

## Appendix B Environment performance requirements

The IAC recommended specific changes to many of the EPRs that MRPV tabled in closing submissions at the IAC hearing. That version of the EPRs had itself developed from the EPRs published in the exhibited EES. I commend MRPV for the changes it proactively adopted in response to matters raised by submitters. I generally support the IAC's recommended version of each EPR except where qualified in the Minister's assessment column.

Table B.1 lists MRPV's third version of the EPRs that it tabled at the IAC hearing in December 2020 and incorporates recommended changes from the IAC as additions and deletions.

**Table B.1. Minister's assessment of IAC's recommended EPRs.**

| No.  | EPR Version 3 as amended by the IAC  | Minister's assessment |
|------|--|-----------------------|
| ACH1 | <p><b>Cultural Heritage Management Plan</b></p> <p>Implement and comply with the Cultural Heritage Management Plan approved under the <i>Aboriginal Heritage Act 2006</i>.</p>   |                       |
| AQ1  | <p><b>Air quality management</b></p> <p>The CEMP must include processes and measures to manage air quality during construction, including in accordance with the relevant air quality objectives set out in the State Environment Protection Policy (Ambient Air Quality) and other relevant statutory requirements. <u>Best practice</u> <del>These</del> measures will include, but not be limited to:</p> <ul style="list-style-type: none"> <li>• Ensure that all vehicles and machinery are fitted with appropriate emission control equipment, maintained frequently and serviced to the manufacturers' specifications</li> <li>• Smoke from internal combustion engines must not be visible for more than ten seconds</li> <li>• <del>Protect</del> <u>Manage</u> stockpiles to prevent and minimise dust emissions</li> <li>• Review construction methodology in response to potential dust generation during dry and windy weather conditions, and in response to site inspection, monitoring results or complaints related to air and / or dust disruption</li> </ul> <p>Provide the opportunity for the community to raise issues / concerns through a 24-hour phone number (see also EPR S2).</p>  |                       |
| AR1  | <p><b>Avoid and minimise tree removal</b></p> <p>During detailed design and construction, review potential tree impacts (particularly large/higher value trees and high value vegetation as identified within the Landscape Strategy's 'Cultural Value of Vegetation Assessment'), and provide for maximum tree retention where possible. This may be achieved through:</p> <ul style="list-style-type: none"> <li>• Design permanent and temporary works to avoid where possible, and otherwise minimise, adverse effects on trees (see also EPRs E1, AR2 and AR3)</li> <li>• The location and width of walking and cycling paths and footpaths is to be varied further to minimise Tree Protection Zone encroachment where possible</li> <li>• Apply suitable construction techniques to minimise impact on Tree Protection Zones, including limiting excavation depth or building above grade. Include additional retaining walls in the design for high priority trees where appropriate</li> <li>• Optimise design of Safety Barriers to retain trees, such as avoiding trenching</li> <li>• Prepare a Tree Impact Assessment which includes consideration of necessary cut and fill and grading requirements (3D design) which can be undertaken in stages</li> </ul> <p>Establishment of no-go zones identified in <u>the finalised Yan Yean Road Stage 2 – Project Design and No Go Zones Attachment VI Map Book</u> to exclude and protect the trees within the project area, with fencing to be as per the Australian Standard 4970-2009 Protection of Trees on Development Sites.</p> |                       |

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**Table B.1 (cont). Minister’s assessment of IAC’s recommended EPRs.**

| No. | EPR Version 3 as amended by the IAC  | Minister’s assessment |
|-----|--|-----------------------|
| AR2 | <p><b>Tree Protection Management Plan</b></p> <p>Prior to construction commencing, develop and implement a Tree Protection Management Plan (see also EPRs E3 and AR3) based on the recommendations of Australian Standard 4970-2009 Protection of Trees on Development Sites. This will be in consultation with the City of Whittlesea and Shire of Nillumbik and informed by a project arborist (with a minimum qualification of Diploma in Arboriculture (AQF level 5 or equivalent), which covers:</p> <ul style="list-style-type: none"> <li>• Trees to be removed or retained which will be informed by Tree Impact Assessment</li> <li>• Condition or significance of trees to be removed</li> <li>• Options for relocation and reinstatement of trees if feasible</li> <li>• All tree protection zones and structural root zones</li> <li>• All tree protection fenced off areas and areas where ground protection systems will be used</li> <li>• <a href="#">Installation of services should avoid tree protection zones of retained trees. If any services are required within the tree protection zone of a retained tree, they are to be installed via boring under the tree protection zone or hydro excavation where appropriate in accordance with the Tree Protection Management Plan</a></li> <li>• <del>All services to be located within the tree protection zone. All services will either be located outside of the tree protection zone or bored under the tree protection zone</del></li> <li>• Location of tree protection measures and ground protection</li> </ul> <p>To reduce tree removal and retain trees for as long as possible, tree removal will be undertaken as late as possible during construction works.</p>  |                       |
| AR3 | <p><b>Doreen river red gums</b></p> <p>At the Bridge Inn Road intersection, the two Doreen river red gums will be retained. Prior to any works, a detailed Tree Protection Plan will be prepared by a suitably qualified arborist and must be signed off by MRPV. This will include tree protection measures relevant to proposed works such as a calculated no-go zone and Tree Protection Zones and specific controls for works (including excavation, utility installation, lighting) within the calculated Tree Protection Zones of the Doreen river red gums as follows:</p> <ul style="list-style-type: none"> <li>• Works must not occur within the no-go zone determined in the Tree Protection Plan</li> <li>• The maximum depth of excavation must not exceed 800 millimetres below the existing ground surface within the Tree Protection Zones identified in the Tree Protection Plan</li> <li>• There must be no damage to the tree canopy of the Doreen river red gums</li> <li>• <del>Fence/crash barrier, signage footings and road furniture can be installed within the identified Tree Protection Zones identified in the Tree Protection Plan. <a href="#">All footings should be of pier or pad type and strip footings should be avoided. but are not to be more than one metre below the existing ground surface level and must not be strip footings or similar if they exceed 800 millimetres below the existing ground surface level</a></del></li> <li>• Any utilities or services such as conduits or pipes to be installed within the Tree Protection Zones identified in the Tree Protection Plan, but outside of the no-go zone identified in the Tree Protection Plan, are to be bored with a minimum of one metre cover to the existing ground surface and are to be no greater than 500 millimetres in diameter</li> <li>• Arrangements for appropriate long-term access to water are to be provided to the Doreen river red gums</li> <li>• The finished level of any surface adjacent to the no-go zone must be +/- 200 millimetres of the existing road and no additional fill can be placed within the undisturbed areas of the Tree Protection Zones identified in the Tree Protection Plan</li> <li>• Reinstatement – the area that is available, must be converted to mulched garden bed with complementary indigenous plantings such as acacias. Reinstatement of existing pavement areas within the Tree Protection Zones identified in the Tree Protection Plan shall be to a minimum depth of 500 millimetres</li> </ul> <p><a href="#">The Tree Protection Plan must provide an assessment of the tree canopies and any recommended pruning, cabling or other works. All canopy management works are to be in accordance with AS4373-2007 Pruning Amenity Trees. All tree pruning is to be completed by qualified arborists with a minimum Certificate III in arboriculture or equivalent.</a></p> |                       |

