



Ordinary Meeting of Council Agenda

**to be held on Tuesday 30 July 2019 at 7.00pm
Richmond Town Hall**

Arrangements to ensure our meetings are accessible to the public

Council meetings are held at either the Richmond Town Hall or the Fitzroy Town Hall. The following arrangements are in place to ensure they are accessible to the public:

- Entrance ramps and lifts (off Moor Street at Fitzroy, entry foyer at Richmond).
- Interpreting assistance is available by arrangement (*tel. 9205 5110*).
- Auslan interpreting is available by arrangement (*tel. 9205 5110*).
- A hearing loop is available at Richmond only and the receiver accessory is available by arrangement (*tel. 9205 5110*).
- Proposed resolutions are displayed on large screen.
- An electronic sound system amplifies Councillors' debate.
- Disability accessible toilet facilities are available at each venue.

Recording and Publication of Meetings

An audio recording is made of all public Council Meetings and then published on Council's website. By participating in proceedings (including during Public Question Time or in making a submission regarding an item before Council), you agree to this publication. You should be aware that any private information volunteered by you during your participation in a meeting is subject to recording and publication.

www.yarracity.vic.gov.au

Order of business

- 1. Statement of recognition of Wurundjeri Land**
- 2. Attendance, apologies and requests for leave of absence**
- 3. Declarations of conflict of interest (Councillors and staff)**
- 4. Confidential business reports**
- 5. Confirmation of minutes**
- 6. Petitions and joint letters**
- 7. Public question time**
- 8. Delegates' reports**
- 9. General business**
- 10. Questions without notice**
- 11. Council business reports**
- 12. Notices of motion**
- 13. Urgent business**

1. Statement of Recognition of Wurundjeri Land

“Welcome to the City of Yarra.”

“Yarra City Council acknowledges the Wurundjeri as the Traditional Owners of this country, pays tribute to all Aboriginal and Torres Strait Islander people in Yarra and gives respect to the Elders past and present.”

2. Attendance, apologies and requests for leave of absence

Anticipated attendees:

Councillors

- Cr Danae Bosler (Mayor)
- Cr Misha Coleman (Deputy Mayor)
- Cr Mi-Lin Chen Yi Mei
- Cr Jackie Fristacky
- Cr Stephen Jolly
- Cr Daniel Nguyen
- Cr Bridgid O’Brien
- Cr James Searle
- Cr Amanda Stone

Council officers

- Vijaya Vaidyanath (Chief Executive Officer)
- Ivan Gilbert (Group Manager Chief Executive’s Office)
- Lucas Gosling (Director Community Wellbeing)
- Gracie Karabinis (Group Manager People, Culture and Community)
- Chris Leivers (Director City Works and Assets)
- Diarmuid McAlary (Director Corporate, Business and Finance)
- Bruce Phillips (Director Planning and Place Making)
- Mel Nikou (Governance Officer)

3. Declarations of conflict of interest (Councillors and staff)

4. Confidential business reports

Nil

5. Confirmation of minutes

RECOMMENDATION

That the minutes of the Ordinary Council Meeting held on Tuesday 16 July 2019 be confirmed.

6. Petitions and joint letters

7. Public question time

Yarra City Council welcomes questions from members of the community.

Public question time procedure

Ideally, questions should be submitted to Council in writing by midday on the day of the meeting via the form available on our website. Submitting your question in advance helps us to provide a more comprehensive answer. Questions that have been submitted in advance will be answered first.

Public question time is an opportunity to ask questions about issues for which you have not been able to gain a satisfactory response on a matter. As such, public question time is not:

- a time to make statements or engage in debate with Councillors;
- a forum to be used in relation to planning application matters which are required to be submitted and considered as part of the formal planning submission;
- a forum for initially raising operational matters, which should be directed to the administration in the first instance.

If you wish to raise matters in relation to an item on this meeting agenda, Council will consider submissions on these items in conjunction with and prior to debate on that agenda item.

When you are invited by the meeting chairperson to ask your question, please come forward and take a seat at the microphone and:

- state your name clearly for the record;
- direct your questions to the chairperson;
- ask a maximum of two questions;
- speak for a maximum of five minutes;
- refrain from repeating questions that have been asked previously by yourself or others; and
- remain silent following your question unless called upon by the chairperson to make further comment or to clarify any aspects.

8. Delegate's reports

9. General business

10. Questions without notice

11. Council business reports

Item		Page	Rec. Page	Report Presenter
11.1	North East Link Panel Response to Council Submission	6	8	Simon Exon – Unit Manager Strategic Transport Planning
11.2	Fitzroy Adventure Playground Program Grant 2019-2022 Recommendation Report	88	96	Lucas Gosling – Director Community Wellbeing
11.3	Library Policy Update	97	104	Lucas Gosling – Director Community Wellbeing
11.4	Self defence programs for women, girls and LGBTIQ+ community	128	134	Chris Leivers – Director City Works and Assets
11.5	Appointment of Authorised Officers - Planning and Environment Act 1987	135	136	Ivan Gilbert – Group Manager - Chief Executive's Office
11.6	Report on Assemblies of Councillors	137	138	Ivan Gilbert – Group Manager - Chief Executive's Office

The public submission period is an opportunity to provide information to Council, not to ask questions or engage in debate.

Public submissions procedure

When you are invited by the meeting chairperson to make your submission, please come forward and take a seat at the microphone and:

- state your name clearly for the record;
- direct your submission to the chairperson;
- speak for a maximum of five minutes;
- confine your remarks to the matter under consideration;
- refrain from repeating information already provided by previous submitters; and
- remain silent following your submission unless called upon by the chairperson to make further comment.

12. Notices of motion

Nil

13. Urgent business

Nil

11.1 North East Link Panel Response to Council Submission

Reference: D19/128998

Authoriser: Director Planning and Place Making

Purpose

1. The purpose of this report is to provide Council with information regarding:
 - (a) The status of the NEL EES assessment process, and
 - (b) NEL's initial responses to the issues raised in Council's submission on the EES.

Background

2. The NEL is a proposed \$16 billion freeway connection that will connect the M80 Ring Road to the Eastern Freeway. The project includes a suburban road tunnel under residential areas in Rosanna, Heidelberg, Ivanhoe East and Bulleen, as well as upgrades to the M80 and the Eastern Freeway to increase capacity.
3. NEL is being assessed through an EES process. The NEL project team within the Major Transport Infrastructure Authority (MTIA) is required to prepare an EES, to document *'investigations of potential environmental effects of the Public Works, including the feasibility of design alternatives and relevant environmental mitigation and management measures.'*
4. The EES was on public display from 10 April to 7 June 2019, during which time the public could make written submissions.
5. A report was presented to Council on Tuesday 28 May 2019 (D19/74048), providing information on the NEL project, the EES process, and a draft submission on the NEL.
6. Council made a submission on the NEL EES on 6 June 2019 (Attachment 1). The submission raises a number of issues and potential impacts for Yarra, and sets out strategic outcomes that Council wishes to see delivered as part of the project.
7. The panel hearings commenced on 25 July 2019 and will continue until 13 September 2019. Officers presented Council's submission at the panel hearings on 26 July 2019.
8. An *Inquiry and Advisory Committee (IAC)* has been established to review the EES, public submissions and panel hearings. The IAC will provide recommendation's to the Minister for Planning, and the Minister's assessment will inform the various planning and 'works' approvals required for the project.

NEL Responses to the EES submissions

9. NEL provided initial response to the issues raised in the public submissions made on the EES on 19 June 2019. The responses include a number of expert witness statements relating to the technical chapters of the EES, including Traffic and Transport.
10. Attachment 2 includes a section of the NEL Traffic and Transport Expert Evidence Statement that relates to issues and requests raised in Council's submission and Attachment 4 includes the Traffic Modelling Expert Witness Statement. Attachment 3 includes a summary of the responses included in the Traffic and Transport Evidence Statement.
11. Council raised a number of potential impacts of NEL on Yarra, including:
 - (a) Increased traffic congestion, noise and reduced amenity on arterial and local roads in Yarra;
 - (b) Increased demand for cycling to and through Yarra particularly along specific corridors that tie into the proposed NEL cycleway works;
 - (c) Loss of tree canopy and public open space directly as a result of NEL or other complimentary works;

- (d) Increased maintenance costs associated with new off-road shared paths delivered by NELA;
 - (e) Removal of car parking to support works that complement the busway and encourage cycling for new trails;
 - (f) Other potential major works in Yarra such as grade separated right turn ramps to support the busway;
 - (g) Delays to street based public transport services as a result of increased traffic levels; and
 - (h) Worsening conditions for cyclists as a result of increased traffic particularly on key cycle routes.
12. The general response by the North East Link Authority to most of the issues and requests raised by Council is that they are out of the project scope and/or that the impacts on Yarra are expected to be insignificant. At the hearing on 26 July the Council officer outlined the Council position that the scope of the project needs to be broadened so it appropriately considers the matters raised by Yarra.

External Consultation

13. This project is being delivered by the State Government. All consultation for the project is being led by their communications and engagement team. The Yarra communications team have been engaged in this process and worked with the NEL project team on community engagement for aspects in Yarra.

Internal Consultation (One Yarra)

14. Council officers from Strategic Transport, Traffic, Open Space and Urban design were consulted to identify the strategic outcomes included in Council's submission.

Financial Implications

15. There are no financial implications at this submission stage.

Economic Implications

16. There are no specific known economic implications for Yarra at this time.

Sustainability Implications

17. There are no sustainability implications associated with this update report. There are potential sustainability implications associated with the NE Link project.

Social Implications

18. There are no particular social implications with this update.

Human Rights Implications

19. There are no known human rights implications at this stage.

Communications with CALD Communities Implications

20. The NEL EES Engagement Plan includes an approach for engaging with CALD communities.

Council Plan, Strategy and Policy Implications

21. A number of Council policies and plans regarding transport, land-use and the environment are relevant.

Legal Implications

22. There are no known legal implications at this stage.

Other Issues

23. There are no known other issues at this stage.

Options

24. There are no options as part of this update report.

Conclusion

25. The North East Link (NEL) is Victoria's largest road project. Although Yarra is located at the western edge of the project boundary, NEL could result in significant impacts to Yarra's transport network and urban amenity and needs to be carefully analysed.
26. The project is currently being assessed through an Environment Effects Statement (EES). Council made a submission on the EES on 6 June 2019.
27. NEL released initial responses to issues raised in Council's submission, with the majority of issues being responded to as out of scope and or having insignificant impact to Yarra.
28. Officers presented Council's submission on the EES at the panel hearings on 26 July 2019.
29. The next step for the EES assessment process is that in late 2019 the Minister for Planning will consider the Inquiry and Advisory Committee report on the Environment Impact Statement.
30. Council will need to monitor the progress of this project and seek the required mitigation measures to minimise any adverse impacts in the municipality.
31. Officers will brief Councillors during the course of the processes underway throughout 2019 and 2020.

RECOMMENDATION

1. That Council:
 - (a) note the Environmental Effects Statement process regarding the North East Link project by the State Government, and
 - (b) note the contents of this officer report and pages 56 – 69 of the NEL Authority Traffic and Transport Review Expert Evidence Statement as it relates to the Yarra City Council submission and its attachments.
2. That officers provide further updates to Council following the conclusion of the Inquiry and Advisory Committee process.

CONTACT OFFICER: Simon Exon
TITLE: Unit Manager Strategic Transport Planning
TEL: 9205 5781

Attachments

- 1 [↓](#) Attachment 1 - Council submission
- 2 [↓](#) Attachment 2 - Pages from Traffic and Transport Review Expert Evidence Statement
- 3 [↓](#) Attachment 3 - Summary table of Traffic and Transport responses to Council submission
- 4 [↓](#) Attachment 4 - Traffic modelling expert witness statement

Attachment 1 - Attachment 1 - Council submission

MEMO



To: North East Link Project Team – Major Transport Infrastructure Authority

From: Vijaya Vaidyanath, Chief Executive Officer

Date: 6th June 2019

Subject: City of Yarra North East Link EES Submission

This memorandum is the City of Yarra's submission regarding the North East Link (NEL) Environment Effects Statement (EES). The first half of this memo focuses on key impacts for Yarra and how the EES responds to these. The second half provides an overview of the strategic outcomes that Council would like to see from the project to inform the scope definition, design and delivery process.

Impacts of NEL on Yarra

There are a number of areas where Yarra will be impacted both directly and indirectly by NEL. Where known, these impacts need to be understood and mitigated against. In other cases, as yet unknown issues or other 'unintended outcomes' may become apparent after the project has been completed.

It is important that this project does not result in ongoing legacy issues for Yarra and its community, particularly where these issues are difficult for Yarra itself to resolve be it due to costs and/or the need for third party cooperation.

The potential impacts of NEL on Yarra include:

- (a) Increased traffic congestion, noise and reduced amenity on arterial and local roads in Yarra;
- (b) Increased demand for cycling to and through Yarra particularly along specific corridors that tie into the proposed NEL cycleway works;
- (c) Loss of tree canopy and public open space directly as a result of NEL or other complimentary works;
- (d) Increased maintenance costs associated with new off-road shared paths delivered by NELA;
- (e) Removal of car parking to support works that complement the busway and encourage cycling for new trails;
- (f) Other potential major works in Yarra such as grade separated right turn ramps to support the busway;
- (g) Delays to street based public transport services as a result of increased traffic levels; and
- (h) Worsening conditions for cyclists as a result of increased traffic particularly on key cycle routes.

Attachment 1 - Attachment 1 - Council submission

MEMO



Potential Increases on Traffic Congestion

Although traffic growth will be curtailed to some degree during the peaks by existing congestion, daily traffic volumes on the Eastern Freeway could increase significantly over a 24 hour period. Additional traffic on the Eastern Freeway will lead to more traffic in Yarra and could encourage motorists to seek alternative routes using arterial and local roads as traffic conditions worsen.

Traffic growth throughout Yarra, particularly in those areas close to Hoddle Street and Alexandra Parade, will result in substantial impacts to access, amenity, safety and liveability in the municipality.

Streets that are anticipated to be impacted by NEL include:

- Brunswick Street (local road);
- Johnson Street;
- Nicholson Street;
- Smith Street (local road);
- Hoddle Street;
- Wellington Street (local road);
- Alexandra Parade;
- Johnson Street;
- Victoria Parade;
- Heidelberg Road;
- Nicholson Street Abbotsford (local road), and
- Gold Street (local road).

Council has reviewed the traffic modelling undertaken for the NEL project and provides the following comments.

The Peer Review in the EES notes that the modelling has been undertaken to a satisfactory level. However, no raw survey data has been provided and no independent check of the raw survey data has been undertaken. In addition, no review of the forecast modelling has been undertaken.

Section 6.34 of the EES notes that the Eastern Freeway is a highly utilised corridor, with peak hour congestion affecting many sections, especially at its western terminus at the Alexandra Parade/Hoddle St freeway exit due to the freeway abruptly terminating at an arterial road. The EES acknowledges that the section of Freeway between Chandler Highway and Hoddle Street has the lowest average vehicle speed of all freeways in Melbourne (this can be clearly seen in Fig 6-35 on page 114). The EES then goes on to state that volumes in this area are anticipated to increase however these are not significant and would be within day-to-day fluctuations.

The micro simulation modelling does not include the intersection of Hoddle Street/Eastern Freeway. It is critical that this intersection and other intersections along Hoddle Street and Victoria Street used by the DART services are modelled in detail to understand the potential impact of increased DART services in Yarra and what this means.

