

Melbourne Metro Rail Project Inquiry and Advisory Committee

Expert Evidence Submission

Community Services - Fawkner Park and Domain

Alison Duncan Manager Community Services City of Melbourne

12 August 2016

List of Abbreviations

MMRA - Melbourne Metro Rail Authority

MMRP - Melbourne Metro Rail Project

EES - Environmental Effects Statement

PSA – Planning Scheme Amendment

CoM - City of Melbourne

MPA – Metropolitan Planning Authority

EMF – Environmental Management Framework

EPR - Environmental Performance Requirement

FPCC – Fawkner Park Children's Centre and Kindergarten

SYSCC - South Yarra Senior Citizens Centre

Details of Qualifications

1.1 Name of Expert

Alison Duncan

1.2 Qualifications

Bachelor of Social Work Masters of Counselling

1.3 Area of expertise

Community Services

Extensive experience in local government and the community sector in the planning and provision of a broad range of services to children, young people, families and seniors.

Manages the Community Services Branch City of Melbourne delivering: services and programs for older people and people with disability that support independent living, active participation and social engagement in their community; early childhood care and education services at City of Melbourne's five child care centres; Family Services programs including Family Support and Counselling, Maternal and Child Health, and Parenting services and a family and children's streamlined integrated service delivery model.

1.4 Assistance in preparing evidence statement

Sarah Codling Health Ageing Coordinator, Aging and Inclusion Community Services Branch

Maree Lehman Team leader Children's Services, Community Services Branch

1.5 Instructions

Letter of Instruction Hunt & Hunt -Correspondence dated 28 July 2016.

Letter of Instruction Hunt & Hunt -Correspondence dated 3 August 2016.

Letter of Instruction Hunt & Hunt -Correspondence dated 11 August 2016.

(Refer to Attachments 1-3)

1.6 Details of any external expertise

No external expertise was utilised for preparation of this statement

1.7 Facts, matters and assumptions

- Guide to Expert Evidence Planning Panels Victoria
- City of Melbourne's submission to Environmental Effects Statements
- Site visits undertaken

1.8 Other reference documents

This evidence statement is informed by City of Melbourne policy documents and strategies. These include:

- Transport Strategy 2012
- Open Space Strategy 2012
- Walking Plan 2014–17
- Council Plan 2013–17
- Beyond the Safe City Strategy 2014–17
- Fawkner Park Master Plan
- Melbourne For All People Strategy 2014–17

2. Executive Summary

2.1 Introduction

Fawkner Park is an important place for children, families and seniors in Melbourne contributing to: community strengthening and connection; enabling recreational opportunities to improve health and wellbeing; and providing high quality services to residents and visitors across ages and abilities.

The City of Melbourne's community facility inside the park provides services to seniors through the South Yarra Senior Citizens Centre (SYSCC) and houses the Fawkner Park Children's Centre and Kindergarten (FPCC) that CoM leases to the community to manage.

Melbourne Metro Authority has determined that it no longer proposes Fawkner Park to be a construction worksite for the project due to close proximity to Fawkner Park Children's Centre and Senior Citizens Centre however an access shaft may be constructed.

No construction works or tunnelling activities are supported in close proximity to this community facility due to potential impacts and risks to the health, safety and wellbeing of children, families and seniors attending the centre.

2.2 Key points

Any construction for a tunnel boring machine launch site or for an emergency access shaft in Fawkner Park is not supported due to the following potential impacts:

- i. Loss of amenity, noise, vibration, contamination, dust and truck movements and
- ii. disruption to important community relationships, activities, services and facilities.
- iii. Proposed construction activities are located in the immediate vicinity of the Children's Centre including outdoor play space raising potential health and safety issues for children, parents and staff.
- iv. Relocation options are limited. There is no known availability of suitable multi use community facilities or available standalone children's centres in South Yarra.
- v. Access to alternative childcare will be problematic. Demand for childcare in the Melbourne Municipality is high with 220 children currently on the FPCC waiting list.
- vi. There are no known relocation options for seniors and allied groups in close proximity to Fawkner Park.

2.3 EPR Consideration Summary Tables

The following table is a summary of my recommendations about additional EPRs that need to be considered for inclusion into chapter 23 of the EES.