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**Table B.1 (cont). Minister's assessment of IAC's recommended EPRs.**

| No. | EPR Version 3 as amended by the IAC  | Minister's assessment   |
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| AR4 | <p><b>Reinstatement</b></p> <p>Reinstatement of soft and hard landscaping is to be in accordance with the Project's Landscape Strategy (see also EPRs E6 and LV2) and include:</p> <ul style="list-style-type: none"> <li>• Protecting retained trees</li> <li>• Ensuring new tree planting does not adversely impact existing vegetation</li> </ul> <p><a href="#">There is to be no broad-scale tillage of soil within Tree Protection Zones of retained trees. Topsoil is not to be added within the Tree Protection Zone of a retained tree.</a></p>   |   |
| B1  | <p><b>Avoid and minimise business disruption</b></p> <p>Avoid and minimise to the extent practicable any reduction in the level of access, amenity or function of any business or commercial facility, including any reduction in car parking available for businesses or commercial facilities.</p> <p>Ensure that the construction program minimises impacts on businesses and facilities to the extent practicable, with consideration of operating hours and peak visitation times (see also EPR B2).</p>  |   |
| B2  | <p><b>Implement a Trader Engagement Plan</b></p> <p>Prepare and implement a Trader Engagement Plan in accordance with <i>Victorian Small Business Engagement Guidelines</i> to manage impacts to non-acquired businesses and to engage with business and property owners throughout the construction phase. The plan shall include:</p> <ul style="list-style-type: none"> <li>• Timely information on key project milestones</li> <li>• Changes to traffic conditions and duration of impact</li> <li>• A project construction schedule developed in coordination with transport authorities and City of Whittlesea and Shire of Nillumbik and in consultation with businesses to minimise cumulative impacts of this and other projects</li> <li>• Plans for signage to notify customers of proposed changes to business operations, including the setting of suitable timeframes for notification prior to commencement of changes</li> <li>• Measures to ensure access to businesses is maintained for customers, delivery and waste removal unless there has been prior engagement with affected businesses (including mutually agreed mitigation measures as required). This could include the installation of directional and business signage to assist customers and minimising reduction in carparking available to shoppers and traders</li> <li>• Process for registering and management of complaints from affected businesses and potential support services offered</li> <li>• Ensure emergency services are notified ahead of major works</li> <li>• Provide the opportunity for issues / concerns to be raised through a 24-hour phone number (see also EPR S2).</li> </ul> <p><a href="#">Provide marketing support to small businesses along the alignment in consultation with and with the consent of the business, for example, by assisting small businesses to advertise using mediums such as social media, 'buy local' postcards, and discount vouchers and utilising project infrastructure as billboard space for promotion.</a></p> |   |
| B3  | <p><b>Business access and car parking</b></p> <p>All permanent access to and parking for business and commercial facilities affected by the works is to be restored, in consultation with the relevant stakeholders, including associated landscaping and restoration works. Any temporary access arrangements put in place for the duration of construction must be removed when construction has ceased, unless they become the permanent arrangement. Any reduction in current parking numbers at existing businesses will be avoided; however, where a loss in existing car parking is unavoidable, losses must be minimised and occur in consultation with relevant stakeholders.</p>   |   |
| B4  | <p><b><a href="#">Doreen Neighbourhood Activity Centre</a></b></p> <p><a href="#">Develop and implement measures as part of the Project in consultation with the Department of Transport, Whittlesea City Council and Nillumbik Shire Council to avoid and minimise loss of exposure of the Doreen Neighbourhood Activity Centre to the arterial road network, including:</a></p> <ul style="list-style-type: none"> <li>• <a href="#">Design permanent and temporary works to the extent practicable to ensure that a reasonable level of visibility of the Doreen Neighbourhood Activity Centre is maintained when approaching the Doreen Neighbourhood Activity Centre on Yan Yean Road or Bridge Inn Road;</a></li> </ul> <p><a href="#">Installation of wayfinding, directional and/or business identification signage to provide advanced notice to motorists on Yan Yean Road or Bridge Inn Road of the Doreen Neighbourhood Activity Centre in accordance with relevant Department of Transport guidelines.</a></p>  | <p>Generally supported, however I acknowledge potentially competing priorities between the level of visibility of the activity centre and landscaping to reduce visual impacts.</p> <p>I also encourage MRPV to consider how this EPR will be achieved in a manner consistent with requirements of the new EPR LU3.</p> |