Attachment 1 - Attachment 1 - Council submission

MEMO



A spreadsheet model is used to convert 'partially constrained' strategic modelling demand to constrained traffic demand by shifting excess demand evenly to either side of the peak periods. The shortfall in this approach is that it assumes traffic on oversaturated routes will not reroute to an alternative route. Council is concerned that this rerouting will result in undesired and unintended consequences that will have impacts on the community in Yarra and people travelling by public transport, walking and cycling.

The EES sets out that an existing year assessment has not been undertaken as the 2026 road network performance will be primarily driven by population and employment growth between 2016 and 2036. The lack of an existing conditions assessment means that congestion hotspots are not identified and assessed.

The strategic modelling uses the VLC Zenith model, 2016 and 2036 models. These models consider population and employment growth specified by the State Government forecasts and transport infrastructure improvements committed to by the State Government. The Zenith Model have also been used to assess other State Government projects including Melbourne Metro and the Citylink – Tulla widening. Council notes that the strategic modelling does not really account for differing scenarios in growth and transport infrastructure improvements. Given the challenges associated with forecasting and amount of associated guess work it is disappointing to see that scenario testing has not been undertaken to understand impacts using a range.

Section 8.1.2 of the EES Transport outlines the committed transport projects that will be completed by 2036 which are:

- Metro Tunnel;
- Mernda Rail Extension;
- Hurstbridge Stage 2 upgrades;
- West Gate Tunnel;
- M80 Ring Road upgrades;
- CityLink-Tulla Widening;
- Chandler Highway upgrades;
- Northern, South-Eastern and Western Road Upgrades; and
- Monash Freeway Widening.

Council notes that East West Link is not included and questions the basis for this. East West Link is a high profile project with a Federal budget allocation which could have significant strategic impacts on NEL and particularly traffic volumes on the Eastern Freeway which forms part of the NEL study area.

Council also questions the assumption underlying the conclusions that "North East Link would marginally reduce emissions due to heavy vehicles using North East Link instead of local roads" (Chapter 26, p12). This will not be true for the City of Yarra with a substantial increase in heavy vehicles and other vehicles exiting the Eastern Freeway into Yarra.

Attachment 1 - Attachment 1 - Council submission

MEMO



Ensuring that the cycle improvements proposed as part of NEL consider broader cycle network interfaces

New shared user paths are proposed as part of NEL to complete missing links along the Eastern Freeway. The new paths will significantly increase the number of cyclists travelling through Yarra to access the CBD from the north eastern suburbs. Complimentary improvements will be required along a number of Yarra's key cycling routes to provide continuous, safe and attractive connections particularly to the Hoddle Grid and the northern central city area.

Streets that will require bicycle upgrades as a result of the NEL cycle trials include:

- Wellington Street (north of Johnson Street);
- Roseneath Street;
- South Terrace;
- Trenerry Crescent, and
- Gipps Street.

The NEL scope of works includes the provision of a busway on the Eastern Freeway. In order to fully utilise this infrastructure it will most likely be necessary by the State Government to improve the bus operating environment between the Eastern freeway and the CBD. This may mean deployment of full time bus lanes in Yarra and other infrastructure that allows buses to move quickly and reliably. Depending on service frequency it may be necessary to have two high quality bus corridors through Yarra on the following streets:

- Hoddle Street;
- Victoria Parade;
- Johnson Street;
- Alexandra Parade;
- Wellington Street;
- Nicholson Street; and
- Lygon Street.

This may also require changes to some key intersections which require careful assessment insofar as public realm, amenity and other likely impacts. The ESS in Section 9.6.6 discusses DART services and notes bus travel times along the Eastern Freeway will improve by 20-30% with the project. It also notes that travel times along no-freeway segments (i.e. the inner city and eastern suburbs) are forecast to improve by up to 15%. However, no detail is provided on where or how the non-freeway improvements will be realised is provided.

Council is especially concerned about exacerbating congestion on Alexandra Parade without any provision for public transport along the length of Alexandra Parade from the end of the Eastern Freeway notwithstanding the current 65,000-70,000 vehicles per day using Alexandra Parade. This is a similar volume to the number of vehicles using Hoddle Street; yet this is served by frequent smart bus services as well as a rail line parallel to Hoddle Street. The major gap in east west public transport along Alexandra Parade needs urgent rectification. This is particularly so, given that Alexandra Parade serves access to the Carlton/Parkville National Employment and Economic Cluster (NEIC), northern access to the CBD, and Melbourne's west.

Attachment 1 - Attachment 1 - Council submission

MEMO



Strategic Outcomes

Council has identified the strategic guiding outcomes that it wants to see delivered as part of this project to inform the design development and help manage impacts. The outcomes have been developed to consider the objectives of the Transport Integration Act which came into effect on 1st July 2010 and is Victoria's principal transport statute and replaced major parts of the Transport Act 1983. The Act requires that all decisions affecting the transport system be made within the same integrated decision-making framework and support the same objectives.

Council believe that the following TIA objectives should be noted as being of particular relevance to this project:

10 *Environmental sustainability*

The transport system should actively contribute to environmental sustainability by—

- (a) protecting, conserving and improving the natural environment;
- (b) avoiding, minimising and offsetting harm to the local and global environment, including through transport-related emissions and pollutants and the loss of biodiversity;
- (c) promoting forms of transport and the use of forms of energy and transport technologies which have the least impact on the natural environment and reduce the overall contribution of transport-related greenhouse gas emissions;
- (d) improving the environmental performance of all forms of transport and the forms of energy used in transport;
- (e) preparing for and adapting to the challenges presented by climate change.

11 *Integration of transport and land use*

- (2) Without limiting the generality of subsection (1), transport and land use should be effectively integrated so as to improve accessibility and transport efficiency with a focus on—
 - (c) reducing the need for private motor vehicle transport and the extent of travel;
 - (d) facilitating better access to, and greater mobility within, local communities.

13 *Safety and health and wellbeing*

- (1) The transport system should be safe and support health and wellbeing.
- (2) Without limiting the generality of subsection (1), the transport system should—
 - (a) seek to continually improve the safety performance of the transport system through—
 - (i) safe transport infrastructure;
 - (ii) safe forms of transport;
 - (iii) safe transport system user behaviour;
 - (b) avoid and minimise the risk of harm to persons arising from the transport system;
 - (c) promote forms of transport and the use of forms of energy which have the greatest benefit for, and least negative impact on, health and wellbeing.

Attachment 1 - Attachment 1 - Council submission

MEMO



The five strategic outcomes that Council wishes to see from this project are outlined below:

(a) Encouraging People to Use Public Transport

- (i) The design of the Doncaster Busway must not significantly preclude the construction of Doncaster rail in the future;
- (ii) Yarra requires that a bus operational plan is developed to complement the delivery of the physical busway and ensure that public transport and other environmental benefits promised by the project are fully delivered. This operational plan should include:
 - Minimum busway headway provision for peak and off peak periods including weekends;
 - Commitments to responding to growing passenger demand and ensuring that there is sufficient capacity to allow passengers to always be able to board a bus and travel in comfort;
 - Commitments to continually providing attractive journey times by bus and improving bus priority outside the Eastern Freeway where necessary to ensure that the service operates satisfactorily, and
 - Commitments to the rollout of e-buses on the Busway with a view to having a fully electrified fleet on this route.
 - An assessment of how the busway proposals perform in the context of international bus rapid transport (BRT) best practice standards. Yarra argues that the busway should meet the BRT gold standard.
- (iii) Yarra should be consulted regarding route options for Doncaster bus services between the Eastern Freeway and the CBD. Yarra requests that mitigation measures be developed by the State Government in response to businesses impacted by removal of car parking on any upgraded bus corridors. Yarra also requires compensation for the Project's removal of any paid parking bays to deliver bus corridor upgrades.

(b) Encouraging People to Cycle

- (i) All new shared use paths delivered by NEL should be a minimum of 3m in width. All facilities must be signed off by Council and be in accordance with the State Government's Design Guidance for Strategically Important Cycling Corridors and other relevant policies and standards;
- (ii) NEL should be required to pay for all ongoing maintenance associated with new cycle paths provided as part of this project.
- (iii) NEL should make provision for cyclists accessing the CBD from the project study area via key cycle routes in Yarra.

(c) Encouraging People to Walk

- (i) Better opportunities should be provided for pedestrians and cyclists to cross major roads connecting with the NEL project area such as the Eastern Freeway, Alexandra Parade and Hoddle Street.

Attachment 1 - Attachment 1 - Council submission

MEMO



- (ii) The ability to extend pedestrian crossing times in the future on Alexandra Parade and Hoddle Street should not be refused due to delays caused to additional traffic as a result of NEL;
- (d) *Preserving Open Space and Amenity*
 - (i) Tree removal should be minimised; and the existing tree canopy should be replaced as a minimum through offsets at nearby locations
 - (ii) NEL should not result in any net loss of useable open space in Yarra and the quality of existing open space should not be compromised to deliver the works;
 - (iii) Any proposals to extend the hours or length of Clearways to deliver bus improvements must only be considered after complying with the associated legal procedures and industry agreements;
 - (iv) Any proposals to remove on-street parking should directly improve travel conditions for people travelling by non-motorised transport modes;
- (e) *Managing Traffic Impacts*
 - (i) NEL should not result in additional traffic growth or through traffic on local roads or through key centres. Any additional traffic growth should be offset through funding to improve public transport, walking and cycling;
 - (ii) NEL should implement a rigorous post construction monitoring framework to quantify changes in traffic flow. This will measure changes in traffic volume, public transport delay and other impacts as a result of the project. A funding allocation should be provided by NEL to deliver works as needed in response to monitoring outputs.
 - (iii) Traffic associated with NEL should not be used to support a future business case for East West Link.

Council may wish to present to the Panel Hearings in relation to this matter and in this case will expand on these, and other points of concern during the hearings process.

Attachment 2 - Attachment 2 - Pages from Traffic and Transport Review Expert Evidence Statement

EES SUBMISSIONS REVIEW

5.3.2. Department of Transport (Submission 737)

The Department of Transport (DoT) prepared a submission in support of the Project. The submission outlined the recent incorporation of VicRoads and Public Transport Victoria (PTV) into DoT, reaffirmed their involvement in the development of the Project through the TRG and outlined the relationship of DoT to the Major Transport Infrastructure Authority (MTIA) which is the proponent to the Project¹⁸.

DoT's submission also highlights their role in assessing and responding to submissions, stating: *"this includes providing clarity on transport-wide matters that do not fall within the ambit of MTIA's remit. This includes planning and transport system integration, the inter-relationship between the Project and the broader transport network."*

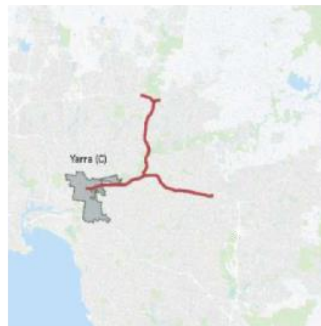
5.4. Response to Local Government Submissions

The following section provides summaries and responses of the submissions made by Local Government authorities. They have been ordered chronologically by submission number.

5.4.1. Yarra City Council (Submission 386)

Summary

Yarra City Council prepared a submission which outlines the anticipated impacts of the Project on the municipality and how the EES responds, followed by a summary of the strategic outcomes Council seeks from the Project. Most of the comments pertain to traffic and transport issues, with some relating to open space and vegetation.



Project Concerns

Increased traffic

- C1. Yarra are concerned that daily traffic volumes on the Eastern Freeway could increase *"significantly"* which would result in additional traffic in Yarra, including on local and arterial roads as motorists seek alternate routes. They are concerned about the following specific impacts of increased traffic volumes:
- Congestion on local and arterial roads
 - Delays to street-based public transport
 - Increases in heavy vehicles
 - Worsened cycling conditions

¹⁸ MTIA or Major Transport Infrastructure Authority oversees the Level Crossing Removal Project, Rail Projects Victoria, WGT, NELP and Major Road Projects Victoria.

Attachment 2 - Attachment 2 - Pages from Traffic and Transport Review Expert Evidence Statement

EES SUBMISSIONS REVIEW

The *TTIA* presents results of changes in forecast vehicle kilometres travelled on arterial and local roads by municipality. The modelling results show that Yarra is forecast to result in a zero-net change in traffic volumes between 2036 'with project' and 'no project' scenarios¹⁹.

The *EES* notes that traffic on Hoddle Street is predicted to increase by a modest 2 per cent value across the day in the 2036 'with project' scenario compared to the 2036 'no project' scenarios, which falls within the typical day-to-day fluctuations of general traffic.²⁰

For reference, Table 5.1 below summarises changes in traffic volumes between the 2036 'no project' and 2036 'with project' scenarios for various roads within Yarra.

Table 5.1: Daily traffic volumes on streets in City of Yarra²¹

Street Segment	2036 'no project' volume		2036 'with project' volume	
	Eastbound/ Northbound	Westbound/ Southbound	Eastbound/ Northbound	Westbound/ Southbound
Alexandra Parade – Queens Parade to Hoddle Street	35,000 – 45,000	31,000 – 41,000	35,000 – 45,000	32,000 – 42,000
Hoddle Street – Eastern Freeway to Johnston Street	42,000 – 55,000	42,000 – 55,000	44,000 – 57,000	43,000 – 55,000
Johnston Street – Wellington Street to Hoddle Street	8,000 – 11,000	9,000 – 11,000	8,000 – 11,000	9,000 – 11,000
Queens Parade – Hoddle Street to Alexandra Parade	8,000 – 10,000	9,000 – 11,000	7,000 – 10,000	8,000 – 10,000
St Georges Road – Holden Street to Alexandra Parade	9,000 – 11,000	10,000 – 13,000	8,000 – 11,000	10,000 – 13,000
Victoria Parade – Hoddle Street to Lansdowne Street	26,000 – 34,000	24,000 – 31,000	26,000 – 34,000	24,000 – 31,000

As shown in the Table, traffic volumes are not expected to materially increase on key links in Yarra and in some cases, decrease by a nominal amount.

By way of a safeguard, EPR T5 which requires the contractor to:

¹⁹ (Transport and Traffic Impact Assessment, 2019, p. 323)

²⁰ (Transport and Traffic Impact Assessment, 2019, p. 291)

²¹ (Transport and Traffic Impact Assessment, 2019, pp. D-32 to D-46)

Attachment 2 - Attachment 2 - Pages from Traffic and Transport Review Expert Evidence Statement

EES SUBMISSIONS REVIEW

"Undertake traffic monitoring on selected roads (arterial and non-arterial) identified in consultation with the relevant transportation authorities and local council pre-construction, at six monthly intervals during construction, and up to two years after construction is complete. As part of the selection process, consideration must be given to roads that carry public transport services. Implement local area traffic management works in consultation with the local relevant councils."

I am satisfied that this provides a suitable framework to intervene if select streets are identified as carrying higher traffic levels than forecast (noting that some interpolation will be required between 2027-2029 transport demands and those forecast for 2036 under the EES). Where Yarra have raised specific modal impacts, I have reviewed and present discussion below.

Delays to street-based public transport

As outlined above, traffic increases are expected to be relatively nominal in Yarra across the average day.

Modelling indicates that public transport travel times at the whole-of-route level are expected to remain unchanged or marginally decrease,²² as shown in Table 5.2 for routes that run through Yarra.

