

National Trust of Australia (Victoria)

Hearing	North East Link Project Inquiry & Advisory Committee
Submitter	Felicity Watson, representing the National Trust of Australia (Victoria)
Submission Date	Friday 6 September 2019

Introduction and Overview

1. The National Trust of Australia (Victoria) is the state's largest community-based heritage advocacy organisation actively working towards conserving and protecting our heritage for future generations.
2. Our vision is that a wide range of natural, cultural, social and Indigenous heritage values across Victoria are protected and respected, contributing to strong, vibrant and prosperous communities.
3. We do not seek to comprehensively address all matters relating to environmental and cultural heritage impacts across the footprint of the project, noting that they have been well documented in the Environmental Effects Statement, submissions, expert evidence, and Technical Notes. In order to present this submission efficiently, we also largely do not seek to restate our previous submissions or matters that have been covered in detail by other submitters. The following submission outlines key issues where the National Trust seeks to provide further comment.
4. That said, while we have not sought to repeat the concerns of other submitters who have covered these matters in great detail, the potential impacts on the Yarra River and features such as Bolin Bolin Billabong are of utmost concern, and we recommend a cautious approach to risk management which emphasises the protection and enhancement of these environmental assets, which are of incalculable value.

Aboriginal Cultural Heritage

5. We once again commend the North East Link Authority's partnership with the Wurundjeri Woi-wurrung Cultural Heritage Corporation on the Urban Design Strategy, and advocate for the continuing meaningful involvement of Traditional Owners as the project progresses through the design and construction phases.
6. We strongly support Key Direction 3 (UDS p 17) which requires the project to "demonstrate a design philosophy and approach that recognises, protects and promotes Indigenous cultural heritage values." This approach must be developed in ongoing consultation with the Wurundjeri Corporation.

Historical Heritage

Bulleen River Red Gum

7. The National Trust strongly opposes the removal of the River Red Gum (*Eucalyptus camaldulensis*) located on Bridge Street, in Bulleen. This tree was added to the National

Trust's Register of Significant Trees in the 1980s, after it was saved from removal by residents when the adjacent service station was constructed.

8. As acknowledged by Ms Kate Gray in Technical Report K and her Statement of Evidence, the tree has a high degree of historical and contemporary social attachment.
9. As noted in our original submission, the Bulleen River Red Gum was voted 2019 Victorian Tree of the Year. It was included in the shortlist of 10 trees on the National Trust Register of Significant Trees, following a nomination to the National Trust Tree of the Year competition by community members. Voting was open on Facebook and via email, with the tree receiving 1,045 out of a total of 3,669 votes, further demonstrating the presence of contemporary social attachment. A change.org petition advocating for the tree to be saved (www.change.org/p/save-bulleen-redgum) has also attracted more than 4,000 signatures, as of today.
10. The National Trust supports the preparation of a 'cultural biography' of the tree, as outlined on p5 of Ms Gray's Statement of Evidence, following the National Trust's request for an assessment of social value to be undertaken. We agree with Ms Gray that this exercise would not mitigate the removal of the tree, should removal be unavoidable, however it has the potential to provide a record of the tree, and inform future interpretation.
11. This is an innovative approach to the documentation of heritage values, and we applaud the NELP for going beyond the requirements of current legislation. However, we do encourage the NELP to provide further information on the methodology for the 'cultural biography', how this information will be made available to the public, and how it will inform the future management of the tree including interpretation.
12. We are pleased to note that the NELP would favourably assess tender proposals that retain the tree. The options outlined in NELP Technical Note 44 are not encouraging however, and should not limit the potential for other solutions to be explored.
13. We note the evidence of Mr Galbraith on behalf of Manningham Council, which states that "The tree is too large and old to be considered for transplantation, yet still be expected to remain viable" (Statement of Evidence p 21).
14. The National Trust has been advised by our Significant Tree Expert Committee that it may be possible to relocate the tree. We expect this option to be explored in more detail by NELP and/or contractors. While there may be a level of risk and expense associated with this option, this can be weighed against the significant community benefits which would result if the tree could be successfully transplanted. Even if there is a risk that relocation would not result in the tree remaining viable, it would be still preferable to explore this option at additional expense and risk, should removal prove unavoidable.
15. Should retention or relocation not be possible, we advocate for the National Trust, Manningham Council, and community representatives to be consulted regarding opportunities to use the timber.
16. We also support Mr Galbraith's advice that a cutting propagation process be initiated promptly, in addition to the propagation of seeds which have been collected, to ensure

that the establishment of a new tree can take place if the existing tree is to be removed (Statement of Evidence pp 21-22).