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**Table B.1 (cont). Minister’s assessment of IAC’s recommended EPRs.**

| No. | EPR Version 3 as amended by the IAC  | Minister’s assessment   |
|-----|--|---|
| CL1 | <p><b>Spoil management</b></p> <p>The CEMP must include processes and measures to manage contaminated soil in accordance with the relevant objectives set out in State Environment Protection Policy (SEPP) – Prevention and Management of Contamination of Land and other relevant statutory requirements and guidelines. These include, but are not limited to:</p> <ul style="list-style-type: none"> <li>• Environment Protection (Industrial Waste Resource) Regulations 2009</li> <li>• Industrial Waste Management Policy (Waste Acid Sulfate Soils) 1999</li> <li>• National Environment Protection (Assessment of Site Contamination) Measures 1999, amended 2013 (ASC NEPM)</li> <li>• WorkSafe Occupational Health and Safety Regulations 2007 (Asbestos)</li> <li>• PFAS National Environmental Management Plan 1.0 2018</li> <li>• AS 4482.1-2005 Guide to the investigation and sampling of sites with potentially contaminated soil.</li> </ul> <p>The processes and measures must include:</p> <ul style="list-style-type: none"> <li>• Characterising soil prior to disposal or reuse</li> <li>• Identifying soil containing asbestos and if present, developing management strategies in accordance with the WorkSafe Regulations</li> <li>• Assessing geological formations with naturally enriched metals and applicable spoil management options and or off-site disposal to the satisfaction of EPA Victoria</li> <li>• Identifying suitably licensed facilities for the disposal or treatment of contaminated soil</li> <li>• Management measures for storage, handling and transport of spoil for the protection of health, amenity and the environment</li> <li>• Management of wastewater</li> <li>• Management of dust, potential stormwater run-off and seepage from stockpiled materials</li> <li>• Undertaking a baseline site assessment of areas proposed for construction laydown prior to use</li> </ul> <p>Protection of the beneficial uses of land associated with current and planned future use.</p>  |   |
| E1  | <p><b>Native vegetation</b></p> <p>Develop and implement measures to avoid where possible, and otherwise minimise impacts on native vegetation, <a href="#">listed species and ecological communities and the Studley Park Gum</a> through detailed design and construction, including:</p> <ul style="list-style-type: none"> <li>• Minimising footprint and disturbance of temporary and permanent works, such as through detailed design of: <ul style="list-style-type: none"> <li>– The wide median between Bannons Lane and Laurie Street</li> <li>– The Bridge Inn Road intersection</li> <li>– The Jorgensen Avenue intersection</li> <li>– The Youngs Road roundabout</li> <li>– The Yarra Valley Water pump station relocation</li> <li>– The walking and cycling path in Werther Park</li> <li>– The walking and cycling path built within Tree Protection Zones</li> </ul> </li> <li>• At the Bridge Inn Road intersection, the Doreen river red gums will be retained. A Tree Protection Management Plan is required to protect trees during construction (see also EPR AR3)</li> <li>• Further minimisation of native tree loss during detailed design, prioritising retention of large and hollow bearing trees</li> <li>• Trees for which the Project will impact &lt;10% of the Tree Protection Zone (TPZ) are likely to be able to be retained. For these specific trees, once construction methods are better known, a detailed arborist assessment must be conducted</li> <li>• <a href="#">Finalise the Yan Yean Road Stage 2 – Project Design and No Go Zones, 15 December 2020 to include further no-go zones as identified through detailed design</a></li> <li>• Implement the no-go zones identified in <a href="#">the finalised Yan Yean Road Stage 2 – Project Design and No Go Zones</a> <a href="#">EES Attachment VI Map Book</a>.</li> </ul> <p>Native vegetation removal must be offset in accordance with DELWP’s Guidelines for the removal, destruction or lopping of native vegetation 2017 (DELWP 2017c), <a href="#">including consequential losses along proposed boundary fence lines</a>.</p> | <p>Generally supported, but I do not agree with the project accounting for consequential losses.</p> <p>I also recommend MRPV develop a management plan in consultation with DELWP regarding seed collection activities. I expect this plan would include aspects such as seed collection, propagation, planting, ongoing management and monitoring and commitments for the minimum number of plantings and minimum survivorship.</p> |

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**Table B.1 (cont). Minister’s assessment of IAC’s recommended EPRs.**