Table 5.2: AM peak inbound travel time change – 2036 'with project' compared to 2036 'no project' (negative change in travel time means quicker journey)²²

Route	Description	Travel time change
Tram routes		
11	West Preston – Victoria Harbour Docklands	0% to -5%
48	North Balwyn – Victoria Harbour Docklands	0% to -5%
86	Bundoora RMIT – Waterfront City Docklands	0% to -5%
109	Box Hill – Port Melbourne	0% to -5%
Bus routes		
200	Bulleen – City (Queen Street)	0% to -5%
207	Doncaster SC – City (Queen Street)	0% to -5%
250	La Trobe University – City (Queen Street)	-5% to -10%
302	Box Hill – City (Lonsdale Street)	0% to -5%

Attachment 2 - Attachment 2 - Pages from Traffic and Transport Review Expert Evidence Statement

EES SUBMISSIONS REVIEW

The TTIA notes that a small number of intersection approaches worsen for bus routes in the 'with project' scenario, however these delays are more than offset by decongestion elsewhere on the network as well as specifically assigned routes where a net reduction in bus travel time is estimated.²²

Further, EPR T1 requires the contractor to: *"Optimise the design of the works in consultation with appropriate road management authorities, public transport authorities, relevant land managers and local councils as part of the detailed design process to: Work with relevant public transport authorities to minimise impacts on buses, trams and rail and, where practicable, enhance public transport facilities and services that cross or run parallel to the alignment of North East Link."*

EPR T1 sets an appropriate benchmark on facilitative works for public transport (noting requirements under the *Public Works Order* with EPR T5 also requiring the contractor to undertake traffic monitoring on selected roads which I expect will be identified through the TMLG. On this basis, I am satisfied these issues are satisfactorily managed under the proposed management framework.

Increase in heavy vehicle traffic

Modelling results²³ show that the Eastern Freeway between Chandler Highway and Hoddle Street (at the boundary of Yarra) is expected to carry an additional 200 trucks inbound (westbound) and 300 trucks outbound (eastbound) on an average weekday in the 2036 'with project' scenario compared to the 2036 'no project' scenario. This represents less than 10% of the 2036 'no project' average weekday truck volumes.²⁴

On the other hand, the Project is expected to decrease truck volumes at other gateways, including Hoddle Street (north of the Eastern Freeway) by 200 vehicles inbound (southbound) and 200 vehicles outbound (northbound) and on St Georges Road inbound (southbound) by 100 vehicles, compared to the 'no project' scenario.²³

Considering this net change in truck movements, the change into the Yarra LGA is minor if not more favourable under the 'with project' scenario.

²² (Transport and Traffic Impact Assessment, 2019, p. 413 to 414)

²³ (Transport and Traffic Impact Assessment, 2019, p. 399)

²⁴ (Transport and Traffic Impact Assessment, 2019, p. 270)

Attachment 2 - Attachment 2 - Pages from Traffic and Transport Review Expert Evidence Statement

EES SUBMISSIONS REVIEW

Figure 5.1: Change in average weekday truck volumes (AWDT), 2036 'with project' versus 2036 'no project' – study area south²⁵



Consistent with earlier observations, EPR T5 provides a suitable framework to monitoring demand on select roads.

Cycling conditions

As referenced earlier, the strategic modelling results show that Yarra is forecast to result in a zero-net change in traffic volumes on local and arterial roads between the 2036 'with project' and 'no project' scenarios²⁶. Whilst there may be traffic redistribution within Yarra, analysis indicates that there will be a negligible change in traffic volume.

- C2. Concerns regarding the impact of increased demand for cycling to and through Yarra, particularly along corridors which connect to NEL pathways. The submission notes that complementary improvements will be required along a number of key cycling routes (which are listed). Yarra also expressed concerns regarding potential increased maintenance costs associated with new off-road shared paths delivered by the Project, or loss of parking to deliver cycling projects. Seeks proposals to remove on-street parking directly improve travel conditions for people travelling by non-motorised transport modes.

On this issue, I have sought guidance from the Public Works Order, the evaluation objective contained within the Scoping Requirements, the Reference Design and the EPRs noting that Section 5.9 of this Evidence Statement sets out a detailed review of specific active travel

²⁵ (Transport and Traffic Impact Assessment, 2019, p. 399)

²⁶ (Transport and Traffic Impact Assessment, 2019, p. 323)

Attachment 2 - Attachment 2 - Pages from Traffic and Transport Review Expert Evidence Statement

EES SUBMISSIONS REVIEW

projects raised in submissions as potential 'complementary projects' for inclusion as part of the overall Project.

In that section, discussion is provided on a range of guiding tests, developed to assist with determining the appropriateness of including or excluding a specific active travel projects by submitters. This section included projects raised by the City of Yarra.

On the issue of any increased maintenance burden, it would be reasonable to expect that increased active travel infrastructure will, the face of it, increase costs of maintenance. The acceptability of these cost increases is balanced by:

1. Increased active travel connectivity within Yarra and the broader network which is consistent with a range of state and local policies which seek to support sustainable transport practices, and
2. A project which will help facilitate productivity improvements within Yarra and broader Melbourne in support of further population, employment and educational growth for all Victorians.

On my review of the EES, there are no obvious changes to the network that appear to result in losses of parking for the Yarra LGA. On the ultimate project being delivered, detailed design would need to be optimised in consultation with Council in accordance with EPR T1.

- C3. Seeks further detail on where and how bus travel time improvements will be realised in non-freeway environments (i.e. inner city and eastern suburbs).

Travel time improvements for buses will be realised through the North East Link's ability to attract trips onto the corridor from local and arterial roads.

The TTIA notes that travel speeds across the bus and tram network in the north-east are forecast to increase by approximately 3 per cent in the morning and evening peak periods and by 2 per cent across the day. Modelling also shows that whole-of-route travel times for bus services are predicted to decrease by up to 10 per cent, which "reflects the general decongestion of the north-eastern arterial road network".²⁷

Modelling Approach/Extents

- C4. Comment that the modelling has been undertaken to a satisfactory level, however the submission contends that no raw survey data has been provided and no independent check of raw survey data has been undertaken.

The GTA Peer Review Report included an independent peer review of microsimulation (operations) modelling. The GTA Peer Review Report noted that no raw survey data was provided and GTA recommended that an independent check be undertaken to on the raw survey

²⁷ (Transport and Traffic Impact Assessment, 2019, p. 412 to 413)

Attachment 2 - Attachment 2 - Pages from Traffic and Transport Review Expert Evidence Statement

EES SUBMISSIONS REVIEW

data to confirm the validity and suitability for use. In raising this issue with project technical team (SmedTech), GTA was advised that data has been shared with VicRoads for information and review, with no issues raised.^{28,29} SmedTech also advised that they compared the survey day data to that of the full month and found that it was representative of typical traffic volumes.²⁹

On the adequacy of strategic modelling relied upon by the Project, this was undertaken by a separate, independent peer reviewer and is outside the scope of this assessment.

- C5.** Concerns that microsimulation modelling does not include the interchange of Hoddle Street/Eastern Freeway, despite the preceding section of the Eastern Freeway having “the lowest average vehicle speed of all freeways in Melbourne”.

The *GTA Peer Review Report* raised a similar question and recommended replicating “the operational effects associated with the Hoddle Street and Eastern Freeway junction to ensure those characteristic elements are appropriately considered on the operation of the broader corridor”.³⁰

The memorandum of information provided to GTA during the preparation of this evidence statement confirms that consideration was given prior to settling the EES technical report to ensuring that any back-queue from Hoddle Street into the Eastern Freeway was reviewed, documented and subsequently relied upon to inform the 2036 ‘no project’ and ‘with project’ outcomes. That memorandum indicates that back-queueing extends to around 1km during the AM peak. This compares with an offset between Hoddle Street and the Chandler Highway of around 3km.

Further, it is worth noting that the forecast increases in transport demand at this end of the corridor are modest during the road network AM and PM peak periods. This modesty reduces the flow on effect of queues generated at the Hoddle Street node back into the operations model.

Lastly, in raising this matter with SmedTech, we have been advised that the model scope was also discussed and agreed with VicRoads, including the decision not to specifically include the Hoddle Street interchange.³¹

- C6.** Concerns that an existing year assessment has not been undertaken as the 2026 road network performance will be primarily driven by population and employment growth between 2016 and 2036. Concerns that absence of this assessment means that congestion hotspots are not identified.

²⁸ (North East Link Microsimulation Model Peer Review, 2018, p. 8)

²⁹ SmedTech memo dated 24/09/18, as cited in (North East Link Microsimulation Model Peer Review, 2018), Appendix C

³⁰ (North East Link Microsimulation Model Peer Review, 2018, p. 8)

³¹ SmedTech memo dated 24/09/18, as cited in (North East Link Microsimulation Model Peer Review, 2018), Appendix C

Attachment 2 - Attachment 2 - Pages from Traffic and Transport Review Expert Evidence Statement

EES SUBMISSIONS REVIEW

The methodology applied to the *EES*, which involves a 10-year post implementation planning horizon, is consistent with my experience.

On identifying hot spots on the network, considerable effort has been exercised on reviewing current network operation in and around the Project corridor. These investigations have influenced coding of the models for both the existing condition and 'with project' and 'no project' outcomes for the 2036 evaluation year.

- C7. The City of Yarra raise the following concerns relating to the strategic modelling inputs and assumptions:
- Comment that a spreadsheet model is used to convert 'partially constrained' strategic modelling demand to constrained traffic demand by shifting excess demand to either side of the peak period. Concern that this approach does not capture re-routing on oversaturated routes and that this re-routing will impact the local community.
 - Concerns that scenario testing of different growth and transport infrastructure improvements were not undertaken to understand impacts.
 - Questions basis of why East West Link was not included in the list of committed transport projects that will be completed by 2036, given it is a high-profile project with Federal budget allocation.
 - The submission contends that no review of the forecast modelling has been undertaken.

An expert evidence statement for strategic modelling is being prepared by a separate, independent witness and falls outside of the scope of this review.

Recommendations & Requests

- R2. Seeks for the Project to meet objectives of the Transport Integration Act (2010), particularly those related to 'Environmental Sustainability', 'Integration of Transport and Land Use' and 'Safety and Health and Wellbeing'.

Section 3 of this Evidence Statement outlines an assessment of the Project's alignment with key transport policies, strategies and relevant reference legislation.

Active travel

- R3. Seeks complementary improvements along a number of Yarra's key cycling routes – Wellington Street, Roseneath Street, South Terrace, Trenerry Crescent, Gipps Street.

Complementary active transport projects are considered at Section 5.9.3.

- R4. Seeks all new shared use paths delivered by the Project be a minimum of 3.0m in width, be signed off by Council and be in accordance with Design Guidance for Strategically Important Cycling Corridors and other policies and standards.

Attachment 2 - Attachment 2 - Pages from Traffic and Transport Review Expert Evidence Statement

EES SUBMISSIONS REVIEW

I do not consider there to be a need for the EPRs to prescribe a specific guideline or practice. However, this request highlights that the EPRs should be adequately drafted to ensure the Project is designed to a suitable standard.

The EPR related to the design outcomes of the Project is EPR T1 which states:

Optimise the design of the works in consultation with appropriate road management authorities, public transport authorities, relevant land managers and local councils as part of the detailed design process to:

- *Minimise adverse impact on travel times for all transport modes, including walking and cycling*
- *Maintain, and where practicable, enhance the existing traffic movements at interchanges*
- ***Design interchanges and intersections to meet relevant road and transport authority requirements***
- *Maintain, and where practicable, enhance pedestrian movements, bicycle connectivity, and shared use paths*
- *Work with relevant public transport authorities to minimise impacts on buses, trams and rail and, where practicable, enhance public transport facilities and services that cross or run parallel to the alignment of North East Link*

The current wording of the EPR only requires interchanges and intersections to be designed to meet relevant road and transport authority requirements. Upon reflection it may be appropriate to consider revisions to the EPR to broaden the requirement of the Project works to meet relevant road and transport authority requirements beyond interchanges and intersection design.

On this change, it would be appropriate to broaden the application of the third bullet point of EPR T1 to read:

- ***Design the Project to meet relevant road and transport authority requirements***

On whether the EPRs should prescribe a specific guideline such as the Institute for Transportation and Development Policy suggested by the submitter. However, I believe it is appropriate for the EPRs to require the Project meet the design requirements of relevant road and transport authorities as applied in the applicable jurisdiction and which are relevant at the time of design. This should sufficiently balance the ability for the Project to encourage innovation whilst ensuring minimum standards are met.

- R5. Seeks better opportunities be provided for pedestrians and cyclists to cross major roads connecting with the NEL Project area such as the Eastern Freeway, Alexandra Parade and Hoddle Street.

This complementary active transport project is considered at Section 5.9.3.

- R6. Seeks that the ability to extend pedestrian crossing times on Alexandra Parade and Hoddle

Attachment 2 - Attachment 2 - Pages from Traffic and Transport Review Expert Evidence Statement

EES SUBMISSIONS REVIEW

Street should not be refused due to additional traffic caused by the Project.

Transport flows will change as a result of this Project. Decisions to alter pedestrian phasing following implementation of the Project would need to be subject to an assessment by DoT and evaluated independently of this Project as the specified locations sit outside the nominated Project corridor area.

Doncaster busway and integration with the broader network

R7. Seeks for the Project to not preclude construction of Doncaster rail in the future.

As outlined in Chapter 6 of the *EES*³², a future Doncaster Rail option would not be precluded by North East Link, as the dimensions of the Doncaster Busway corridor are consistent with those required to accommodate heavy rail in the future. On the deliverability of heavy rail, I have been instructed that the busway would need to be removed and replaced.

R8. Seeks that the intersection of Hoddle Street/Eastern Freeway and other intersections along Hoddle Street and Victoria Parade used by rapid bus services to be modelled to understand impacts.

Please refer to response to C5 and R10.

R9. Seeks a 'bus operational plan' be prepared to complement delivery of the busway and ensure benefits are fully realised. This plan should include detail regarding minimum headway provision, various commitments to enhance quality and comfort (listed), commitment to electrified fleet on the busway route and for the busway to meet 'BRT gold standard' compared to international best practices.

Operational analysis completed in support of the *EES* includes specific consideration of busway infrastructure and headway operating times. Set out elsewhere in this Evidence Statement, the *EES* operations modelling allows for bus frequencies of up to 140 buses per hour (per direction) or just over two buses every minute indicating approximate 30 second headways.

The request for an operational plan is a matter for DoT rather than the Project team given that they (as a department) co-ordinate the overall bus network. I expect DoT will have an ongoing role on this Project in support of preparing a detailed design concept before implementation in accordance with requirements set out under EPR T1. This involvement will determine the standard and detail around the busway provision using the Public Works Order and Project Scoping Requirements as a guide.

R10. The City of Yarra identified there to be a gap in public transport provision along Alexandra Parade needs urgent rectification. They also seek improvements to bus operating environment between CBD and Eastern Freeway, including potential full-time bus lanes or other infrastructure to facilitate bus movement. This may include two high-quality bus

³² (North East Link Environmental Effects Statement, 2019, pp. 6-8)

Attachment 2 - Attachment 2 - Pages from Traffic and Transport Review Expert Evidence Statement

EES SUBMISSIONS REVIEW

corridors on Hoddle Street, Victoria Parade, Johnson Street, Alexandra Parade, Wellington Street, Nicholson Street and Lygon Street. The City of Yarra express concerns that supporting works may require removal of car parking. They request compensation for any removal of paid parking.

As I interpret the reference design and *EES*, public transport services for the most part, are upgraded along the Eastern Freeway to a location immediately east of the Hoddle Street / Alexandra Parade junction and matching in after that with existing infrastructure. On the acceptability of this approach, the Scoping Requirements provide a schematic diagram of the Project outline which on my interpretation indicates that Alexandra Parade sits outside the selected Project outline area.