Suggested New EPRs			
EPR Area	Proposed New EPR / Suggested Area for New Additional EPR		
Social and Community	Develop a relocation management framework for the Children's Centre and for the Senior Citizens Centre detailing: 1. Comparable, accessible and safe alternate facilities 2. Short, medium and long term transition planning 3. Provision of case management support for all age groups 4. Resource and financial implications		
Social and Community	Community to be informed of the issues and implications of construction of the emergency access point including emergency preparedness and response in the event of an emergency incident.		
Social and Community	If any construction is to proceed at this site and a permit is issued to the successful tenderer FPCC Committee of Management and users of the facility must be immediately notified of management plan and timelines. This is particularly important for parents and staff who may need to seek alternate care, make employment arrangements or require access to services and supports.		

The following table is a summary of my recommendations about the proposed EPRs in chapter 23 of the EES.

Consideration of proposed EPRs that are relevant from Chapter 23 EES.					
EPR Number	Supported or Disagree	Suggested Changes			
AQ1	requires additional consideration be given to inform the community of the plan for dust management and monitoring requirements for FPCC and SYSCC	Develop and implement plan(s) for dust management and monitoring, in consultation with EPA, to minimise and monitor the impact of construction dust and advise community accordingly. The plan must address monitoring requirements for key sensitive receptors, including (but not limited) to: •Residential and commercial properties •Hospitals and research facilities within the Parkville precinct Fawkner Park Children's Centre and Kindergarten			

South Yarra Senior Citizens Centre

•Universities, including The University of Melbourne and RMIT

•Schools, including Melbourne Grammar School (Wadhurst Campus) and Christ Church Grammar School

• Public parks including the Shrine of Remembrance Reserve and JJ Holland Re

Undertake air modelling for construction to inform the dust management plan.

3. General Overview

The City of Melbourne's community facility in Fawkner Park has three key users: Fawkner Park Tennis Club; Fawkner Park Children's Centre and Kindergarten and the South Yarra Senior Citizens Centre.

Three local groups also use the centre afterhours South Yarra Residents Group, Ceramics and Glass Circle of Australia Inc, South Yarra Pilates Group.

This submission focusses on the Children's Centre and the Senior Citizen Centre.

3.1 Children's Centre

FPCC is a community owned not for profit service providing care and education to 122 children across the week servicing a total of 104 families. There are currently 220 children on the waiting list who are under 3 years of age.

- The facility has been licensed and leased since 1995 and managed by a
 'Community Cooperative' established when Council ceased direct management.
- An extensive upgrade of the facility by CoM occurred in 2007 with expansion from 44 effective full time places to 74 places at a cost to Council of \$1.336 million.
- Council owns the improvements identified as 'Fawkner Park Children's Centre Co-Operative Limited'.
- This upgrade ensured the facility met building regulations and Australian Standards and increased places for care due to demand.
- The Centre is open from 7.30am to 6pm Monday to Friday closed only for public holidays, an annual Christmas break and 3 non-contact days each year. Open throughout school holidays.
- FPCC caters for babies as young as 6 months with two rooms placing 11-12 children aged from six months to two-and-a-half years.

3.2 South Yarra Senior Citizens Centre

The centre provides a safe, welcoming and inclusive space for older people, people with disabilities and their carers to meet for social connection and recreational opportunities.

- There are 60 current registered users of the South Yarra Senior Citizens Centre.
- An average of 10 people attend the centre each day, with up to 30 people attending for specific events and activities.

- The centre is open Monday to Friday, 10am to 3pm.
- On average three older people currently attend the centre accompanied by a carer.
- A number of the attendees walk and cycle to the centre.

4. Impacts

4.1 Major Impacts Children's Centre and Seniors Citizens Centre

Should families be required to move or want to relocate as a result of construction or its impacts they will have difficulty finding alternate care in the immediate vicinity. This will impact children currently using FPCC and potentially impact those on the waiting list. Families may require assistance to find alternate places and expect compensation if fees at a new centre were higher than those paid at FPCC. A detailed relocation management framework for the Children's Centre (and for the Senior Citizens Centre) is required focussing on:

- i. Comparable, accessible and safe alternate facilities
- ii. Short, medium and long term transition planning
- iii. Provision of case management support for all age groups
- iv. Resource and financial implications

It is imperative that the FPCC Committee of Management, staff and parents and seniors at SYSCC be notified immediately if construction is to proceed in order to have sufficient time to address matters of importance to them such as finding alternate care, addressing employment matters or seeking alternate services or supports. It is recommended that this is included as a new Social and Community EPR.