| No. | EPR Version 3 as amended by the IAC   | Minister’s assessment  |
|-----|---|--|
| E2  | <p><b>Flora and fauna - design</b></p> <p>Design the Project to avoid and otherwise minimise impacts, to the extent practicable, on listed species <del>and ecological communities, the Studley Park Gum</del>, wildlife and their habitat, including:</p> <ul style="list-style-type: none"> <li>• Utilising the MRPV Fauna Sensitive Road Design Guideline (2020) to incorporate fauna sensitive design, including: <ul style="list-style-type: none"> <li>– Use of fauna-friendly fencing where fencing is required where possible (avoidance of chain-mesh fencing and barbed wire). If non-metal mesh fencing is required, it must be designed to minimise collision risk</li> <li>– Use of fauna sensitive lighting where lighting is required</li> <li>– Avoidance of transparent materials in the construction of bus shelters, barriers, fencing, and signage to minimise the potential for birds or other fauna to collide with them</li> <li>– Targeted signage to minimise roadkill and investigation of other measures during detailed design which may be trialled to minimise collision risk, particularly for Eastern Grey Kangaroos</li> <li>– Providing rope bridges in key connectivity areas (<a href="#">as shown in Figure 5.5 of Technical Appendix B1</a>) for arboreal mammals, to be installed as early as practicable during construction</li> <li>– <a href="#">Provision of replacement hollows</a></li> </ul> </li> </ul> <p><a href="#">Preparing a Fauna Management Plan in consultation with the Department of Transport, Nillumbik Shire Council and Whittlesea City Council. The final Fauna Management Plan should be approved by the Minister for Planning prior to works commencing.</a></p>  | <p>Generally supported, however propose the fauna management plan should be prepared in consultation with DoT, the councils and DELWP rather than provided to Minister for Planning for approval.</p> <p>The fauna management plan should also include detailed procedures for the prevention of fauna mortality and injury during habitat clearance described in Section 4.2.</p> <p>The fauna management plan should also include kangaroo-specific mitigation measures as described in Section 4.2.</p> |
| E3  | <p><b>Flora and fauna – construction</b></p> <p>The CEMP must include requirements and methods in accordance with the MRPV Fauna Sensitive Road Design Guideline (2020) for avoiding, or where avoidance is not feasible, minimising impacts on flora and fauna, including:</p> <ul style="list-style-type: none"> <li>• Contingency and reporting procedures for the event that a listed threatened species is identified in order to mitigate any potential for significant impacts on the listed threatened species</li> <li>• Protection of all vegetation inside and adjacent to the project area (where the Tree Protection Zone intersects the project area) that is not required to be removed, provided that such measures should be limited to activities undertaken inside the project area</li> <li>• Fencing no-go zones (refer to Attachment VI <i>Map Book</i>) to prevent access during construction</li> <li>• Vegetation clearing controls and protection measures, including protocols such as pre-clearing surveys, <a href="#">advanced blocking of known tree hollows</a>, two-stage clearing, minimised clearing during spring where practicable, and phased removal wherever practicable (see also EPR V1)</li> <li>• Pruning of trees to be retained must not exceed one third of total canopy area. Pruning and removal of trees must only be conducted following pre-clearance surveys, in the presence of an ecologist. <a href="#">Prior to being removed, all identified hollows in any tree or branch are to be inspected for signs of fauna</a></li> <li>• Measures during clearing and construction including weed and disease hygiene, pathogen mitigation, management, monitoring and reporting measures to reduce weed introduction and spread</li> <li>• Fire risk management measures</li> <li>• Development and implementation of a Tree Protection Management Plan for protection of retained trees (see also EPRs AR2 and AR3)</li> <li>• Development and implementation of protocols around the handling of fauna during construction</li> <li>• Retention of dead, declining, or impacted trees <a href="#">and retention/relocation of tree hollows</a> for habitat where appropriate and practicable <a href="#">following completion of a risk assessment</a></li> <li>• Minimise impacts of construction lighting through consideration of siting, direction and fixtures</li> <li>• Egress points for fauna (particularly kangaroos) in construction fencing. Construction personnel to report fauna entrapment and traffic control to slow or stop vehicles when wildlife is sighted to minimise collision risk</li> </ul> <p>Trench management, including avoiding open trenches overnight where practicable. Where trenches cannot be closed, check trenches for fauna early in the morning.</p> | <p>Amend to include point concerning rehabilitation of laydown areas allowing revegetation as presented by MRPV in Tabled Document 121.</p>  |

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**Table B.1 (cont). Minister’s assessment of IAC’s recommended EPRs.**

| No.  | EPR Version 3 as amended by the IAC  | Minister’s assessment   |
|------|--|---|
| E4   | <p><b>Swift Parrot Management Plan</b></p> <p>Implementing the mitigation measures specified in the Swift Parrot Management Plan, including:</p> <ul style="list-style-type: none"> <li>Using existing stacksites and existing road formation for material lay down areas for storage, plant and vehicle storage and site compounds</li> <li>Establish and maintain no-go zones (refer to Attachment VI <i>Map Book</i>) to reduce impacts on Swift Parrot</li> <li>Design, where possible, to avoid incorporating chain-mesh or barbed wire fences as well as clear glass for any structures (bus shelters, barriers). If chain-mesh fencing is required at Yarrambat Golf Course, it must be designed to minimise collision risk for Swift Parrot</li> <li>Inducting construction workers to communicate permit conditions, environmental requirements regarding fauna management and no-go zones</li> </ul> <p>Controlling noise and dust during works in accordance with relevant standards (see also EPRs NV1 and AQ1).</p> |   |
| E5   | <p><b>Matted Flax-lily</b></p> <p>Where direct impacts on Matted Flax-lily <del>occur</del><a href="#">are anticipated</a>, a salvage and translocation plan must be developed and implemented to the satisfaction of the Department of Environment, Land, Water and Planning and the Commonwealth Department of Agriculture, Water and the Environment, prior to the commencement of relevant works.</p>  | <p>I accept the IAC’s proposed change, and also recommend revision of this EPR to include implementation after detailed design, but still prior to commencement of works.</p> |
| E6   | <p><b>Strategic revegetation</b></p> <p>Strategic revegetation in accordance with the Project’s Landscape Strategy (see also EPRs AR4 and LV2) to minimise long term fragmentation impacts by:</p> <ul style="list-style-type: none"> <li>Using indigenous species as appropriate from relevant ecological vegetation classes to maximise fauna habitat value and connectivity, including trees likely to be used by Swift Parrot and Grey-headed flying fox</li> </ul> <p>Incorporating indigenous mid-storey and ground layer plants as appropriate to complement retained habitat.</p>  |   |
| E7   | <p><b>Avoid introduction or spread of weeds and pathogens</b></p> <p>The CEMP must include measures to avoid the spread or introduction of weeds and pathogens during construction, including vehicle and equipment hygiene.</p>   |   |
| E8   | <p><b>Operational maintenance</b></p> <p>During operation, maintain all fences, signage and fauna crossings, and soil hygiene controls for areas of retained native vegetation in accordance with Department of Transport processes and standards for declared roads in Victoria.</p>  |   |
| EMF1 | <p><b>Environmental Management System</b></p> <p>Implement an Environmental Management System that complies with AS/NZS ISO 14001:2015 Environmental management systems - Requirements with guidance for use.</p>  |   |
| EMF2 | <p><b>Environmental Management Plans</b></p> <p>Prepare and implement a Construction Environmental Management Plan (CEMP) and other relevant plans as required by the EPRs and in accordance with this Environmental Management Framework (EMF). The development of the CEMP and sub-plans must include consultation with relevant stakeholders as listed in this EMF and as required under any statutory approvals. The CEMP and all sub-plans shall be approved by MRPV before construction commences (excluding preparatory buildings and works permitted under the Incorporated Document).</p> <p><a href="#">Before approval, the CEMP and other relevant plans are to be reviewed by the Independent Environmental Auditor and that review must be made public at the time of approval.</a></p>  | <p>Amend wording for IEA review to be published on MRPV’s website for consistency with other audit report requirements as per EPR EMF4.</p>                                   |
| EMF3 | <p><b>Complaints management</b></p> <p>Prepare and implement a process for recording, managing, and resolving complaints received from affected stakeholders during construction. The complaints management system must be consistent with the Project’s Communications and Stakeholder Engagement Plan (see also EPR S2) and Australian Standard AS/NZS 10002:2014 Guidelines for Complaint Management in Organisations.</p>  |   |