Noting that the reference design represents one amongst a range of potential solutions for east-west public transport services, opportunities do exist to extend infrastructure further west noting that there is no clear or evident “gap” that would be filled by extending these services to the Project outline edge. On this, it is evident that a strategy which involved extending public transport access exclusivity (if that is what is inferred) along Alexandra Parade would require careful consideration of other impacts including:

- The likely impact of the productivity and functioning of Alexandra Parade through the likely required re-allocation of road space,
- Other strategic plans and design solutions which involve a broader strategic remit around east-west travel along Alexandra Parade and beyond,
- Contributions made by DoT on the need to extend public transport services beyond those shown in the *EES* reference design through its role on the TRG.

Lastly, given that the *EES* concept plan reflects a reference design, an opportunity remains to extend public transport services further west through EPR T1, which requires the contractor to:

Optimise the design of the works in consultation with appropriate road management authorities, public transport authorities, relevant land managers and local councils as part of the detailed design process to: Work with relevant public transport authorities to minimise impacts on buses, trams and rail and, where practicable, enhance public transport facilities and services that cross or run parallel to the alignment of North East Link.

On improvements between the Eastern Freeway and the CBD, the Hoddle Street streamlining project is currently on foot. This project includes holistic transport upgrades along that corridor as outlined in the exert below which includes changes around the Eastern Freeway and Johnston Street. Areas beyond this section of Hoddle Street extend well outside the Project corridor and therefore outside the area contemplated by the gazetted Public Works Order as well as requirements set out under the Project Scoping Requirements.

On any loss of on-street car parking, a review of the reference design indicates that there is currently no proposal to remove on-street parking within the City of Yarra to deliver the Project. On any detailed design, EPR T1 provides a framework for the minimised loss of car parking in consultation with the relevant local council.

[illegible]

- In the event that a meaningful change is proposed to existing routing, this is considered reasonable and is satisfactorily captured by EPR T1. At this stage, the reference design does not propose any meaningful change to routes along these roads.

- The Project does not propose to extend the hours or length of Clearways to support upgrades to bus corridors in Yarra. Given the requirement to navigate a range of independent processes which need to be undertaken independent of the Project I would not recommend the Project



Attachment 2 - Attachment 2 - Pages from Traffic and Transport Review Expert Evidence Statement

EES SUBMISSIONS REVIEW

include these changes but rather they be pursued separately and independently of current EES planning.

R13. Seeks compensation for the Project's removal of any paid parking bays to deliver bus corridor upgrades.

The Project does not propose to upgrade bus corridors or remove paid parking bays to support upgrades to bus corridors in the City of Yarra beyond the extents of the Project (as defined by the Public Works Order and as shown in the reference design). I would expect consultation to occur with the relevant council should the detailed design consider these changes. A request and need for compensation from / to an LGA I would expect would be one amongst a range of issues considered before selecting to adopt this type of change.

R14. Seeks that the Project does not result in additional traffic growth or through traffic on local roads or through key centres and that any growth be offset through funding to improve walking, cycling and public transport.

Growth in traffic at a local level is dealt with by the strategic model relied upon to inform outcomes associated with the Project. Local areas are represented as 'zones' in the network wide model, with estimates subsequently provided for higher order roads on the network including roads which bisect key centres in and around the City of Yarra municipality. The EES subsequently assesses the impacts of this traffic growth noting that meaningful levels of transport activity will be attracted to the corridor and off other roads within the City of Yarra when comparing the 2036 'with project' and 'no project' scenarios³⁴.

Where local roads within the municipality might be potentially adversely affected, EPR T5 provides a sufficient mechanism to allow the City of Yarra to nominate streets of concern and be consulted in relation to the development of local area traffic management works to respond to the findings of traffic monitoring where required.

R15. Seeks implementation of a post construction monitoring framework to quantify changes in traffic flow, including measuring traffic volumes, public transport delay and other impacts. Seeks a funding pool to deliver works to respond to these monitoring outcomes.

EPR T5 requires "traffic monitoring on selected roads (arterial and non-arterial) identified in consultation with the relevant transportation authorities and local council pre-construction, at six monthly intervals during construction, and up to two years after construction is complete". The EPR requires that "consideration must be given to roads that carry public transport services" and that local area traffic management works are to be implemented in consultation with the local relevant Councils.

³⁴ (Transport and Traffic Impact Assessment, 2019, p. 323)

Attachment 2 - Attachment 2 - Pages from Traffic and Transport Review Expert Evidence Statement

EES SUBMISSIONS REVIEW

On developing a specific framework, I expect the TMLG group will take a leading role in coordinating and managing this requirement, drawing on experiences from other major transport projects currently underway in Melbourne and Victoria.

I expect the Project proponent will have funds allocated for works required to support the treatment or intervention of adverse outcomes associated with the monitoring programme.

R16. Contends that traffic associated with NEL should not be used to support a future business case for East West Link.

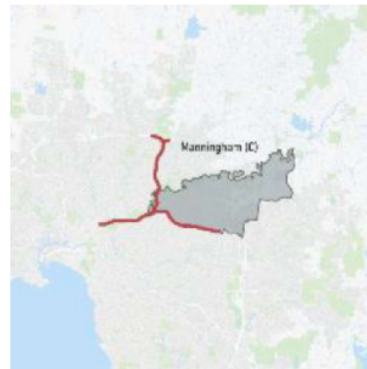
Any business case for East-West Link will need to consider implications associated with NEL subject to their being a government commitment and or delivery of the NEL Project (i.e. it proceeding).

5.4.2. Manningham City Council (Submission 316)

Summary

Overall, Council provides in-principle support for the Project, recognising its benefits to the north-east and broader Melbourne. The Council does not however support the Project as presented in the reference design due to its impacts on Manningham and surrounds. The submission covers a broad range of themes and disciplines, including traffic and transport issues.

These issues are summarised below, along with my responses to assist the IAC.



Project Concerns

Evaluation of Risk

C8. Concerns that the risk ratings adopted for the Project are overly optimistic and underestimate the likelihood of an event, underestimate the consequences of an event and overestimate the efficacy of mitigation strategies. Concerns that data gaps make it difficult to make credibly evaluate risk.

The GTA Peer Review Report provided commentary on the risk evaluation process outlined in the TTIA. The GTA Peer Review Report "does not explore the accuracy or appropriateness of the identified potential threats and/or effect on the environment" but found that "the process and methodology set out in the risk assessment appears consistent with peer review expectations

Attachment 3 - Attachment 3 - Summary table of Traffic and Transport responses to Council submission

Attachment 3 - Summary table of issues raised in YCC submission; and comments by NELA independent traffic expert (GTA Consultants)

Issues raised by Yarra	GTA Consultant comments on YCC issues raised
PROJECT CONCERNS	
Increased traffic	
C1 (pg. 56) Increased traffic in Yarra and subsequent impacts: <ul style="list-style-type: none"> • congestion on local roads • delays to PT • increases in heavy vehicles • worsened cycling conditions 	<p>The GTA consultant statement says:</p> <p>that the traffic modelling shows that traffic impacts to Yarra are nominal, and that the Environmental Performance Requirement (EPR) T5 of the project acts as a safeguard which requires traffic monitoring on selected roads identified in consultation with relevant transportation authorities and local council pre-construction, six month intervals during construction, and up to two years after construction is complete' - also requires that 'consideration be given to roads that carry PT services' and local area traffic management works are to be implemented in consultation with the local relevant Councils</p> <p>YCC officer comment:</p> <p>What consultation is this referring to/when will Yarra have an opportunity to nominate specific roads?</p>
C2 (pg. 60) Impact of increased demand for cycling to and through Yarra, and concerns about increased maintenance costs for new shared paths, and loss of parking to deliver cycling projects	<p>GTA response argues that acceptability of costs is balanced by:</p> <ul style="list-style-type: none"> • Increased active travel connectivity, consistent with policy • Help facilitate productivity improvements within Yarra <p>YCC officer comment:</p> <p>While these are good outcomes, they don't have a monetary value to offset / help fund future maintenance of paths.</p> <p>Additional funding allocated to maintaining these paths is funding that won't be used on other important projects for sustainable transport etc. to support the two outcomes mentioned above.</p> <p>Potential removal of car parking – wording in the GTA statement does not reflect what the YCC submission is saying '<i>seeks proposals to remove on-street parking directly improve travel conditions for people travelling by non-motorised transport modes</i>'.</p> <p>GTA says that the EES does not highlight any removal of car parking in Yarra, but that during detailed design Council should be consulted with.</p>

Attachment 3 - Attachment 3 - Summary table of Traffic and Transport responses to Council submission

	NB. The Yarra CC submission is pre-empting the likely need to remove car parking as a result of cycling upgrades (which there will be increased demand for on specific corridors linking with new NEL paths) and Doncaster busway. That is, it is important to capture the potential future impacts of the project at this stage to appreciate a complete picture of what this means for Yarra.
Modelling approach	
C4 (pg. 61) No independent check of raw survey data	The GTA response notes the VicRoads reviewed the data and did not raise any issues is that considered an appropriate independent check?
C5 (pg. 62) Hoddle/Eastern Freeway intersection was not included in micro-simulation, despite the preceding section of the Eastern freeway having 'the lowest average vehicle speed of all freeways in Melbourne'	<p>The GTA peer review report also raised this.</p> <p>Memo provided to GTA during preparation of the evidence statement, noting consideration was given back-queuing on Hoddle Street.</p> <p>Also notes the forecast increased in transport demand at this location is modest in peak periods and reduces flow on effect of queue.</p> <p>YCC officer comment:</p> <p>However if an existing year assessment was not undertaken, any existing congestion at this location won't be considered in this assessment.</p> <p>Notes that SmedTech agreed with VicRoads not to specifically include Hoddle St interchange – on what basis? Does not explain why this was decided.</p>
C6 (pg. 62) Existing year assessment not undertaken to inform the 2026 road network performance	<p>GTA state that a 10 year post implementation planning horizon is consistent</p> <p>Notes that considerable effort has been exercised on reviewing current network operation and these investigations have influenced coding of model.</p> <p>YCC officer comment:</p> <p>Does not really explain what this has been done / unclear about extent of investigations and if an accurate/complete assessment of existing conditions has informed the model.</p>
C7 (pg. 63) Raises concerns with strategic modelling inputs and assumptions, including <ul style="list-style-type: none"> Concern about spreadsheet model using 'partially constrained' strategic modelling demand to constrained traffic demand by shifting 	GTA state a separate expert evidence statement for strategic modelling is prepared by another expert

Attachment 3 - Attachment 3 - Summary table of Traffic and Transport responses to Council submission

<p>excess demand to either side of peak period</p> <ul style="list-style-type: none"> • Strategic model did not test multiple scenarios for growth and transport infrastructure improvements • Questions why East West Link was not considered • No review of forecast modelling has been undertaken 	
RECOMMENDATIONS + REQUESTS	
<p>R2 (pg. 63) Project to meet objectives of the Transport Integration Act</p>	<p>GTA state that Section 3 of their comments outlines assessment of project's alignment with key transport policies etc.</p>
Active transport	
<p>R3 (pg. 63) Complementary improvements on cycling routes in Yarra that connect with NEL shared paths – Wellington St, Roseneath St, South Terrace, Trenerry Crescent, Gipps Street</p>	<p>GTA state that Section 5.9.3 discusses the complementary projects and Appendix 3 lists these.</p> <p>Further, that Yarra's proposed upgrades are categorised as 'warranted but out of scope'</p>
<p>R4 (pg. 63) New paths to be minimum of 3m wide and signed off by Council and in accordance with policies/standards</p>	<p>GTA refers to EPR T1 requirement to consultant with appropriate authorities etc.</p> <p>GTA agree that the EPR should be revised to broaden the requirement of project works to meet relevant requirements, not just for interchanges and intersections (as per highlighted changes on pf 64).</p>
<p>R5 (pg. 64) Seeks better opportunities be provided for pedestrians and cyclists to cross major roads connecting with NEL project area – EF, Alexandra Parade and Hoddle Street</p>	<p>GTA consider that it could be complementary active transport project.</p>
<p>R6 (pg. 64) Extend pedestrian crossing times on Hoddle and Alexandra parade</p>	<p>GTA notes that altering pedestrian phasing is subject to assessment by DoT and acknowledge that a separate process would be required for this</p>

Attachment 3 - Attachment 3 - Summary table of Traffic and Transport responses to Council submission

R7 (pg. 65) Project to not preclude construction of Doncaster rail in future	GTA confirms that future Doncaster Rail option would not be precluded by the project, as corridor dimensions are consistent with those require to accommodate heavy rail, however busway would need to be removed and replaced
R8 (pg. 65) Intersection of Hoddle St/EF and other intersections along Hoddle St and Victoria Parade used by rapid bus services be modelled to understand impacts	GTA statement refers to C5 and R10
Doncaster busway	
R9 (pg. 65) Bus operational plan	GTA refers to operational analysis completed to support EES Notes this is a request for DoT YCC officer comment: Why was this not included in the EES The operation of the busway has potential impacts for the wider network and should be considered.
R10 (pg. 65) Gap in PT provision along Alexandra Parade and improvements to bus operating environment between CBD and EF i.e. full time bus lanes, also noting removal of car parking that would be required and request for compensation	GTA notes that Alexandra Parade and Hoddle St are outside of project scope YCC officer comment: EES concept plan reflects reference design, and there is an opportunity to extend public transport services further west through EPR T1 (second last paragraph pg. 65). Hoddle St streamlining is referred to as an improvement between Eastern Freeway and CBD. While Hoddle St is not within the project corridor and project scoping requirements, increased bus services from the Doncaster busway will have a direct impact on roads between the project corridor and CBD - the issues around this have been raised in Yarra's submission to ensure this is properly planned for in terms of understanding traffic and funding requirements. Regarding loss of car parking, the GTA statement notes that the reference design indicates that there is currently no proposal to remove on-street parking within Yarra. Yarra's submission highlights the potential need to remove parking in the future, as a consequence of full-time bus priority lanes being required for the Doncaster busway. This is a potential issue that needs to be accounted for in the case that it should happen.