Eastern Freeway (Stage 1)

17. We are pleased to note the Department of Transport's recent nomination of the Eastern Freeway (Stage 1) to the Victorian Heritage Register, as suggested in our original submission.
18. Ms Gray's Response to questions from the Inquiry and Advisory Committee dated August 2019 is helpful, and we support the suggested changes to the UDS outlined in the comments section of Table 1 (pp 4-9) and summarised in the first paragraph of p 10.
19. While an assessment of works against the heritage values of the freeway would occur as part of a future permit under the *Heritage Act 2017*, consultation with Heritage Victoria should be undertaken at a stage where their input can meaningfully influence the project design.

Sentinel

20. With regard to the sculpture Sentinel, by artist Inge King, the National Trust maintains that the work is likely to be of local heritage significance, despite the absence of statutory heritage controls.
21. This notwithstanding, we acknowledge Ms Gray's response to the Trust's concerns in her Statement of Evidence (pp D13-D14), and we are satisfied that the following UDS requirement is appropriate.

Create a landscape feature at Doncaster Road which integrates with the Manningham Gateway Sculpture, 'Sentinel' by Inge King. Should relocation of the sculpture be required this is to be undertaken in close consultation with relevant stakeholder. [Map R2 Requirement 3A, p 35]

22. While Ms Gray identifies Manningham Council as the key stakeholder for this issue, we also advocate for the National Trust, and the work's fabricator, JK Fasham Architectural & Metal Fabricators, to be consulted in the future management of this work.

Arboriculture

23. The National Trust shares the concerns of many other submitters regarding the substantial green infrastructure proposed to be removed across the entire footprint of the project with up to 26,000 trees degraded or removed, including up to 17,000 medium to long term viability trees (documented in EES Chapter 15—Arboriculture).
24. This represents a considerable loss of the amenity, visual and heritage value of trees. Despite proposed tree replacement and offset, the significant loss of trees at this scale, especially trees of 30-50 years, cannot be underestimated. The expected minimum time for replacement of amenity and heritage value to the community from advanced tree replacement works of this scale would be 20 years, in addition to the significant loss of carbon sequestered by mature trees removed.
25. Our expert Significant Tree Committee advises us that the average amenity provided by these trees would have an average monetary value of \$2000-\$5000 each, depending on

age, size and condition, with some worth much more. This would equate the removal of tree assets across the project to be, conservatively, at a value of between \$32m and \$80m, based on an estimated removal of 16,000 trees.

26. This value must be considered in the preparation of the Tree Removal Plan and decisions made under EPR AR1:

Tree retention to be maximised to the extent practicable through detailed design and selection of construction methods to minimise canopy loss and in accordance with EPR FF1, including by retaining trees where practicable and minimising potential impacts to trees.

27. The methodology and thresholds for determining what is “practicable” is unclear, given the complexity of factors including safety, applicable standards, traffic movement and costs.

28. This issue is also raised in the evidence of Mr Galbraith on behalf of Manningham Council (Statement of Evidence p27), and Mr Lorimer on behalf of Boroondara, Banyule and Whitehorse (Statement of Evidence, p33 paragraphs 182-183).

29. When weighing the potential removal of trees against cost considerations, significant weight should be given to the value of existing specimens. While we note the requirement of EPR AR3 to achieve “a net gain in tree canopy cover by 2045”, the replacement of existing amenity trees will not mitigate the impacts of their loss in the short to medium term.

30. The National Trust submits that it would be preferable to amend EPR AR1 as follows (addition in red):

Tree retention must be maximised ~~to the extent practicable~~ through detailed design and selection of construction methods to minimise canopy loss, and in accordance with EPR FF1, including by retaining trees where practicable and minimising potential impacts to trees, **to the satisfaction of NELP.**

31. We also acknowledge and support the amendments to EPRs AR1 and AR3 in response to the National Trust’s submission (#340), reflected in EPRs—IAC Version 12 August 2019.

Conclusion

32. Thank you for the opportunity to make further submissions regarding the NELP EES. The National Trust continues to have significant concerns regarding the cultural and environmental impacts of the project, particularly tree removal, including the proposed removal of the remnant River Red Gum on Bridge Street.