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| No.  | EPR Version 3 as amended by the IAC  | Minister's assessment |
|------|--|-----------------------|
| EMF4 | <p><b>Environmental compliance</b></p> <p>Appoint a certified Independent Environmental Auditor to:</p> <ul style="list-style-type: none"> <li>• Prior to commencement of relevant works, review the Contractor's systems and plans to ensure they are adequate for compliance with this EMF, relevant EPRs, CEMP, and any other plans required by the EPRs, and conditions of Project approvals</li> <li>• Conduct regular audits (<u>at least</u> every six months) of Contractors' compliance with this EMF, relevant EPRs, CEMP, and any other plans required by the EPRs, conditions of Project approvals, and as required by MRPV</li> <li>• Prepare a six monthly audit report summarising the Contractor's compliance and results of audits and provide to MRPV to be published on the MRPV website</li> <li>• Ensure the six monthly audit report is also provided to the Contractor(s), the Minister for Planning and to other statutory approval authorities as required</li> </ul> <p>Review complaints referred by MRPV relevant to the EPRs.</p> |                       |
| EMF5 | <p><b>Operation and maintenance</b></p> <p>Any potential impacts during operation and maintenance will be managed in accordance with the Department of Transport's environmental management system and standards for managing declared roads in Victoria.</p>  |                       |
| GW1  | <p><b>Groundwater management</b></p> <p>The CEMP must include measures to manage groundwater impacts in accordance with the relevant water objectives set out in the State Environment Protection Policy (Waters), Water Industry Regulations 2006 (Vic) and other relevant statutory requirements.</p>  |                       |
| HH1  | <p><b>Historic heritage</b> <del>Doreen river red gums</del></p> <p>At the Bridge Inn Road intersection, retain the two Doreen river red gums that are identified in the Heritage Overlay HO191 (see also EPR AR3) <u>and retain the Post Office and General Store building at 920 Doctors Gully Road.</u> <del>For works within the Heritage Overlay that impact historic heritage, prepare a Heritage Impact Statement in consultation with Shire of Nillumbik and implement no-go zones in accordance with the CEMP (see also EPR AR3).</del></p> <p><u>Design permanent and temporary works to avoid where possible, and otherwise minimise, potential impacts on heritage values of St. Michael's Anglican Church identified in Heritage Overlay HO219, the Post Office and General Store building at 920 Doctors Gully Road, Doreen and the two Doreen River Red Gums identified in Heritage Overlay HO191.</u></p> <p><u>The CEMP must include processes and measures to manage historical heritage, such as implementation of no-go zones.</u></p>     |                       |
| HH2  | <p><b>St. Michael's Anglican Church</b></p> <p><del>Design permanent and temporary works to avoid where possible, and otherwise minimise, potential impacts on the heritage values of the St. Michael's Anglican Church that are identified in the Heritage Overlay HO219. The CEMP must include processes and measures to manage historical heritage, such as implementation of no-go zones, within the Construction Environmental Management Plan.</del></p>   |                       |
| HH3  | <p><b>Archaeological discovery protocol</b></p> <p>The CEMP must include an archaeological discovery protocol that specifies measures to avoid and minimise impacts on any previously unidentified historical archaeological sites and values discovered during construction. The management protocol must be consistent with the requirements of the <i>Heritage Act 2017</i> and include procedures for ceasing work if human remains or archaeological artefacts are discovered, notifying Heritage Victoria of the find, obtaining consent to deal with the find, and dealing with the find in accordance with the consent.</p> <p>All personnel on site must undertake a Cultural Heritage Awareness Induction prior to commencing work, which will include information on the Doreen River Red Gums, <u>St Michael's Anglican Church and the former Post Office and General Store building at 920 Doctors Gully Road, Doreen.</u></p>  |                       |