Attachment 3 - Attachment 3 - Summary table of Traffic and Transport responses to Council submission

<p>R11 (pg. 67) Council to be consulted regarding route options for Doncaster bus services between freeway and CBD</p>	<p>GTA notes that this is considered reasonable if a meaningful change is proposed to the existing route.</p> <p>(Also notes that EPR T1 supports this) and that the reference design does not propose any meaningful change to routes along these routes.</p> <p>YCC officer comment:</p> <p>It is understood that the route planning has not been finalised and Yarra has not been informed on options or how this is being assessed... even if the route doesn't change, Yarra should be consulted with as there is likely to be subsequent traffic impacts as a result of more Doncaster bus services to the CBD.</p>
<p>R12 (pg. 67) Clearways</p>	<p>YCC officer comment:</p> <p>Yarra notes that there are no current plans to extend hours or length of clearways, the intent of raising this issue is to require any future proposal to extend hours / lengths of clearways as required by Doncaster bus improvements should only be considered after complying with associated legal procedures and industry agreements.</p>
<p>R13 (pg. 68) Compensation for removal of any paid parking</p>	<p>GTA statement acknowledges that the project does not propose to upgrade bus corridors or remove paid parking bays to support upgrades to bus corridors in Yarra</p> <p>YCC officer comment:</p> <p>The issue raised in Yarra's submission relates to future bus corridor upgrades that will likely be required for the Doncaster bus services.</p> <p>GTA statement notes that consultation would occur with Council during detailed design, should this be proposed.</p> <p>Yarra is seeking agreement / condition on approvals that Council is compensated for any future removal of car parking as result of NEL and subsequent bus corridor upgrades.</p>
<p>R14 (pg. 68) Project should not result in additional traffic growth or through traffic on local roads / key centres in Yarra and any growth be offset through funding to improve sustainable transport</p>	<p>GTA notes that the strategic model shows impacts of traffic growth at local level, and that meaningful levels of transport activity will be attracted to the corridor and off roads within Yarra when comparing 2036 with project and no project scenarios.</p> <p>EPR T5 provides a mechanism to allow Council to nominate streets of concern and be consulted in relation to local area traffic management works to respond to findings of traffic monitoring where required.</p>

Attachment 3 - Attachment 3 - Summary table of Traffic and Transport responses to Council submission

<p>R15 (pg. 68) Implementation of post construction monitoring framework to quantify changes in traffic flow , including measuring traffic volumes, PT delay and other impacts.</p> <p>Funding pool to deliver works to respond to these monitoring outcomes</p>	<p>GTA state that EPR T5 requires traffic monitoring on selected roads identified in consultation with relevant transportation authorities and local council pre-construction, six month intervals during construction, and up to two years after construction is complete’ also requires that ‘consideration be given to roads that carry PT services’ and local area traffic management works are to be implemented in consultation with the local relevant Councils.</p> <p>YCC officer comment:</p> <p>Is two years after construction enough time? What consultation is this referring to?</p> <p>Refers to Traffic Management Liaison Group (TMLG) and says that this group will take a leading role in coordinating and managing this requirement.</p> <p>This item in the submission is specifically about monitoring traffic impacts post-completion of the project. Because Yarra is at the western extremities of the project area, traffic impacts may not appear during construction or immediately following completion of the project.</p> <p>GTA also presume that it is expected that the project proponent will have funds allocated for works required to support treatment or intervention of adverse outcomes associated with the monitoring programme.</p> <p>NB. This is needed to manage/mitigate impacts following completion of the project, and that a robust monitoring framework is required to assist post-completion evaluation and how treatment should be implemented.</p> <p>That is, a lot of the potential impacts raised in Yarra’s submission won’t be known until after the project is completed, and modelling may not be able to quantify / 100% confirm if these issues will occur and to what degree the impacts will be; hence the need for a post-completion monitoring framework and commitment to mitigate and manage the issues raises.</p>
---	---

Attachment 4 - Attachment 4 - Traffic modelling expert witness statement

North East Link Inquiry and Advisory Committee

Expert Witness Statement of Luis Willumsen

1. Introduction

- 1.1 I undertook a peer review of Appendix B “Transport Modelling for North East Link – Transport Modelling Summary Report” (Technical Report) to Technical Report A to the Environment Effects Statement (EES) for North East Link (Project). This peer review report is titled "North East Link Authority: Environmental Effect Statement (EES) for North East Link. Transport Model Peer Review Report" dated February 2019 (Peer Review Report).
- 1.2 I have been instructed by Clayton Utz on behalf of NELP to review the public submissions and give evidence on the Peer Review Report. I have also been asked to comment on the suitability of the responses to public submissions contained in the expert witness statement of Tim Veitch.

2. Qualifications and experience

- 2.1 Annexure A contains a statement setting out my qualifications and experience, and the other matters raised by Planning Panels Victoria's Guide to Expert Evidence. A copy of my curriculum vitae is provided as Annexure B.

3. Peer Review

- 3.1 The role that I had in preparing the Peer Review Report was as its sole author. In this review I considered the “Transport Modelling for North East Link – Transport Modelling Summary Report” (the Technical Report) produced by VLC and other supporting documentation detailed in my own Report.
- 3.2 I adopt the Peer Review Report, in combination with this statement, as my written expert evidence for the purposes of the North East Link Inquiry and Advisory Committee's inquiry into the environmental effects of the Project.

4 Further work since preparation of the Peer Review Report

- 4.1 Since the Peer Review Report was finalised, I have not undertaken any further work in relation to the matters addressed in the Peer Review Report relevant to the Project.

Attachment 4 - Attachment 4 - Traffic modelling expert witness statement

5. Submissions

Submissions received

- 5.1 I have read the public submissions to the EES, draft planning scheme amendment and works approval application and identified those that are relevant to the Technical Report or the Peer Review Report and my area of expertise. These include the following submissions:

PPV_ID's: 8, 10, 12, 22, 25, 37, 47, 59, 60, 61, 82, 114, 116, 136, 144, 177, 181, 201, 222, 223, 229, 236, 238, 254, 259, 260, 294, 298, 302, 303, 304, 309, 321, 339, 351, 357, 359, 362, 364, 378, 446, 459, 480, 498, 500, 514, 521, 523, 531, 569, 577, 588, 589, 596, 614, 636, 640, 646, 658, 667, 669, 670, 681, 691, 692, 704, 707, 716, 720, 723, 733, 736, 747, 759, 762, 775, 779, 797, 798, 808, 816, 824, 847 and 849.

- 5.2 I have also read the Expert Witness Statement of Tim Veitch and his responses to public submissions relevant to transport modelling prepared for the Project.

Response to issues raised

- 5.3 Set out below are my comments on the suitability of the responses to public submissions contained in the expert witness statement of Tim Veitch.
- 5.4 Mr. Veitch considers the issues raised by submissions under three broad categories: (1) Issues related to the robustness and realism of the modelling, (2) Issues related to future modelling assumptions, and (3) Issues related to the traffic and transport impacts of North East Link.
- 5.5 I concur with his grouping of issues in this way.
- 5.6 In respect of the robustness and realism of the modelling undertaken by VLC I agree with the responses provided by Tim Veitch in this respect. I do not address the factual errors in some submissions as these are correctly identified in Tim Veitch's Statement. I will focus here only on some specific points pertaining to the transport model specification and quality.
- 5.7 Tim Veitch is entirely correct, in my view, when defending the use of models, even if they cannot deliver entirely accurate forecasts, as there are too many elements of uncertainty in the future that cannot be eliminated. What is important is that those uncertainties are addressed in sensitivity tests and scenario analysis and that both have been incorporated in VLC's Technical Report. Moreover, the technical limitations of the Zenith model used here are clearly identified in that Report and they are consistent with the limitations of models applied in this type of context. I am satisfied that these tasks have been

Attachment 4 - Attachment 4 - Traffic modelling expert witness statement

undertaken to a good and robust international standard.

- 5.8 The modelling of travel times and delays has been undertaken to a standard consistent with the needs of the EES and in line with international best practice for a model that needs to cover an area as wide as that required for the North East Link. I agree with Tim Veitch assertion that introducing detailed modelling of junctions tends to make the model unstable and that this instability may obscure the identification of impacts. Overall, I believe the model represents travel times reasonably well.
- 5.9 Several submissions argued that “induced traffic” had not been modeled correctly or sufficiently. My view is that the two main sources of induced traffic, namely changes in destination and mode of travel, are appropriately modelled and reported in the Technical Report. Other sources of induced traffic are less critical and would have a minimal impact on daily traffic in the area of influence of the project. This treatment of induced demand is consistent with Australian and international best practice.
- 5.10 The treatment given to willingness to pay tolls to save time and improve driving conditions) is consistent with practice in countries with many toll roads, for example the US and Australia. This approach is adopted to provide a good representation of how drivers choose between tolled and untolled routes when maximum tolls are capped.
- 5.11 A critique to the approach to destination choice using a gravity model (submission 792) and equilibration (submission 136). Both of these submissions reflect, in my view, a limited understanding of the theory underpinning these models. The current state of practice adopts the gravity model as the best approximation to destination choice and most practitioners recognise its limitations. It effectively assumes that people will change jobs and/or homes (plus shop locations and other destinations) immediately in response to a change in accessibility provided by a new link. This instant response is clearly impossible in practice and therefore the models of destination choice must be adapted to become more realistic. The treatment that VLC’s has given to this issue is consistent with this effort to improve realism and I concur with Tim Veitch in this respect.
- 5.12 Submission 357 and 849 argue that no consideration has been given to the potential of new technologies in particular Electric Vehicles, Mobility as a Service, Flying Cars and Connected and Automated Vehicles, to reduce congestion and thus remove the need for the project. The modelling and forecasting effort has indeed considered the potential impact of Connected and Automated Vehicles and Mobility as a Service using the best available information at the time and detailed simulations by the International Transport Forum in a city sharing characteristics with Melbourne. Electric vehicles will reduce local emissions but will offer no reduction to congestion. The idea that flying cars or similar futuristic vehicles will solve all congestion problems is highly speculative. Although

Attachment 4 - Attachment 4 - Traffic modelling expert witness statement

prototypes of these vehicles have existed for some time their eventual use will be restricted because of the needs of controlling airspace and their costs will make them only suitable for very high worth/high income individuals. Therefore it is reasonable to exclude them from any consideration related to the North East Link.

6. Summary of key issues, opinions and recommendations

- 6.1 I have thoroughly investigated and discussed the assumptions and approaches adopted by VLC in the transport and traffic modelling effort. The assumptions used in the model are, in my expert opinion, consistent with best practice in Australia and elsewhere in the developed world.
- 6.2 The model used by VLC is technically sound and its treatment of the different behavioural responses to changes in the network as significant as the North East Link are sound and technically robust.
- 6.3 The model and forecasts are supported by sufficient and well-designed sensitivity tests and scenario planning arrangements. These give additional confidence in the projections of impacts resulting from the implementation of the North East Link.

7. Environmental Performance Requirements

- 7.1 It is my view that the environmental performance requirements relevant to my area of expertise, being T1 and T5, are appropriate and will ensure that the environmental effects of the Project relevant to my area of expertise will be suitably managed to achieve acceptable outcomes.
- 7.2 As such, I do not recommend any changes to the environmental performance requirements for the Project.

8. Declaration

- 8.1 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 North East Link Inquiry and Advisory Committee.



Signed Luis Willumsen

Date: 15 July 2019

Attachment 4 - Attachment 4 - Traffic modelling expert witness statement

Annexure A – Matters Raised by PPV Guide to Expert Evidence

a) Name and address of the expert:

Luis Guillermo Willumsen
82 William Court, 6 Hall Rd
London
NW8 9PB
United Kingdom

b) Expert qualifications, experience and area of expertise:

1. The author of this Statement, Luis Willumsen, as over 35 years of experience in transport planning, modelling and forecasting and he is well known in the industry. He is co-author of the book “Modelling Transport”, published by John Wiley and Sons and used throughout the industry and at universities as a key reference; the book is currently in its fourth edition. He is also the author of a book focusing on the task of forecasting demand and revenues for transport concessions: “Better Traffic and Revenue Forecasting”.
2. He was a lecturer and researcher from 1975 to 1989, first at the Institute for Transport Studies at Leeds University and then at the Transport Studies Group at University College London. During his academic career he produced over 30 technical and conference papers.
3. He was a Director of Steer Davies Gleave (now Steer) for 20 years from 1989 to 2009. In this capacity he lead numerous transport studies. Those most relevant to this assignment include:
 - I. Toll road forecasting studies for toll roads and managed lanes in Argentina, Australia, Brazil, Canada, Chile, Ecuador, England, Honduras, India, Israel, Italy, Ireland, Mexico, Puerto Rico, Spain and the United States.
 - II. Public Transport concession studies in Chile, France, India, Israel, Mexico and Spain.
 - III. The development of major transport models and plans in: Argentina, Chile, Colombia, England, Ireland, Mexico, New Zealand and Spain.
4. He worked independently in his own company Willumsen Advisory services including the following assignments:
 - I. Expert witness in a litigation case of a toll road in Australia.
 - II. Peer reviewer of improvements to the Auckland Transport Model.

Attachment 4 - Attachment 4 - Traffic modelling expert witness statement

- III. Leading the development of the Santiago Transport Master Plan.
 - IV. Traffic advisor and peer-reviewer of toll roads in Chile, Colombia, England, Mexico, Perú, Puerto Rico and the US.
 - V. Traffic advisor to improvements to the London Transport Models.
 - VI. Expert witness in a public transport arbitration case in Chile.
5. A more detailed account of Luis's experience is available as Annexure B.
- c) Details of any other significant contributors to this statement (if any) and their expertise.
- 1. There were no other contributors to this statement.
- d) All instructions that define the scope of this statement (original and supplementary and whether in writing or verbal):
- 1. I received a written letter of instruction from Clayton Utz on the 5th of June 2019. The letter is attached as Annexure C.
- e) Details and qualifications of any person who carried out any tests or experiments upon which the expert relied in preparing this statement.
- 1. No tests or experiments were carried out to prepare my statement.
- f) Any questions falling outside my expertise.
- 1. The scope of my expertise in respect of the EES is limited to the peer review of the modelling and forecasting undertaken by VLC. This model covered the strategic level transport impacts of the North East Link. The following fall outside my area of expertise in this respect:
 - I. Detailed modelling of the local impact of the Project.
 - II. The suitability of any assumptions about travel demand growth in the State of Victoria and the Melbourne region.
- g) Key assumptions made in preparing the Peer Review Report
- 1. In order to prepare my Peer Review I relied in documentation provided and detailed in my report and the assumption that the information contained therein could be relied upon.
 - 2. I also had discussions over several days with the modelling team asking in-depth questions about features of the model not detailed in the reports. I have made the assumption that the responses to these queries could be relied upon.

Attachment 4 - Attachment 4 - Traffic modelling expert witness statement

3. I further suggested the addition of scenarios tests in respect of new technology and I have assumed that the results of these tests are of similar quality as the rest of the Technical Report.
- h) Any departures from the finding or opinions expressed in the Peer Review Report and, if so, why.
 1. None
- i) Whether the Peer Review is incomplete or inaccurate in any respect.
 1. To the best of knowledge and understand my Peer Review Report is complete and with no inaccuracies.
- j) Details of any changed circumstances or assumptions since the Peer Review Report was prepared and whether these affect the opinions expressed in the Peer Review Report.
 1. To the best of my knowledge and understanding there have been no change in circumstances or assumptions since the Peer Review was prepared that are relevant to my opinions and the EES case.

Attachment 4 - Attachment 4 - Traffic modelling expert witness statement

Annexure B – Curriculum Vitae of Luis Willumsen

Attachment 4 - Attachment 4 - Traffic modelling expert witness statement

Luis Willumsen



Luis has over 35 years of experience as a consultant, transport planner and researcher. He is an internationally recognised authority in Transport and Traffic modelling and forecasting. Based in Britain since 1975, he was a researcher and lecturer at Leeds University and then at University College London. He was a Board Director of Steer Davies Gleave having joined full-time in 1989 with a special responsibility for technical development. He left Steer Davies Gleave late 2009 to develop his own consultancy services. He is co-author of "Modelling Transport" published by Wiley and now in its fourth edition. He also published "Better Traffic and Revenue Forecasting", a book dealing with delivering demand and revenue projections for transport concessions. He is Director of the consultancy Willumsen Advisory Services and of Nommon-Kineo a big data analytics company. He is Visiting Professor in the Department of Civil, Environmental & Geomatic Engineering at University College London.