If Fawkner Park was to be a construction site for an emergency access point, mitigation and controls may not convince parents that their children are safe. This could result in withdrawal of children from the centre. The flow on effects would be room closures and subsequent staff redundancies. Transition and financial management planning would be an imperative.

Increased traffic activity and truck movements raise safety concerns and despite mitigation efforts potentially add to delays in accessing the centre, making pick up's and drop offs problematic. Frail seniors and their carers may also experience difficulty managing traffic and finding adequate parking due to construction vehicles or the re-routing of trams into Toorak Rd. Parking close to the centre is already a problem for some frail aged participants and parents.

Impacts of dust (including from potential soil contamination) on air quality need to be taken into consideration for all age groups particularly for babies, children or seniors with existing health conditions. Amendment to AQ1 is suggested to inform community of the plan for dust management and monitoring requirements for FPCC and SYSCC.

There is no explanation regarding the implications of the construction of an emergency access point. This should be included as a new Social and Community EPR detailing impacts including emergency preparedness and response in the event of an incident.

A number of attendees have existing health concerns and impairments including people with walking frames and sticks, as well as people with mild dementia. Construction may be confusing and overwhelming for some participants.

If the centre needed to close and an alternate site could not be found there would be social impacts for older people in the area. Some frail aged attendees rely on their visits to the centre for their only contact with others.

Closure of the centre would impact on CoM's ability to achieve the key deliverables from Council's Melbourne for all People strategy 2014-17 and could have potential reputational impacts and consequences for Council.

4.2 Recommendations – Social and Community Suggested New EPRs

The following table is a summary of my recommendations about additional EPRs that need to be considered for inclusion into chapter 23 of the EES.

Suggested New EPRs				
EPR Area	Proposed New EPR / Suggested Area for New Additional EPR			
Social and Community	Develop a relocation management framework for the Children's Centre and for the Senior Citizens Centre detailing: 5. Comparable, accessible and safe alternate facilities 6. Short, medium and long term transition planning 7. Provision of case management support for all age groups 8. Resource and financial implications			
Social and Community	Community to be informed of the issues and implications of construction of the emergency access point including emergency preparedness and response in the event of an emergency incident			
Social and Community	If any construction is to proceed at this site and a permit is issued to the successful tenderer FPCC Committee of Management and all users of the site must be immediately notified of management plan and timelines. This is particularly important for parents and staff who may need to seek alternate care, make employment arrangements or require access to services and supports.			

The following table is a summary of my recommendations about the proposed EPRs in chapter 23 of the EES.

Consideration of proposed EPRs that are relevant from Chapter 23 EES.					
EPR Number	Supported or Disagree	Suggested Changes			
AQ1	requires additional	Develop and implement plan(s) for dust management			

consideration be given to inform the community of the plan for dust management and monitoring requirements for FPCC and SYSCC and monitoring, in consultation with EPA, to minimise and monitor the impact of construction dust *and advise community accordingly*.

The plan must address monitoring requirements for key sensitive receptors, including (but not limited) to:

- •Residential and commercial properties
- •Hospitals and research facilities within the Parkville precinct

Fawkner Park Children's Centre and Kindergarten

South Yarra Senior Citizens Centre

- •Universities, including The University of Melbourne and RMIT
- •Schools, including Melbourne Grammar School (Wadhurst Campus) and Christ Church Grammar School
- Public parks including the Shrine of Remembrance Reserve and JJ Holland Re

Undertake air modelling for construction to inform the dust management plan.

4.3 Conclusion / Recommendations / Options

The wellbeing and social impacts for recipients of both services need serious consideration if the centre were to close or, if participants felt they needed to withdraw their involvement as a result of construction or its effects.

These impacts could include an increase in social isolation and loneliness of seniors; disruption to important educator and child relationships; and a local 'community' dislocated from existing infrastructure, relationships and place.

It is my opinion that the impacts, cost and disruption of any construction in the vicinity of this community facility will have far reaching impacts on the local community.