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| No. | EPR Version 3 as amended by the IAC  | Minister's assessment |
|-----|--|-----------------------|
| LU1 | <p><b>Minimise land use impacts</b></p> <p>The Project must be designed and constructed to minimise the design footprint and avoid, to the extent practicable, any temporary and permanent impacts on the following land uses:</p> <ul style="list-style-type: none"> <li>– Parks and reserves</li> <li>– Recreational and community facilities</li> <li>– Residential properties and other sensitive land uses such as educational facilities</li> <li>– Commercial and industrial sites.</li> </ul> <ul style="list-style-type: none"> <li>• Consolidate or minimise the fragmentation of, and provide access to, residual land parcels to support future viable land use to the extent practicable and consistent with land zoning and the planning policy framework</li> </ul> <p>Consultation must occur with land managers and/or authorities responsible for the implementation of the relevant strategic land use plans and policies, including City of Whittlesea, Shire of Nillumbik, Melbourne Water and Yarra Valley Water.</p>  |                       |
| LU2 | <p><b>Land acquisition</b></p> <p>Where permanent land acquisition is unavoidable:</p> <ul style="list-style-type: none"> <li>• Early and consistent consultation with affected land owners and occupiers must occur</li> <li>• Continue one-on-one consultation with affected landowners and occupiers to outline the acquisition and compensation process, discuss changed access arrangements and provide clear timelines of proposed action</li> </ul> <p>Compensation for interests in acquired land must be assessed in accordance with <i>Land Acquisition and Compensation Act 1986</i>.</p>   |                       |
| LU3 | <p><b><u>Bridge Inn Road/Yan Yean Road Surplus Land Use Plan</u></b></p> <p><u>Prior to operation of the Project, MRPV in consultation with Whittlesea City Council and Nillumbik Shire Council, must develop and implement a Bridge Inn Road/Yan Yean Road Surplus Land Use Plan. The Bridge Inn Road/Yan Yean Road Surplus Land Use Plan must set out the process for establishing the future use of surplus land at the Bridge Inn Road/Yan Yean Road intersection, including:</u></p> <ul style="list-style-type: none"> <li>• <u>Proposed future use(s) of each parcel of surplus land created by the development of the Bridge Inn Road/Yan Yean Road intersection;</u></li> <li>• <u>Preferred future landowner/land manager for each surplus parcel; and</u></li> <li>• <u>A process for transferring landownership where required.</u></li> </ul> <p><u>Note:</u></p> <p><u>Surplus land is land acquired for the Project but not to be required for permanent Project infrastructure or related purposes.</u></p>  |                       |
| LV1 | <p><b>Implement the Landscape Strategy</b></p> <p>Implement the Landscape Strategy (refer to Technical Report G) during detailed design and construction to minimise adverse effects on landscape values and visual impacts, particularly in relation to:</p> <ul style="list-style-type: none"> <li>• Retaining and reinforcing key existing views as identified within the Landscape Strategy</li> <li>• Heritage values</li> <li>• Existing and proposed landmark elements across the Project</li> <li>• High value vegetation as identified within the Landscape Strategy's 'Cultural Value of Vegetation Assessment'</li> <li>• Community and recreational centres and open space, including existing Council masterplans for Doreen Recreational Reserve, Yarrambat Park &amp; Golf Course and Yarrambat Township</li> <li>• Residential and business interfaces.</li> </ul> <p><u>Before operation, implement the Landscape Strategy to provide landscaping and reinstatement works to surplus land parcels consistent with the future use(s) of those surplus parcels proposed in the Bridge Inn Road/Yan Yean Road Surplus Land Use Plan (refer to EPR LU3).</u></p> <p>See also EPRs E6, AR1, AR4, LV2, <u>LU3</u> and V1.</p> |                       |

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**Table B.1 (cont). Minister’s assessment of IAC’s recommended EPRs.**

| No. | EPR Version 3 as amended by the IAC  | Minister’s assessment  |
|-----|--|--|
| LV2 | <p><b>Replanting and reinstatement of vegetation</b></p> <p>Replanting and reinstatement of vegetation must occur in accordance with the Project’s Landscape Strategy (see also EPRs E6, AR1, AR4, LV1 and V1) in consultation with the relevant land manager, <a href="#">Nillumbik Shire Council and Whittlesea City Council (as appropriate)</a>, including:</p> <ul style="list-style-type: none"> <li>• Ensure tree planting is fully coordinated with services, easements and utilities including required height limits and offsets</li> <li>• Ensure new tree planting is climate resilient and suitable for the local context</li> <li>• Maximises the enhancement of landscape, Aboriginal and historical cultural heritage, and vegetation and habitat connectivity values, where opportunities exist</li> <li>• Provide replacement screening vegetation where feasible to reduce impacts to visual amenity</li> <li>• Enhance existing vegetation along the road corridor and around infrastructure elements</li> <li>• Provide contextual planting along roads and walking and cycling paths where feasible to achieve tree canopy cover for shade, shelter and habitat creation and connectivity</li> <li>• Seek to improve user amenity through identifying opportunities within public open space in accordance with relevant Council masterplans</li> <li>• Enhance intersections and identified gateways with distinctive native plantings to act as visual marker along the road corridor</li> <li>• <a href="#">Where existing vegetation on private residential property is removed due to the acquisition of land, for dwellings that will be located within 7 metres of the road or cycling and walking paths provide replacement screening vegetation to provide privacy to those dwellings. Where there is insufficient space to achieve replacement screening vegetation within the road reserve, the replacement screening vegetation should be provided on the private land, subject to landowner agreement</a></li> </ul> <p><a href="#">All advanced tree stock must be assessed by the project arborist before installation and must be in accordance with AS2303-2018 Tree Stock for Landscape Use. Certification reports for trees to be planted are to be supplied to MRPV.</a></p> |  |
| NV1 | <p><b>Construction noise management</b></p> <p>The CEMP must include measures to manage construction noise and vibration in accordance with EPA Publication 1254 (Noise Control Guidelines), EPA Publication 480 (EPA Environmental Guidelines for Major Construction Sites) and other relevant statutory requirements. The CEMP should include measures, such as (but not limited to):</p> <ul style="list-style-type: none"> <li>• Fit and maintain appropriate mufflers on earth-moving and other vehicles on the site</li> <li>• Enclose noisy equipment</li> <li>• Provide noise attenuation screens, where appropriate</li> <li>• Where an activity is likely to cause noise impacts to nearby residents, restrict operating hours to between 7 am and 6 pm weekdays and 7 am to 1 pm Saturday, except where, for practical reasons, the activity is unavoidable. All reasonable measures must be implemented to mitigate the impacts of such unavoidable works</li> <li>• Undertake targeted noise monitoring of construction activities that are expected to cause higher impacts (as appropriate) and modify management actions as necessary</li> <li>• Advise local residents when unavoidable out-of-hours work will occur</li> <li>• Schedule deliveries to the site so that disruption to local amenity and traffic is minimised</li> <li>• <a href="#">Prepare and Implement a Construction Noise and Vibration Plan consistent with the recommendation in Technical Appendix I</a></li> <li>• A noise and vibration communications sub-plan, consistent with the Communications and Stakeholder Engagement Plan (see also EPR S2), for informing the community of work scheduling and working hours</li> </ul> <p>Provide the opportunity for the community to raise issues / concerns through an attended 24-hour phone number (see also EPR S2).</p>  |  |
| NV2 | <p><b>Achieve traffic noise objectives</b></p> <p>Design and construct the <a href="#">Project to mitigate potential significant noise effects as defined by ‘A Guide to the Reduction of Traffic Noise’ (VicRoads, 2003) in consultation with property owners and to consider measures such as quieter pavement surfaces and measures including signage to reduce engine brake noise so that operational noise will be addressed in accordance with the VicRoads Traffic Noise Reduction Policy (2005).</a></p>   | <p>I support the intent of this change, however recommend further consideration by MRPV as to how to define significant noise effects in this EPR, and to investigate what mitigation levels would be practicable. I note the guide’s reference to mitigation for levels above 68 dB(A) may be a sound starting point.</p> |