Relevant Skills

Qualifications

PhD Engineering
Leeds Uni., 1981

MSc Transport
Imperial College of Science
& Technology, 1972

BSc Civil Engineering
Catholic Uni. of Chile, 1967

Visiting Professor,
University College London

Languages

English Fluent
Spanish Fluent
French Basic
Italian Basic
Portuguese Basic

Years of Experience

21 Consultancy
17 Academia

Publications

"Modelling Transport",
Fourth Edition, with Prof
J. de D. Ortúzar, John
Wiley

"Better Traffic and
Revenue Forecasting"
Maida Vale Press

Over 50 technical papers
and chapters of books on
transport

Demand Modelling. Luis was one of the originators of mesoscopic modelling software SATURN and a number of improvements in demand modelling, with emphasis on robust specification and sensitivity to policy issues. He has also made contributions to the combination of aggregate and disaggregate demand modelling techniques and Stated Preference (SP) approaches. He has directed several large-scale transport modelling studies that deliver reliable results under strict time and budget constraints. He has also peer-reviewed many key transport studies to ensure sound modelling techniques are applied in a cost-effective way. He often acts as peer-reviewer for large modelling projects.

Private Finance of Transport Projects. Luis has applied his demand modelling and forecasting skills to over 50 traffic and revenue forecasting studies for private finance, including toll-roads, metros, rail, light rail and bus concessions. He has been technical auditor for several large modelling projects incorporating complex 'willingness to pay' and revenue projection issues including congestion charging. He has also directed traffic and revenue collection studies for Road Pricing, Open Road Tolling and Managed Lanes in urban areas. He has been an Expert Witness in litigation and arbitration cases involving revenue projections and risks analysis.

Mass Rapid Transit. Luis has significant experience directing studies for advanced Bus Rapid Transit and Metro schemes in both developed and emerging countries. He directed the BRT study designing the TransMilenio system in Bogotá, the most successful project of this nature. He offers special skills in balancing the design and demand estimation requirements with local conditions, the role of incumbent operators and the political process leading to implementation. He has directed several studies dealing with airport access issues in the UK, France, Spain, Chile, India, and the Middle East.

Information Technology in Transport. As a researcher Luis contributed to computer-assisted techniques for the design of roundabouts, bus priority schemes and the application of video image processing to traffic data collection and incident detection. He is involved in the use of new passive sensors to collect traffic data and is a partner in Nommon Kineo Mobility Analytics, a company generating Origin Destination matrices and other movement information from a fusion of anonymised data sources.

Attachment 4 - Attachment 4 - Traffic modelling expert witness statement

Projects Summary

	Project	Client	Year/Location	Role
Transport Modelling	Review and Advice on modelling issues	Transport for London	2010-2011-2014-2016	Specialist Advisor
	Santiago Transport Master Plan	Ministry of Transport and Telecommunications	2012-2013, Chile	Key Advisor
	Sheffield City Region Modelling	Sheffield City Region	2013	Auditor, Key Advisor
	Makkah Metro Demand Forecasting	Makkah Municipality & Albalad Alameen	2010-2011 Saudi Arabia	Modelling Team Leader
	Auckland Transportation Model System	Auckland Transport, New Zealand	2006-2008, 2016, New Zealand	Auditor Technical Director
	Abu Dhabi Surface Transport Masterplan Model	Abu Dhabi Department of Transport	2008-2009, UAE	Modelling Team Leader
	Dublin Transport Model Review and updates	Dublin Transport Office	2008-2009, Ireland	Project Director
Information Transport Technology in Transport	Design & Feasibility of Congestion Charging in Bogotá	Secretaría de Movilidad de Bogotá	2013-2014 Colombia	Project Director
	Production of Origin Destination matrices from mobile phone and smart card data.	Several public and private sector clients. Through Hommon-Kineo Analytics	2015-2019 Spain, Chile	Project Director
	The Business Case for Congestion Charging in Edinburgh	Transport Initiative Edinburgh	2002, UK	Project Director
	Design & Feasibility of Congestion Charging in Santiago	Ministry of Public Works & Transport	2006, Chile	Project Director
Private Finance for Transport Projects	Transantiago Concession Arbitration Case at ICSID	Government of Chile	2018-2019	Expert Witness
	Bid Support for the AVO2 toll road concession	Consortium Iridium - Salini Impregilo	2016-2017, Chile	Lenders and Modelling Advisor
	Traffic and Revenue Projections toll roads in Lima	Graña y Montero - VIIICI Concessions	2015-2016, Perú	Peer Reviewer and Advisor
	Litigation case regarding inaccurate toll road forecasts; Brisbane, Australia	Baker & McKenzie	2014-2016 Australia	Expert Witness
	Bid support for SH 288 Managed Lanes in Houston	OHL, C&M Associates	2014, USA	Peer Reviewer and Advisor
	Price elasticity and pricing for urban toll roads in Mexico City	OHL	2014-2015, Mexico	Main Modelling Advisor
	Improvements to Traffic and Revenue Projection Methodologies in Australia	GHD y BITRE (Australian Government)	2013-2014 Australia	Main Advisor
	PR22 Dynamic Toll (HOT) Lane and BRT services	Puerto Rico Highways and Transportations Authority	2012	Leading Modelling Advisor
	Traffic & Revenue Projections FARAC I & II Toll Roads Mexico	Bidding Consortium Goldman Sachs, ICA, Globalvias	2007-2009, Mexico	Project Director
	Traffic & Revenue Projections for six free-flow Santiago Toll Roads	Different Bidding Consortia & Banks	1999-2005, Chile	Project Director

Attachment 4 - Attachment 4 - Traffic modelling expert witness statement

Projects Summary

	Traffic and Revenue Projections for the Western Sydney Orbital	Transfield/Bouygues Consortium	2002, Australia	Project Director
Mass Rapid Transit	Guanajuato Express Train Project (PPP)	State of Guanajuato	2010-2011 Mexico	Leader Demand Forecasting
	Patronage & Revenue Projections for the Lyon Airport Fast Link	Veolia - VIICI	2007, France	Project Director
	Patronage & Revenue Advice for four Metro Concessions in India	Reliance Energy	2006-2008, India	Project Director
	High-speed Rail Demand Forecasting in Portugal	RAVE (Rede Ferroviaria de Alta Velocidade)	2006, Portugal	Project Director
	Operational Design of the TransMilenio System	TransMilenio	1999, Bogotá, Colombia	Project Director

Attachment 4 - Attachment 4 - Traffic modelling expert witness statement

Selected Projects

Transport Modelling

Auckland Transportation Models

Client Auckland Regional Council, Auckland Transport
Year/Location 2006-2008 and 2016-2017, New Zealand
Position Held Peer Reviewer and now Technical Director

He was peer reviewer of the development and implementation of a new Transport Model (ATM2). He successfully helped to steer the effort to a state-of-the-art and cost-effective transport model for the region. He is now acting as Technical Director of the 2017 model refresh. Improvements to the models are sought to provide better responses of interest to new policy options.

Santiago Transport Master Plan

Client Ministry of Transport and Telecommunications
Year/Location 2012-2013, Santiago, Chile
Position Held Key Advisor

He acted as the sole external advisor to the development of a Transport Master Plan for Santiago covering the period 2013-2025. The work was undertaken in-house at the Ministry and involved the updating of an existing model and an extensive programme of consultation and involvement of all relevant authorities. He devised a methodology for the initial selection of two alternative Plans, their evaluation and subsequent development of a Final Master Plan together with the supporting information, economic and financial analysis. The Plan contains useful features to ensure its continuity and regular updating as conditions change. Luis continues to support this effort during 2013.

Sheffield City Region Modelling Advice

Client Sheffield City Region, SYPTE, UK
Year/Location 2012-2013, South Yorkshire, UK
Position Held Senior Technical Advisor

Luis is acting as the main independent advisor in the development of an advanced Land Use and Transport Interaction modelling system for use in assessing a wide range of interventions in the Sheffield City region. The combined system includes a conventional transport model interacting with a model of land use and the local economy. The model system is being used to set priorities for a wide range of candidate interventions, from transport schemes to flood protection, site preparation and affordable housing. The main output from the model system is the Gross Value Added by each of these schemes.

Transport for London Modelling

Client Transport for London, UK
Year/Location 2010-2011, and 2014 London, UK
Position Held Specialist Advisor

Luis has been acting as a specialist advisor on modelling issues to Transport for London and its different divisions. He took part on a major peer review of Regional Models for London and is supporting the development, re-calibration and enhancement of the RAILPLAN public transport modelling suite with particular focus on modelling responses to crowding. He is currently advising on the next steps for a

Attachment 4 - Attachment 4 - Traffic modelling expert witness statement

Selected Projects

	Pan-London detailed model OIIE to support short-term traffic management decisions.
Client	Makkah Municipality & Albalad Alameen
Year/Location	2010-2011, Saudi Arabia
Position Held	Leader of the Transport Modelling Team
	Luis directed the development of a major multi-modal transport model for the city of Makkah to support the design of a Mass Transit System to serve the normal demand and also the exceptional conditions during Hajj and Ramadan. Makkah is experiencing very significant growth in both population and religious visitors but has very little public transport provision. This requires a robust demand forecasting model able to treat future mode changes and the accommodation of very significant peaks, unique in the world.
	Modelling and Data Collection Advisory Services
Client	National Planning Department
Year/Location	2011, Colombia
Position Held	Specialist Advisor
	He provided specialist advice on the design and implementation of a major Mobility Survey for Bogotá including Home and Intercept Surveys as well as Level of Service observations on all modes. He also provided advisory services for the integration and calibration/validation of a single multi-modal model for the city of Bogotá.
	Abu Dhabi Master Plan
Client	Abu Dhabi Department of Transport
Year/Location	2008-2009, United Arab Emirates
Position Held	Leader of the Transport Modelling Team
	Luis directed the development of a major multi-modal transport model for the Abu Dhabi Emirate and its use in developing a Masterplan to 2030. The model has a particular focus on mode and destination choice as the Emirate will experience significant growth in population and trips to 2030.
	Auckland Transportation Model Peer Review
Client	Auckland Regional Council
Year/Location	2006-2008, New Zealand
Position Held	Peer Reviewer
	He is acting as peer reviewer of the development and implementation of a new Transport Model (ATM2). He successfully helped to steer the effort to a state-of-the-art and cost-effective transport model for the region.
	Review and update of Dublin Multi-Modal Transport Model
Client	Dublin Transportation Office
Year/Location	2008-2009, Ireland

Attachment 4 - Attachment 4 - Traffic modelling expert witness statement

Selected Projects

Position Held	Project Director
	He directed a comprehensive review of the existing transport model for Dublin and produced a set of recommendations for its improvement in order to tackle key policy and investment issues in the region. These recommendations were accepted and he then led the re-calibration of the AM peak and off-peak models in 2009.
Review of Multi-Modal Transport Modelling Techniques	
Client	Highways Agency, Department for Transport
Year/Location	2006, UK
Position Held	Project Director
	He directed this review of modelling techniques that is resulting in the recommendation to apply improved methods in future multi-modal transport studies in the UK.
Traffic & Revenue Forecasting Methodology for Mexican Toll Roads	
Client	Secretaría de Comunicaciones y Transportes
Year/Location	2005, México
Position Held	Project Director
	Directed the review of techniques for traffic and revenue studies for the Mexican Government in support of the specification for new toll road concessions. Sources of data and modelling errors were identified and a Manual of Best Practice was developed for Mexico. This is now in use for future toll road studies in the region.
Modelling Advice	
Client	PR Highways & Transportation Authority (PRHTA)
Year/Location	1996-2006, Puerto Rico
Position Held	Principal Modelling Advisor
	He has been advising the PRHTA on all transport modelling issues for over 10 years. His advice covers toll roads, micro-simulation tools, mode shift to public transport, extensions to mass transit, etc. Many of the projects modelled in this way have successfully been implemented in Puerto Rico. He has also run training courses on demand modelling for PRHTA staff and local consultants.
Business Location & Transport	
Client	Department for Transport (DfT)
Year/Location	2004, UK
Position Held	Project Director
	Luis directed this study on the influence of transport improvement on business location and employment re-generation. The research sought to develop the most appropriate model to represent this interaction. An advanced Dynamic Urban Model was developed and tested on two specific case studies. This has now been successfully used in local studies in the UK.
Modelling Transport Demand for the Marseille Region	
Client	Réseau Ferré de France, RFF
Year/Location	2000-2001, France

Attachment 4 - Attachment 4 - Traffic modelling expert witness statement

Selected Projects

Position Held	Project Director
	He directed this study to assess improvements to suburban services along three main rail corridors in the Marseille Region. A multi-modal transport model was developed on the EMME/2 platform. Stated Preference surveys were undertaken to obtain accurate indicators of the willingness to pay for improved services. The study has been used to design rail service improvements.
	Dublin Transport Model Update and Review
Client	Dublin Transportation Office (DTO)
Year/Location	1998 and 2008, Ireland
Position Held	Project Director
	He directed this major upgrade of the Dublin Model System originally developed some years previously by Steer Davies Gleave. The introduction of advanced behavioural responses and enhanced model structures was one of the key elements of this study and the upgrade was implemented on budget and on time for the DTO. Later in 2008 he again directed a peer review and design of improvements to the modelling system.

Private Finance for Transport Projects

	Traffic and Revenue projections for AVO2
Client	Consortium Iridium- Salini Impregilo
Year/Location	2016-2017, Santiago, Chile
Position Held	Peer Reviewer and Modelling Advisor
	Acted as Auditor and peer-reviewer of the calibration and validation of the meso-scope traffic model used in support of a bid for the Américo Vespucio Oriente 2 (final section, AVO2) Open Road toll road concession. This is a 5.2 km section, entirely in tunnel, that completes the main tolled ring road in Santiago. The model included 5 levels of Willingness to Pay Tolls (Values of Time) for private cars, plus two for occupied Uber/taxis (common in Santiago) and one for unoccupied Uber/taxis. Additional future scenarios were specified to take into account the impact of Connected and Autonomous Vehicles on the tolled and untolled facilities. Their impact on capacities and Values of Time were included in these. Sensitivity tests were undertaken in respect of variations on these scenarios and possible public transport improvements and metro extensions. As advisor and auditor of the traffic and revenue projections for that concession it also specified and prepared independent Lender's case projections.
	Traffic & Revenue Forecasting for toll roads in Lima
Client	VIIICI Concessions & Graña y Montero
Year/Location	2015-2016, Perú
Position Held	Peer Reviewer and Main Modelling Advisor
	He acted as peer reviewer in the update of traffic and revenue projections for the Via Expresa Sur and Javier Prado Concession in Lima. As such he supervised the development and application of a city-wide traffic and revenue forecasting model for three different time periods and multiple user classes; he supported the production of revenue forecasts for 30 plus years. Via Expresa Sur will be a mixed tolling (cash and ETC) facility connecting two major arteries in Lima. Javier Prado will be a 20 km long Open Road Tolling facility in Perú's capital.