5. Declaration

I have made all the inquiries that I believe are desirable and appropriate and no matters of significance which I regard as relevant have to my knowledge been withheld from the Inquiry and Advisory Committee.

Alison Duncan

Manager Community Services

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Attachment 1 6.

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TXR1/NXS

Our ref: Matter no: 9613710

11 August 2016

City of Melbourne Expert Witnesses for Inquiry and Advisory Committee on Melbourne Metro Rail Project

By email:

Dear Sir/Madam

Melbourne Metro Rail Project - Environment Effects Statement Inquiry Expert Evidence - Second Supplementary Instructions - Request to include an Environmental Performance Requirement (EPR) Summary Table in your evidence

Thank you for providing your draft expert evidence report to the forthcoming Inquiry and Advisory Committee (IAC) in relation to the matters addressed in the City of Melbourne Submission to the Environment Effects Statement (Submission, EES) on the Melbourne Metro Rail Project.

All reports have been of a consistently high standard. We appreciate the immense effort that has been dedicated to ensuring that these reports were prepared within a very tight timeframe.

To assist the City of Melbourne present a clear and concise summary of its Submission to the IAC and to assist you in delivering a concise summary when called to give evidence to the IAC, we would appreciate if you could please incorporate a brief summary table of your recommendations relating to the EPRs at end of the executive summary of your report.

We have provided the attached template table (in a word document) as a suggested format to use for the tables.

This table is really only intended to be a brief and concise summary of the recommendations that you have already made in the body of your report.

Where you have recommended that an entirely new EPR is necessary, please try to have a go at formulating a draft EPR (to the best of your ability) or simply state what the new EPR should try to achieve. If you are experiencing difficultly drafting proposed EPR wording, we are available today to help you edit your recommendations for new EPRs.

Please do not hesitate to contact Nick Sissons nsissons@huntvic.com.au if you require any further information.

Yours faithfully **Hunt & Hunt**

Nick Sissons Associate Contact: Nick Sissons D +61 3 8602 9357 E nsissons@hunbri

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7. Attachment 2

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TXR1/NXS

3 August 2016

Alison Duncan Manager Community Services City of Melbourne

By email: alison.duncan@melbourne.vic.gov.au

Dear Ms Duncan

Melbourne Metro Rail Project Environment Effects Statement Inquiry Expert Evidence – Supplementary Instructions

We confirm our request for you to provide expert evidence to the forthcoming Inquiry and Advisory Committee (IAC) in relation to the matters addressed in the City of Melbourne Submission to the Environment Effects Statement (Submission, EES).

Scope of your evidence

In the preparation of your evidence, please carefully consider the Terms of Reference for the IAC (http://www.dtpli.vic.gov.au/ data/assets/pdf file/0008/297107/Melb-Metro-ToR.pdf).

Your expert evidence should also have regard to the Environmental Performance Requirements (EPRs). The EPRs are located within each section of the EES (http://metrotunnel.vic.gov.au/ees/documents). Your expertise may relate to one or more of the sections of the EES and any number of EPRs. Please consider whether any of the matters addressed in the Submission will be adequately dealt with by the proposed EPRs, making recommendations for changes, where appropriate.

Please note that the MMRA has also started to provide "Technical Documents" to the IAC (http://www.dtpli.vic.gov.au/planning/panels-and-committees/current-panels-and-committees/melboume-metropolitan-rail-inquiry). These might be said to vary the EES so it is important you read them carefully and comment on them as appropriate.

However, as the status of these Technical Documents is unclear, please do not assume that matters addressed in the Technical Documents necessarily resolve matters raised in the Submission.

Circulation of Evidence

We have now been advised that we must print and deliver 20 printed copies of your statement to Planning Panels Victoria Office by 10:00am on 12 August 2016, we will not be able to extend timeframes for circulation of your evidence. This means that we will need your completed report by COB on 8 August to enable us sufficient time for review, print and circulate your report.

Please provide your statement in Microsoft Word format for us to convert PDF format for circulation, including an electronic signature.

Hearing dates

The City of Melbourne has been allocated the following dates to present its case:

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- 1. 5 September 2016 (10:15 am 1:00pm and 2:00pm 4:30pm);
- 2. 6 September 2016 (10:15 am 1:00pm and 2:00pm 4:30pm); and
- 3. 22 September 2016 (10:15am 12:30pm).