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**Table B.1 (cont). Minister’s assessment of IAC’s recommended EPRs.**

| No. | EPR Version 3 as amended by the IAC  | Minister’s assessment  |
|-----|--|--|
| S1  | <p><b>Social access and amenity</b></p> <p>To develop and implement measures to avoid and minimise impacts on social and cultural values, including:</p> <ul style="list-style-type: none"> <li>• Design permanent and temporary works to avoid where possible, and otherwise minimise adverse effects on trees (see also EPR AR1)</li> </ul> <p>Detailed design to protect and, where practicable, improve access to amenity for potentially affected residents, users of the transport corridor (pedestrians, cyclists, horse riders and motorists), open space, social and community infrastructure and commercial facilities, and implementing the principles of Crime Prevention Through Environmental Design.</p>  |  |
| S2  | <p><b>Implement a Communications and Stakeholder Engagement Plan</b></p> <p>Prior to construction, develop and implement a Communications and Stakeholder Engagement Plan to engage and consult the community and affected stakeholders and discuss progress of construction activities. The Communications and Stakeholder Engagement Plan must include measures to:</p> <ul style="list-style-type: none"> <li>• Identify a process for identifying community issues and the recording, management and resolution of complaints from affected stakeholders including business owners, community service providers, education providers, public and active transport key user groups and residents, consistent with Australian Standard AS/NZS 10002:2014 Guidelines for Complaint Management in Organisations</li> <li>• Communicate and engage with the community and potentially affected stakeholders in relation to: <ul style="list-style-type: none"> <li>– Construction activities including temporary works and impacts that may affect the community, businesses or individual stakeholders (e.g. dust, noise, vibration and light) and relevant mitigation</li> <li>– Changes to transport conditions and relevant mitigation (e.g. road closures, detours)</li> </ul> </li> <li>• Ensure that communities are notified of construction and changes well in advance of works commencing as approved by MRPV</li> <li>• Ensure that the consultation program includes provision for onsite signage of affected properties that provide a service to the local or regional community</li> <li>• Continue consultation with people affected by the relocation of memorials</li> <li>• Outline the timing of works that will affect particular local areas, to be updated to reflect current and anticipated conditions</li> <li>• Communicate incidents and emergencies, including notification methods and timeframes in the event of a major incident or overrun</li> <li>• Ensure the workforce has appropriate community awareness and sensitivity</li> <li>• Implement innovative communications tools and methods to enhance the Project’s ability to effectively communicate and engage with the community and stakeholders including best available technology in addition to conventional means</li> </ul> <p>Make provision for a 24-hour phone number to be available to the community to report concerns.</p> |  |
| S3  | <p><b>Reinstatement of access</b></p> <p>To mitigate impact to community facilities and the community after construction, driveway and access will be reinstated. Where access cannot be reinstated, alternative access is required to be provided in consultation with stakeholders.</p>  |  |
| SU1 | <p><a href="#"><u>Integrate sustainable design and construction practices to minimise, to the extent practicable, resource use particularly greenhouse gas emissions from construction of the Project.</u></a></p>   |  |
| SU2 | <p><a href="#"><u>Integrate sustainable development principles including through the implementation of Timber Reuse Strategies to ensure beneficial reuse of felled timber.</u></a></p>  | <p>I don’t support this recommendation as the project’s landscape strategy already provides direction for timber reuse and must be implemented as per EPR LV1.</p> |

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**Table B.1 (cont). Minister's assessment of IAC's recommended EPRs.**

| No. | EPR Version 3 as amended by the IAC  | Minister's assessment  |
|-----|--|--|
| SW1 | <p><b>Surface water management</b></p> <p>The CEMP must include processes and measures to manage surface water in accordance with the relevant 'Best practice' water objectives set out in the State Environment Protection Policy (Waters), Melbourne Water Performance Criteria and other relevant statutory requirements. Mitigation and management measures would be informed by Melbourne Water and Council requirements, EPA Publications 275, 480 and 960 and include:</p> <ul style="list-style-type: none"> <li>• Best practice sediment and erosion control, including measures to prevent contamination of surface waters from contaminated soils if / when encountered and the management of dewatering of earthworks areas following storm events</li> <li>• Maintenance of existing flow paths, drainage lines and floodplain storage or, where modification of existing flow paths cannot be avoided, mitigating the effects of changes to flow to the extent practicable</li> <li>• Water quality monitoring during construction and management of drainage infrastructure to be carried out in accordance with MRPV's Integrated Water Management Guideline (2020)</li> <li>• Stormwater or flood modelling and implementation of mitigation solutions and management measures for temporary works as required</li> <li>• Flood emergency management including consideration of scheduling works</li> <li>• Maximising the visual and aesthetic amenity of waterways having regard to any relevant development plans in consultation with Melbourne Water</li> </ul> <p>Refuelling in designated areas where hardstand is present and removal of impacted soils following minor spills.</p> |  |
| SW2 | <p><b>Design to minimise surface water impacts</b></p> <p>Design the Project to minimise impacts on the hydrologic and / or hydraulic regime of waterways and stormwater risks, including:</p> <ul style="list-style-type: none"> <li>• Develop a detailed drainage model based on the 3D road detailed design to comply with Austroads, Council and Melbourne Water guidelines. A spill risk assessment will be conducted for each outfall based on the likelihood of a spill, which is estimated based on the road characteristics (geometry) of the outfall catchment, and its proximity to the downstream water sensitive receptors (i.e. consequence of the spill). Outfalls with a high spill risk are to provide spill containment</li> <li>• Discharge and runoff to meet the relevant water objectives set out in the State Environment Protection Policy (Waters), Melbourne Water Performance Criteria and other relevant statutory requirements</li> <li>• For outfalls to major main drains or waterways, determine specific requirements in consultation with Melbourne Water</li> <li>• Minimise risk from changes to flood levels, flows and velocities. Permanent works must not increase overall flood risk at relevant locations or modify the flow regime of waterways without the <del>acceptance</del>approval of the relevant flood plain manager, drainage authority or asset owner</li> <li>• Minimise impacts on private, Council and Melbourne Water drainage assets</li> </ul> <p>Comply with Melbourne Water Performance Criteria and MRPV's Integrated Water Management Guideline (2020).</p>  |  |
| TP1 | <p><b>Optimise design for active and road users</b></p> <p>Optimise the design in consultation with appropriate road management authorities, Shire of Nillumbik and City of Whittlesea to:</p> <ul style="list-style-type: none"> <li>• Minimise adverse impact on travel times for all transport modes, including walking and cycling</li> <li>• Maintain, and where practicable, enhance the traffic movements <del>at intersections</del> within the project area</li> <li>• Design the road, walking and cycling elements and other recreation activities to meet relevant road and transport authority requirements</li> <li>• Where existing traffic movements are altered by the Project, ensure that alternative movements are incorporated into the design, <u>including property accesses</u></li> <li>• Maintain, and where practicable, enhance pedestrian movements, horse rider access, bicycle connectivity, and walking and cycling paths, including access to public open space and reserves</li> </ul> <p><u>Road Safety Audits should be undertaken in accordance with Department of Transport guidelines, with particular emphasis on property access.</u></p>   | <p>Include 'bus stops' in the third bullet point.</p> <p>Revise final sentence to state 'road safety audits must be undertaken'.</p> |

