landscape Assessment, Cardinia Shire Council (2012)
- Western Water Storage Facility, Mount Cottrell, Western Water (2012)
- Visual Assessment of Ridgelines in Banyule, Banyule City Council (2011)
- Vodafone Telco Facility Visual Impact Assessment, Warrandyte, Vodafone (2011)
- Bells Boulevard Landscape Assessment, Jan Juc (2009)
- Victorian Desalination Plant EES Enquiry Visual Impact Assessment, Cardinia Shire Council, (2008)
- Stockyard Hill Wind Energy Facility, Beaufort (2008)
- Martha Cove, Safety Beach (2007)
- Devon North Wind Energy Facility, Yarram (2007)
- Oaklands Hill Wind Energy Facility, Glenthompson (2007)

International

- Bat Trang Village Tourism Competition, Hanoi Peoples Communittee (2016)
- Surabaya Urban Corridor Development Program, The World Bank (2014)
- Con Dao Precinct Master Plan, BR-VT Province Peoples Committee, Vietnam (2014)
- Xining ToD PoD Workshop, The World Bank (2012)
- Haiphong Transit Oriented Design Study, Haiphong People's Committee, Vietnam (2012)
- Soc Trang Technology Park Master Plan, Vietnam, Viet Investment Projects Corporation (2008)
- Saigon Golf and Country Club Master Plan, Norfolk Group Vietnam (2005)
- Dalat Walking Centre Urban Design Framework, Dalat People's Committee, Vietnam (2004)