Attachment 4 - Attachment 4 - Traffic modelling expert witness statement

Selected Projects

Expert Witness in a toll road litigation case in Australia	
Client	Baker & McKenzie
Year/Location	2014-2016, Australia
Position Held	Expert Witness
	<p>He was an independent expert witness in multi-billion dollars litigation cases against a traffic consultant in Brisbane Australia. Luis investigated the traffic models used by the consultant and the reasons behind the overestimation of future traffic and revenue in the tolled facility. He presented his evidence in an extensive report dealing both with technical errors, imperfect assumptions and the impact of the 2007-2008 financial crisis on general traffic growth. He also participated in a two week "conclave" instructed by the judge where the evidence of the experts of all parties were discussed. The two cases were settled out of Court.</p>
Patronage & Revenue Forecasting for rail link to Airport	
Client	Globalvia Concessions
Year/Location	2016, Florida, USA
Position Held	Due Diligence Peer Reviewer
	<p>Luis reviewed and advised in respect of patronage and revenue forecasts prepared by an international consultant for a project connecting Orlando Airport with a tourist and conference area via a new fixed track link. Although the patronage projections were technically sound his report highlighted the threats of Mobility as a Service and future Autonomous Vehicles to the continued growth in public transport use to and from the Airport.</p>
Price elasticities and dynamic pricing for Mexico City toll roads	
Client	OHL
Year/Location	2014-2015, Mexico
Position Held	Lead Modelling Advisor
	<p>He undertook a study of demand elasticities to price on four Mexico City toll roads taking advantage of the detailed anonymised database of electronic transactions. The proportion of occasional drivers was, as in other electronic toll roads, very high and this influenced the elasticities found. These findings have been used by the client to support toll updates.</p>
Traffic and Revenue projections for the SH 288 Managed Lanes	
Client	OHL Concesiones
Year/Location	2014, Texas, USA
Position Held	Lead Modelling Advisor
	<p>This was work in support of a bid for the concession of the SH 288 Managed Lanes South of Houston. The performance of Managed Lanes are particularly difficult to forecast as the time savings they offer compared with travelling on General Purpose Lanes depends on the toll and this, in turn, is freely set so as to optimise revenue and level of services. This interaction between price and time savings makes it necessary to model a number of time periods with different levels of demand. A meso-scope model was used to get more accurate representation of the dynamics of traffic and delay. Data from an existing Managed Lane West of Houston was used to get a better estimate of willingness to pay to save time. As the concession extended up to 2066 an allowance was made for the impact of future Autonomous Vehicles and traffic and revenue projections developed to that horizon.</p>

Attachment 4 - Attachment 4 - Traffic modelling expert witness statement

Selected Projects

Improvements to methodologies to produce traffic and revenue forecasts for Australian toll roads

Client GHD & BITRE
Year/Location 2013-2014, Australia
Position Held Main Advisor

A small number of urban toll roads have generated less demand and revenue than originally expected. This project sought to identify the reason behind this failure and suggest areas from improvement in the techniques used. A separate project identified issues with the tendering process that may encourage optimism bias. He played a key role in identifying areas for improvement and specifying the research and methodological changes to achieve them. These improvements are now under consideration and funding is sought to implement the research programme.

Traffic & Revenue Forecasting for toll road Laguna Verde - Gutiérrez Zamora

Client ICA
Year/Location 2014, México
Position Held Peer Reviewer

He acted as peer reviewer in the preparation of a bid for the Laguna Verde - Gutierrez Zamora toll road, part of the Cardel-Poza Rica corridor in the State of Veracruz.

Traffic & Revenue Forecasting for Mersey Gateway bid

Client Consortium Iridium, Galliford Try and Hochtief
Year/Location 2013, UK
Position Held Peer Reviewer

He acted as peer reviewer in the preparation of a bid for the Mersey Gateway bridge near Liverpool. The project is a north-south transport link that provides a new crossing of the River Mersey to relieve the Silver Jubilee bridge of existing congestion. A meso-scopie model in SATURN was developed to estimate the impacts of different tolling strategies. Advice was given on how to improve the model and confirm results.

PR 22 Dynamic Toll Lanes (DTL) and BRT services

Client Puerto Rico Highways and Transportation Authority
Year/Location 2012, Puerto Rico
Position Held Leading Modelling Advisor

The PR 22 DTL is a facility combining HOT lane characteristics with a high quality Bus Rapid Transit service from a Park & Ride facility to a Tren Urbano (metro) terminal in Bayamón, San Juan. It includes a reversible pair of lanes used by the BRT system and cars paying their toll electronically. The toll level is dynamically changed at 5 minute intervals. His role is to lead the estimation of demand and revenue for the BRT and DTL elements of the facility. He also advises on the selection of an appropriate algorithm to set the toll level in real time.

Attachment 4 - Attachment 4 - Traffic modelling expert witness statement

Selected Projects

Traffic & Revenue Forecasting for FARAC 1 & 2 Concessions in Mexico

Client Goldman Sachs and ICA
Year/Location 2007 & 2008, México
Position Held Project Director

He led the preparation of traffic and revenue projections in support of a bid for four toll road concessions in Mexico, the FARAC 1 package. Following the success of this bid, he directed similar work for the FARAC 2 package (later on split into two) as well. The work involved extensive data collection, the preparation of an extensive network model with 14 user classes to represent accurately willingness-to-pay issues. An advanced growth model was also developed with consideration of when the elasticities of demand to GDP would start stabilising in this 30-year concession. Presentations were made to banks, rating agencies, monoline insurers and other stakeholders.

Traffic & Revenue Projections for Santiago Toll Roads

Client Five Different Consortia Bidding & Implementing the Toll Roads
Year/Location 1999-2006, Chile
Position Held Project Director

He directed six original traffic and revenue projections for the same number of new urban toll road concessions in Santiago. All of them are free-flow electronic toll collection facilities. These introduce a raft of new issues compared to cash toll roads including: leakage, enforcement, development of sound databases, willingness to pay when payment and use are separated over time, etc. Advanced traffic models were developed for the whole city and enhanced with new data for each study. All of the concessions have now reached financial close (in Chile and the USA) supported by these studies and our presentations. Total finance secured so far exceeds US\$2 billion. They have been in successful operation since 2005. Our projections have proved to be very reliable and helpful to equity, financiers and monoline insurers who wrapped some of the transactions.

Traffic & Revenue Projections for Western Sydney Orbital (WSO)

Client Transfield/Bouygues Consortium
Year/Location 2002, Australia
Position Held Project Director

Luis directed this study in support of a bid by for the WSO, a 39km free-flow electronic toll collection road that completes an orbital system around Sydney. A model of the whole of Sydney was prepared, focused on the Western area, in EMME/2. The model included 12 different user classes and specific arrangements to model a toll cap at A\$5. The work was presented to financial institutions and their auditors.

Traffic & Revenue Projections for T. Moscoso Bridge

Client Autopistas de Puerto Rico (Dragados Main Shareholder)
Year/Location 1997 & 2003, Puerto Rico
Position Held Project Director

He directed this study in support of the successful re-financing of the facility. The bridge had been in operation since 1996 but had recently experienced a loss in

Attachment 4 - Attachment 4 - Traffic modelling expert witness statement

Selected Projects

traffic as a result of toll rate increases and improvements in the alternative routes. The future revenue stream depended, therefore, on a good understanding of traffic growth drivers (in this case income growth and tourism), willingness to pay for a shorter ride and the impact on the alternative routes of future improvements. A detailed traffic model with multiple user classes was developed in Emme/2 to analyse these effects. Traffic and revenue projections were produced up to 2026 for scrutiny by financial institutions and rating agencies. The projections were updated in 2003 for a new round of secondary finance.

The Fraser Gateway Tolloed Facilities

Client	Greater Vancouver Transportation Authority
Year/Location	2003-2004, Canada
Position Held	Specialist Advisor Luis provided specialist advice on toll collection methods, their reliability and specific demand modelling issues for this package of tolled facilities to be introduced in the Vancouver Metropolitan area of British Columbia. The redistribution of traffic resulting from a major new bridge across the Fraser River was one of the key modelling issues tackled in this project. The first elements of this package have already reached financial close.

Traffic & Revenue Projections for Interurban Toll Roads

Client	Several Bidding Consortia & Banks
Year/Location	1995-to date, Chile & Other Countries
Position Held	Project Director He directed studies supporting bids and financial close in more than eight interurban toll roads in Chile. These studies resulted in primary and secondary finance of over US\$ 5 billion. The reliability of studies directed by Luis has been proven by real traffic outturns in Chile, Argentina, Brazil, Ecuador, Colombia, México, Spain, Ireland, the UK, Portugal and South Africa.

Information Technology in Transport

Trip matrices from mobile phone data for a toll road

Client	CIIITRA
Year/Location	2015-2016, Spain
Position Held	Project Director He is directing this project to exploit anonymised mobile phone data to deliver trip matrices for different times of a "neutral" day and special dates for an existing toll road in Southern Spain. The final objective is to investigate the potential market for the road and the potential to improve revenues by attracting marginal users by means of intelligent pricing strategies. This potential market is easier to identify using the wider potential catchment area provided by mobile phone data, in contrast with the more local information from roadside interviews. This project is undertaken through Kineo Mobility Analytics in Spain and had to deal with the different nature of mobile phone data, its location accuracy, the presence of shorter trips never intercepted in RSIs and the allocation of trips to matrices at the right time. A detailed model of the facility has been developed in collaboration with the client to ensure the usability of the data. This has not been a trivial effort and a good deal has been learnt from the experience.

Attachment 4 - Attachment 4 - Traffic modelling expert witness statement

Selected Projects

Congestion Charging in Bogotá

Client	BOGOTÁ D.C. - Secretaria Distrital de Movilidad
Year/Location	2013-2014, Colombia
Position Held	Project Director He is directing this study of a system to charge vehicles in the most congested areas of Bogotá. The project involves modelling of different configurations for such a system and an assessment of the legal, financial and technical implications of a project of this nature.

Congestion Charging Study for Santiago

Client	Ministry of Public Works & Transportation
Year/Location	2006, Chile
Position Held	Project Director He directed this study into the feasibility of introducing Congestion Charging in Santiago de Chile. The city suffers from high levels of congestion and air pollution. It has recently implemented a system of free-flow electronic urban toll roads and it may be possible to extend and use the same technology for congestion charging. All issues concerning the feasibility of this idea, from demand forecasting to political acceptability and communications strategy were considered in this study. Advanced design tools were developed, supported by a sound multi-modal model of the transport system in the city.

Research into the Use of personal GPS units for Travel Surveys

Client	Department for Transport
Year/Location	2002, UK
Position Held	Project Director He directed this research into the use of personal and portable GPS loggers to collect travel information over three days. This information can be used to complement travel diaries and gather data on underreporting of trips. The research was implemented in London, a very demanding environment for GPS, and the main focus was on public transport rather than car trips. Results were very encouraging as a complement and partial replacement for conventional surveys.

Business Case for Congestion Charging in Edinburgh

Client	Transport Initiative Edinburgh
Year/Location	2002, UK
Position Held	Project Director Luis directed a review of the modelling system developed to study the impact of a possible congestion-charging scheme in Edinburgh. He produced a simplified version of the same to gain additional confidence in the results in order to build a business case for the scheme. The original model used, employed a simplified road network but a rich set of behavioural responses and a Land Use Transport interaction sub-model. The results produced were, however, very variable hence the need for a better grounded simplified model to support the decision-making process. This was delivered successfully on time.

Attachment 4 - Attachment 4 - Traffic modelling expert witness statement

Selected Projects

Procurement of Electronic Toll Collection for Puerto Rico

Client	Puerto Rico Highways & Transportation Authority
Year/Location	2001-2002, Puerto Rico
Position Held	Project Director He acted in a supervisory role on this major exercise in specifying a new electronic toll collection system for the Island. During the, in initial stages a few toll lanes were implemented rolling out the programme to cover eventually the whole system. Issues of enforcement technology and legislation, technology reliability, Customer Service Centre and Clearinghouse Services were part of this assignment.

Advanced Traffic Control Study for Asunción

Client	UK Dept. for International Development & Municipality of Asunción
Year/Location	1994, Paraguay
Position Held	Project Director He directed this assessment of the traffic control needs of Asunción and designed a strategy for its modernisation. The study considered the current state of traffic signals in Asunción and the need to replace them with a modern system; this included consideration of the scope for advanced technology like SCOOT, the development of appropriate specifications for purchase and installation, and the development of a gradual strategy for improvement. Terms of Reference for immediate procurement of improved systems were prepared and used. The system was tendered and later on successfully implemented.

Mass Rapid Transit

Tren Expreso de Guanajuato

Client	State of Guanajuato.
Year/Location	2010-2011, 2013, Mexico
Position Held	Leader Demand Forecasting and Specialist Advisor Luis is leading the Demand Forecasting stream of this project to design, build and operate a new passenger rail service in the state of Guanajuato. The project has evolved into the construction of freight rail by-passes to four main cities in the corridor, the introduction of a new passenger rail service and major urban regeneration around the new stations in the centres of the cities to be served. Funding is being secured to implement this new project.

Amman BRT Project

Client	Greater Amman Municipality.
Year/Location	2009, Jordan
Position Held	Peer Reviewer Luis provided specialist advice in respect of demand modelling and design aspects of this very important system of BRT and LRT services for Amman. Adapting existing models to the requirements of BRT patronage forecasting was a key component of his contribution. In the same vein, adapting classic BRT design features to the constraints and conditions of Amman was also part of his duties.

Attachment 4 - Attachment 4 - Traffic modelling expert witness statement

Selected Projects

Patronage & Revenue Projections for Metros in India

Client	Reliance Energy Limited.
Year/Location	2007-2008, India
Position Held	Project Director Luis has directed three major demand modelling studies to provide patronage and revenue projections for three metro lines in Hyderabad, an extension of the Delhi Metro to the Airport, and Line 2 of the Mumbai Metro. In each case, a new multi-modal demand model has been developed, validated and used to estimate patronage and revenue collections in support of respective bids for these concessions.

Capacity Research for TransMilenio System in Bogotá

Client	TransMilenio S.A.
Year/Location	2007, Colombia
Position Held	Project Director Luis directed this study of the current capacity constraints of the TransMilenio system that in some locations was reaching saturation. The project investigated how to increase the capacity and performance of these bottlenecks as the system grew in coverage and scope. Recommendations were given on design, bus procurement and operational aspects.

Patronage & Revenue Study for Lyon Airport Rail Link

Client	Veolia-Vinci
Year/Location	2006-2007, France
Position Held	Project Director Luis directed this study to produce traffic and revenue projections in support of a bid for the fast tram-train link from Lyon to its International Airport. We undertook several surveys, including Stated Preference ones, as well as an analysis of the future of air traffic through the airport, with different levels of success in attracting low-cost carriers to set up a base at Lyon Airport. The bid was successful and we subsequently supported financial close.

Contribution to the Bus Rapid Transit Planning Guide

Client	ITDP
Year/Location	2005-2006, and 2010, US
Position Held	Technical Contributor Contribution to sections of the (now published) BRT Planning Guide under contract to ITDP. The main area covered was survey design, demand estimation but contributed also to improvements in other chapters of the Guide. Updated the guide in relevant sections during 2010.

Fare, Patronage & Revenue study for MERVAL

Client	Metro Regional de Valparaíso (MERVAL, Valparaíso Regional Metro)
Year/Location	2004-2005, Chile
Position Held	Project Director

Attachment 4 - Attachment 4 - Traffic modelling expert witness statement

Selected Projects

Luis directed this study to optimise fare and patronage levels for a major enhancement of the Valparaíso suburban rail service Merval. The new system became a Regional Metro service combining surface and underground sections, new signalling and stations. The study required the design and implementation of a detailed and highly segmented demand model coupled with supply and financial model to establish optimal fare structures and levels. Our recommendations, with minor adjustments, have been successfully implemented and the new system is up and running.

High-Speed Rail in Portugal

Client	Rede Ferroviária de Alta Velocidade, RAVE
Year/Location	2006, Portugal
Position Held	Project Director
	Luis directed a major demand modelling effort for the Portuguese Government to develop consistent traffic and revenue forecasts for different section of a High-Speed Rail Network in Portugal. Main sections include Lisbon-Porto and Lisbon-Madrid. Data from several existing models was used, with new data collection, to develop a single and consistent model system to produce these new forecasts. These have been taken forward for implementation of the scheme.