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**Table B.1 (cont). Minister's assessment of IAC's recommended EPRs.**

| No. | EPR Version 3 as amended by the IAC   | Minister's assessment  |
|-----|---|--|
| TP2 | <p><b>Traffic Management Plan</b></p> <p>The Project should be constructed in stages to minimise impact on road users and prior to commencement of relevant works, a Traffic Management Plan (TMP) must be developed and implemented to minimise disruption during construction in accordance with AS1742.3-2009 and in consultation with relevant authorities including Department of Transport, Shire of Nillumbik and City of Whittlesea. The TMP will clearly outline measures to:</p> <ul style="list-style-type: none"> <li>• Minimise road closures, access restrictions and disruption to all road users, public transport users and active users, including pedestrians, cyclists and horse riders</li> <li>• Minimise impacts on local streets such as from 'rat running' during construction closures</li> <li>• Provide for safe construction practices in accordance with road authority requirements</li> <li>• Provide alternative routes for affected road users, public transport users and active users where practicable</li> <li>• Maintain property accesses during construction where practicable or provide alternative access</li> <li>• <a href="#">Consider</a> potential routes for construction haulage and construction vehicles travelling to and from the project, recognising sensitive receptors and avoiding the use of local streets where practicable</li> <li>• Maintain community safety through appropriate measures such as providing convenient and safe access across Yan Yean Road at all bus stops, activity nodes and places of community significance</li> <li>• <a href="#">Implement</a> suitable measures, developed in consultation with emergency services, to ensure emergency service access is not inhibited as a result of project construction activities</li> <li>• Ensure affected community is notified in advance (in accordance with EPR S2) of changed traffic conditions</li> <li>• <a href="#">Implement suitable measures, developed in consultation with the road authority, to mitigate significant safety or operational risks on local streets that occur as a result of project construction activities</a></li> </ul> <p><a href="#">Monitor the road network to identify the need for and success of mitigation measures.</a></p> | <p>Amend last bullet point, adding classification that the monitoring is for roads in the vicinity of project construction activities.</p>   |
| TP3 | <p><a href="#">Redesign the Bridge Inn Road intersection to be based on the modified Option B design but optimised in accordance with TP1 and include:</a></p> <ul style="list-style-type: none"> <li>• <a href="#">a direct right turn into the Bridge Inn Road service road</a></li> <li>• <a href="#">traffic signals at the Yan Yean Road/Activity Way intersection</a></li> <li>• <a href="#">improved connectivity between the Doreen NAC and the shared path and bus stops on Yan Yean Road</a></li> <li>• <a href="#">advanced directional signage for the Doreen NAC</a></li> </ul> <p><a href="#">provision for vehicles to exit the Doreen Recreation Reserve and head south on Yan Yean Road.</a></p>   | <p>Amend second and fifth dot points to instead consider these options, noting they would only be incorporated if found to not compromise the safety and efficiency of the overall intersection design, nor have additional unacceptable ecological impacts.</p>   |
| TP4 | <p><a href="#">Redesign the Project at the section of Yan Yean Road from and including the Yarrambat Park southern access to Jorgensen Avenue to:</a></p> <ul style="list-style-type: none"> <li>• <a href="#">be in accordance with Environmental Performance Requirement TP1</a></li> <li>• <a href="#">provide more direct access to the Yarrambat Park Public Golf Course from the north for when the site is used as a Neighbourhood Safer House</a></li> <li>• <a href="#">provide access to the northern end of Yarrambat Park through a signalised intersection</a></li> </ul> <p><a href="#">consider an alternate cross-section north of Bannons Lane to improve safety for the abutting residents.</a></p>   | <p>Amend third dot point, as I recommend further consultation between MRPV and the CFA regarding a suitable option for access and egress when Yarrambat Park is used as a staging area in emergencies.</p> <p>Amend fourth dot point to include consideration of improved access, as well as safety.</p> |
| V1  | <p><b>Avoid and minimise impacts on vegetation</b></p> <p>Design permanent and temporary works to avoid where possible, and otherwise minimise adverse effects on, high value vegetation as identified within the Landscape Strategy's 'Cultural Value of Vegetation Assessment'.</p> <p>Removal of vegetation will be phased wherever practicable to temporarily reduce visual impacts (see also EPRs E3 and AR4).</p>   |  |