We will provide you with further information as to when you may be required to attend the hearing to present evidence, but to the extent that is possible to do so, please keep these dates clear in your diary. If you have any constraints please contact us immediately.

The hearing will be conducted in the conference room at the Mercure Treasury Gardens, 13 Spring Street, Melbourne.

Expert conclaves

You may also be required to attend a conclave of experts, to be held sometime between 15 August 2016 and before 22 August 2016.

At a conclave, you may be asked to prepare a statement of matters where you agree or disagree with other expert witnesses. Such statements must be tabled at the hearing on the earlier of: 22 August 2016; or one clear business day prior a relevant witness being called.

Please indicate your availability to attend such a meeting in the week commencing 15 August 2016.

These meetings should be arranged by MMRA's experts, however, we will confirm with you if we are advised of any proposed meeting date and time.

Directions relating to expert reports

The Chair of the IAC has directed that expert witness reports should not refer to individual submitters by name, but by submission number. Please follow this direction if you are making reference to any submitter other than the City of Melbourne.

Please note that expert reports will be available to the public via publication on the Melbourne Metro Rail Project website.

Please do not hesitate to contact Karen Snyders <u>Karen.Snyders@melbourne.vic.qov.au</u> or Nick Sissons <u>nsissons@huntvic.com.au</u> if you require any further information.

Yours faithfully Hunt & Hunt

Nick Sissons Associate

Contact: Nick Sissons D +81 3 8802 9357 E nsissons@huntvic.com.au

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8. Attachment 3

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28 July 2016

Alison Duncan
Manager Community Services
c/- City of Melbourne
90-120 Swanston Street
Melbourne VIC 3000

Our ref: TXR1/NXS Matter no: 9613710

By email: alison.duncan@melbourne.vic.gov.au

Dear Ms Duncan

Melbourne Metro Rail Project Environment Effects Statement Inquiry Instructions for expert evidence

We are assisting the City of Melbourne (**CoM**) finalise its submission to the Inquiry on the Environment Effects Statement (**EES**) and the Advisory Committee for the Planning Scheme Amendment (**PSA**), both in respect of the Melbourne Metro Rail Project.

Thank you for agreeing to prepare and present expert evidence at the joint Inquiry and Advisory Committee for CoM.

What is your evidence about?

CoM requires that you prepare and present expert evidence in relation to consideration of social and community impacts associated with Fawkner Park Childcare Centre.

Timeline

The public hearing of the Inquiry will commence on 22 August 2016, running for approximately six weeks. You will be advised of the venue and the time that you will be required to attend the hearing in order to present your evidence, as soon as CoM receive the indicative timetable.

Any expert evidence to be presented at the Inquiry requires the submission of a detailed written report by 12 August 2016.

CoM currently expects to be call approximately 12 experts in 10 different fields (with 9 CoM employees giving evidence). With the tight timeframes for preparation, and submission of the evidence, this process requires considerable internal coordination to ensure that the legal team has sufficient time to review and comment on all evidence reports before finalisation and submission.

To assist in this process of finalising the evidence reports, we ask you to have your draft evidence report ready for review by **5pm 8 August 2016** and to be available in the following days to finalise your report. Smaller reports are required to be ready first as the larger reports will require more time to prepare.

Your draft report should be emailed in Word format to Karen Snyders Karen.Snyders@melbourne.vic.gov.au and Nick Sissons nsissons@huntvic.com.au as soon as it is ready for review.

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Please be assured that you have the support from the CoM Directors and Managers for you to dedicate your time to this process without delay so that a unified approach is presented from the CoM by having all expert evidence reports ready on time.

What is required?

We understand that this may be first time that you are being required to present expert evidence to an Inquiry or Advisory Committee. To assist you in preparing your evidence report we suggest that you review the Planning Panel Victoria's Guide to Expert Evidence (http://www.dtpli.vic.gov.au/ data/assets/word doc/0017/231263/G2-Guide-to-Expert-Evidence-April-2015.DOCX). This guide provides useful information to assist in preparing evidence reports. Other useful guides from Planning Panels Victoria about the general process are also available online (http://www.dtpli.vic.gov.au/planning/panels-and-committees/planning-panel-guides).

Please note that whilst you are employed by the CoM, you are being asked to present expert evidence as a professional with suitable experience and qualifications in your field. This means that you must present your professional opinion on the matters that have been advanced by the CoM in its submission on the EES and PSA. You must also ensure that you comment only on matters that are within your field of expertise and matters that are within the EES and PSA. You can reference any existing publicly available material, reports, studies or policy as support or justification for your opinions but you must not reference any confidential information of the CoM.

The joint Inquiry and Advisory Committee requires that CoM provide it with copies of any referenced materials in any expert evidence statements. Accordingly, please provide a copy or external web link to any reports, studies or policy that you have referenced so that we can compile a complete list of reference materials for submission to the joint Inquiry and Advisory Committee.

We also understand that you may have been involved in other aspects of this project whilst performing your role at CoM and you may have previously worked directly with the 'CoM and Melbourne Metro Rail Authority' working group. As part of your evidence that you are being asked to prepare, you are not required to comment on any information, designs or other discussions that are not specifically included within the EES or PSA and CoM submission. Of course, when discussing alternative options or deficiencies, it may be a matter of professional opinion if you believe that the EES or PSA has left out other relevant considerations that should be raised for consideration.

Generally, you have a duty to the joint Inquiry and Advisory Committee to ensure that your report complies with the content and form requirements of Planning Panel Victoria's Guide to Expert Evidence.

Consistency of format for CoM staff expert evidence reports

You should have regard to the CoM submission on the EES and PSA. We ask that you structure your expert evidence in a manner that uses or aligns with the following precincts or subject areas where possible:

- Fawkner Park and the Domain.
- Tunnel Alignment and Emergency Access.
- Western Portal (Kensington).
- Arden Station Precinct.

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- Parkville Station Precinct.
- CBD North Station Precinct.
- CBD South Station Precinct.
- Domain Station Precinct.
- Noise and Vibration.
- Planning Scheme Amendment.

Within any given precinct, we ask you to provide an opinion on any relevant options, issues or deficiencies that have been raised in the CoM submission. If you intend to stray from the substance of the CoM submission, please only do so after confirming this with Karen or myself.

There may also be an obligation on witnesses to attend a conclave of like-minded experts in order to help draft a statement setting out where the respective witnesses agree and disagree. We will provide you with further information about this as it comes to hand.

This approach will ensure consistency in the CoM evidence and enable Council's legal advocates to focus on a precinct by precinct basis in presentation of the CoM submissions during the Inquiry. It will also assist Council's legal advisors determining if aspects of your evidence has been addressed by other submitters.

We have provided you with an example word template document that can be used to assist you in drafting your expert evidence if you require. However, this is not intended as a one size fits all and you should structure your statement in any manner that assists in providing a clear and concise opinion on the points raised in the CoM Submission.

Presentation to joint Inquiry and Advisory Committee

Generally it should be assumed that the joint Inquiry and Advisory Committee members and all other participants have read your statement.

CoM will be strictly limited in its time allocated to present its submission to the joint Inquiry and Advisory Committee.

Accordingly, we ask that you prepare a short 20 minute presentation of the key issues in your statement. If you believe that you need more than this time please see us as soon possible so that we can discuss requirements with you directly. You may wish to use an example to highlight any particular concerns. You will also be asked questions, so please keep your presentation short and concise.

If you intend to use PowerPoint to present your key points at the hearing, please discuss this with us. Any PowerPoint presentation you wish to use must be finalised at the same time as your draft statement of evidence as it will need to be submitted with your statement of evidence.

You should attend the hearing with your statement and all copies of any reference material that you have referenced. All documents will need to be tendered electronically in advance of the hearing.

Further information

You will find links to the documents of the EES and PSA as follows:

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EES - http://metrotunnel.vic.gov.au/ees

PSA - http://metrotunnel.vic.gov.au/ees/planning-scheme-amendment

Please do not hesitate to contact Karen Snyders <u>Karen.Snyders@melbourne.vic.gov.au</u> or Nick Sissons <u>nsissons@huntvic.com.au</u> if you require any further information about this process.

Yours faithfully **Hunt & Hunt**

Nick Sissons Associate

Contact: Nick Sissons D +61 3 8602 9357 E nsissons@huntvic.com.au

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