Patronage & Revenue Projections for Transantiago Concessions

Client	Asociación Gremial Metropolitana de Transporte Público
Year/Location	2004, Chile
Position Held	Project Director
	He directed this project in support for the bid for half of the business units tendered in December 2004. The study supported the bids of companies set up by members of the Metropolitan Association of Bus Operators. The work required high-level negotiations with the government sponsors, technical and bid studies, financial modelling and bidding strategy. The companies were awarded the target concessions they selected and they currently operate them. Despite the difficulties with the scheme designed by the government we continue to provide advice, training and support to these new operations.

Feasibility Study for Mass Transit in Almaty

Client	Municipality of Almaty
Year/Location	2004, Kazakhstan
Position Held	Project Director
	Luis directed this project to provide an initial estimate of patronage and revenue projections for a Mass Rapid Transit system for the largest city in Kazakhstan. The study produced suggestion for upgrading two tram-lines to LRT standard and the introduction of Bus and Trolley-bus Rapid Transit Technologies in other corridors. The study also produced suggestions for improving junction design and traffic control systems in Almaty.

Operational Design of TransMilenio in Bogotá

Client	Municipality of Bogotá, TransMilenio
Year/Location	1999-2006, Colombia
Position Held	Project Director

Attachment 4 - Attachment 4 - Traffic modelling expert witness statement

Selected Projects

He directed this key study for the operational design of a system of seven Bus Rapid Transit corridors in Bogotá and was later involved in its successful implementation. The TransMilenio system offers a high performance/high quality public transport system at a fraction of the cost of a Metro and has become an example of successful design and implementation to many cities worldwide. The study involved the development of an EMME/2 model, extensive data collection and the careful design of a system of segregated bus lanes, bus stations and interchange terminals. Passengers pay on entry to the stations and board buses through all floors at level from high platforms. TransMilenio is perceived as the most successful Bus Rapid Transit implementation in the world.

Feasibility Study of the Extension of the Caracas Metro to Los Teques

Client	Metro de Caracas
Year/Location	1999, Venezuela
Position Held	Project Director
	He directed this feasibility study for a 10Km extension of the Caracas Metro to Los Teques in the Andes Mirandinos. In order to do this, extensive data collection, including Stated Preference surveys, was undertaken in the region to ascertain willingness to pay for the extended service. An extensive multi-modal model was developed on an Emme platform. A relatively novel feature of this model was the simultaneous equilibration between mode choice and assignment. The study considered the economic and financial feasibility of the project and its possible implementation through a Public Private Partnership. The feasibility study was used and the system started operating, as planned, in 2006.

Attachment 4 - Attachment 4 - Traffic modelling expert witness statement

Selected Projects

BOOKS

Willumsen, Luis (2014) **Better Traffic and Revenue Forecasting**. Maida Vale Press. London. Also on Kindle.

Ortúzar, J de D. and Willumsen, L.G. (2011) **Modelling Transport**. Fourth Edition. John Wiley & Sons, Chichester, UK. Also available as Kindle and iBooks editions.

Ortúzar, J de D. and Willumsen, L.G. (2008) **Modelos de Transporte**. Publican Ediciones, Universidad de Cantabria, Santander, Spain. Translated by Ibeas-Portilla and dell'Olio.

Ortúzar, J de D. and Willumsen, L.G. (2004) **Pianificazione dei sistemi di trasporto**. Editore Ulrico Hoepli Milano. Translated by Cherchi & Meloni.

PUBLISHED REPORTS & BOOK CHAPTERS

Willumsen, L. G. and Ortúzar, J de D. (2016) Transport Planning. In Bliemer, M., Mulley, C. and Moutou, C. Eds. **Handbook on Transport and Urban Planning in the Developed World**. pp 338-354. Edward Elgar.

Bonsall, P. and Willumsen, L. G. (2013) Pricing methods to influence car use. In Gärling, T., Ettema, D. and Friman, M. Eds. **Handbook of Sustainable Travel**. pp 95-111. Springer.

Willumsen, L.G. (2007) Travel Networks; in Hensher, D. and Button, K. Eds. **Handbook of Transport Modelling**. Vol 1, pp.165-180. Pergamon, Second Edition.

Willumsen, L.G. and Hounsell, H. (1998). Simple models of highway reliability - supply effects; in Ortúzar, Hensher, and Jara-Díaz, Eds. **Travel Behaviour Research: updating the state of play**, pp 251-262, Elsevier Science, Oxford.

Allsop, R.E. and Willumsen, L.G. (1995) Use of computers in transport planning and traffic control in Britain in the mid-1990s; in Pahl & Werner Eds. **Computing in Civil and Building Engineering**, Vol 2, pp 1375-1380, Belkema, Rotterdam.

Ward, H., Cave, J., Morrison, A. Allsop, R., Evans, A., Kuiper, C. and Willumsen, L. G. (1994) **Pedestrian Activity and Accident Risk**. AA Foundation for Road Safety Research. Basingstoke.

Willumsen, L.G. (1992) Estimation of O-D matrices and transport models from traffic counts; in J. de D. Ortúzar Ed. **Simplified Transport Demand Modelling**, PTRC Education and Research Services Ltd. London.

Willumsen, L.G. (1991) Origin-Destination Matrix: Static Estimation; in M Papageorgiu Ed. **Concise Encyclopaedia of Traffic & Transportation Systems**, pp 315-322, Pergamon Press.

Willumsen, L.G. (1990) Urban traffic modelling with limited data; in H. Dimitriou Ed. **Transport Planning for Third World Cities**, pp 288-318, Routledge, London.

Willumsen, L.G. (1990) Planning for traffic; in M Heraty Ed. **Developing World Transport**, pp 57-60, Grosvenor Press International, London.

Willumsen, L.G. and Coeymans, J.E. (1989) **Research into the value of area traffic control techniques in a developing country**. TRRL Contractor's Report CR 99, Transport and Road Research Laboratory, Crowthorne.

Willumsen, L.G. and Kay, W (1988) Computer assisted optimisation of roundabout design; in W Brilon Ed. **Intersections Without Traffic Signals**, pp 289-304, Springer-Verlag, Berlin.

Willumsen, L.G. (1986) Microcomputer software for the application of OR techniques to traffic and transport; in Coelho, J.D. and L.V. Tavares Eds. **OR Models On Microcomputers**, pp 47-55, Elsevier Science.

Willumsen, L.G. (1985) Modelos de distribución basados en conteos de tráfico; in La Planificación del Transporte en America Latina, pp 161-176, **Colección de Estudios e Informes de la CEPAL**, United Nations, Santiago.

Willumsen, L.G. (1984) Estimating time-dependent trip matrices from traffic counts; in Volmuller & Hammerslag Eds. **Proc. Ninth Int. Symp. on Transportation and Traffic Theory**, pp 397-412, VIU Press.

Steer, J.K. and Willumsen, L.G. (1983) An investigation of passenger preference structures; in S. Carpenter and P. Jones Eds. **Recent Advances in Travel Demand Analysis**, pp 423-433, Gower Press.

Attachment 4 - Attachment 4 - Traffic modelling expert witness statement

Selected Projects

Willumsen, L.G. and van Vliet, D (1981) Validation of the ME2 model for estimating trip matrices from traffic counts; in Hurdle, Hauer and Steuart Eds. **Proc. 8th Int. Symp. on Transportation and Traffic Theory**, Toronto, pp 640-655, University of Toronto Press.

Willumsen, L.G. (1981) Appropriate transport planning techniques for developing countries in S. Yerrel Ed. **Transport Research for Social and Economic Progress**, pp 341-352 Gower Press.

Bolland, J., Hall, M., van Vliet, D., and Willumsen, L.G. (1980) The re-assignment of traffic under traffic management schemes; in D. Leonard Ed. **The Design of Traffic Management Schemes**, Transport and Road Research Laboratory Report SR 568, pp 22-25.

Bolland, J., Hall, M., van Vliet, D., and Willumsen, L.G. (1979) SATURII - Simulation and Assignment of Traffic in Urban Road Networks. **Proc. of the International Symposium on Traffic Control Systems**, Vol 2D, pp 99-115, University of California, Berkeley.

TECHNICAL & CONFERENCE PAPERS

Willumsen, L. (2018) From When to What should happen to CAV and MaaS. Presented at the **European Transport Conference 2018**, Dublin.

Willumsen, L. (2018) CAVs and forecasting traffic and revenue for transport concessions. Presented at the **European Transport Conference 2018**, Dublin.

Picornell, M. and Willumsen, L. (2016) Transport Models and Big Data Fusion: Lessons from experience. Presented at the **European Transport Conference 2016**, Barcelona.

Willumsen, L. and Kohli, S. (2016) Traffic Forecasting and Autonomous Vehicles. Presented at the **European Transport Conference 2016**, Barcelona.

Willumsen, L. and Liu, A. (2009) Lessons of a recession for transport demand modelling. **Procc of the 5th Advanced Forum on Transportation of China**. Beijing Jiaotong University, Beijing, China. October 17-18, 2009.

Valdez, H., Willumsen, L.G. & Ortúzar, J. de D. (2006) Lineamientos de Modelación para Proyecciones de Tránsito y Recaudación de Carreteras de Peaje en México. Presented at the **XIV Pan American Traffic and Transport Engineering Conference**, Gran Canaria, June 2006.

Willumsen, L.G. (2005) London congestion charging and urban tolling: lessons for Southern Africa. Paper Presented to the **Southern African Transport Conference (SATC 2005)**, 11-13 July 2005.

Willumsen, L.G. & Lillo, E. (2005) Bus Rapid Transport and Urban Development. Paper Presented to the **Southern African Transport Conference (SATC 2005)**, 11-13 July 2005.

Willumsen L.G. (2005) London congestion charging and urban tolling in Chile: contrasts and lessons on fairness and project finance. Paper Presented to the **PIARC Conference on Road Pricing** in Cancún, México, 11-13 April 2005.

Lillo, E. Wensell, U and Willumsen, L.G. (2004) Innovación en el Transporte Urbano: Bus Mass Transit Systems. **Revista Economía Industrial** 110 353, Madrid, Spain.

Willumsen, L. and Stephens, J. (2004) Multi-modal demand modelling: New Revenue Streams and Innovative Finance. Presented at the **Urban Road and Public Transit Symposium**: October 7-8, 2004, Montréal (Québec).

Lillo, E. Wensell, U and Willumsen, L.G. (2003) Bus Transit Systems: the case of TransMilenio. Paper presented to the **International Conference Contemporary Tramways and LRT Systems**. 19-20 May. Patras, Greece.

Willumsen, L.G. (2002) European Transport Policy: Ideas for Emerging Countries. Keynote presentation to the **XII Pan American Traffic and Transport Engineering Conference** in Quito, Ecuador.

Ampt, E. and Willumsen, L.G. (2000) El valor práctico de técnicas para el cambio de conductas en transporte in Colomer and Garcia Eds. **Calidad e Innovación en los Transportes**, pp 31-38. Actas del IV Congreso de Ingeniería del Transporte, Valencia.

Attachment 4 - Attachment 4 - Traffic modelling expert witness statement

Selected Projects

- Willumsen, L.G. and Russell, C. (1998) Reducing Revenue Risk. **Proc. PTRC 25th European Transport Conference**, PTRC Education and Research Services, London
- Ampt, E, Ortúzar, J. de D. and Willumsen, L.G. (1998) Metropolitan Origin-Destination Surveys: The State of the Art. Presented at the **8th World Conference on Transport Research**, Antwerp, Belgium July 1998, Topic D5.
- Willumsen, L.G. (1998) Planificación de Redes. Conferencia de **Planeación de Transporte Público en Terrassa**, Barcelona, Spain.
- Willumsen, L.G. (1997) Concessions sway to a Latin beat. **Traffic Technology International: Tolltrans**, UK & International Press, Oct/November 1997.
- O'Mahony, M., Kirwan, K., McGrath, S. and Willumsen, L.G. (1995). Optimal Transport Pricing for Dublin. **Proc. PTRC 23rd European Transport Forum**, PTRC Education and Research Services, London.
- Willumsen, L.G. (1994) Uso de Preferencias Declaradas para estimar el valor de la calidad de servicio. **Proc. VII Congreso Latinoamericano de Transporte Público y Urbano**. Buenos Aires, Argentina.
- Willumsen, L.G. and Hounsell, H. (1994). Simple models of highway reliability - supply effects, **Proc. Seventh International Conference on Travel Behaviour**, Valle Nevado, Chile. IATRB-94.
- Willumsen, L.G. (1994) Tailoring training programmes to the objectives of the organisation. **Proc. of the Forum on Training and Continuous Professional Development**, PTRC Education and Research Services, London, UK.
- Willumsen, L.G., Bolland, J., Hall, M and Arezki, Y (1993) Multi-modal modelling in congested networks: SATURII and SATCHMO. **Traffic Engineering and Control** Vol 34(b) pp. 294-301.
- Costain, A. and Willumsen, L.G. (1993) Implementing a training programme: the Mexican experience, **Proc. PTRC 21st Summer Annual Meeting**, PTRC Education and Research Services, London.
- Arezki, Y., Willumsen, L.G., Hale, R. and Hall, M. (1992) SATCHMO - multi-modal modelling in congested networks. **Proc. PTRC 20th Summer Annual Meeting**, Manchester, PTRC Education and Research Services, London.
- Willumsen, L.G. and Vicuña, G. (1991) Huevoas técnicas para la modelación de la demanda. **Revista del Ministerio de Transportes, Turismo y Comunicaciones**, Hlumbers 48 and 50, pp 17-32 and 59-65, Spain.
- Escudero, J. and Willumsen, L.G. (1991) Traffic and air pollution in Santiago, Chile. **Proc. PTRC 19th Summer Annual Meeting**, Brighton, PTRC Education and Research Services, London.
- Holman, S. and Willumsen, L.G. (1991) Computer assisted design of bus priority schemes. **Proc. PTRC 19th Summer Annual Meeting**, Brighton, PTRC Education and Research Services, London.
- Arezki, Y., Chadwick, H. and Willumsen, L.G. (1991) Congestion, evaluation and equilibrium: some empirical results. **Proc. PTRC 19th Summer Annual Meeting**, Brighton, PTRC Education and Research Services, London.
- Willumsen, L.G. (1991) Computer assisted design of bus priority measures. **Proc. of the CONTRAF I Conference**, Porto, Portugal.
- Russell, C. and Willumsen, L.G. (1990). The value of traffic related environmental measures in developing countries. **Proc. PTRC 18th Summer Annual Meeting Brighton**, PTRC Education and Research Services, London.
- Ortúzar, J de D. and Willumsen, L.G. (1990) Flexible long range planning using low cost information. **Transportation** 18, pp 151-173.
- Willumsen, L.G. and Coeymans, J.E. (1989) The value of fixed-time signal co-ordination in developing countries, three papers: I application of TRAIISYT to Santiago, II Improved bus modelling and results, III Evaluation of benefits. **Traffic Engineering and Control** Vol 30, Hlumbers: 2, 3 and 4.
- Gibson, J., Baeza, J. and Willumsen, L.G. (1989) Bus-stops, congestion and congested bus-stops. **Traffic Engineering and Control** Vol 30 (6) pp 291-296.

Attachment 4 - Attachment 4 - Traffic modelling expert witness statement

Selected Projects

- Tamin, O. and Willumsen, L.G. (1989) Transport demand model estimation from traffic counts. **Transportation** Vol 16, pp 3-26.
- Dutt, P. and Willumsen, L.G. (1989) A model for screening public transport technology for cities in developing countries. **Traffic Engineering and Control** Vol 30 (II), pp 549-555.
- Willumsen, L.G., Kay, W. and Ghosh, A. (1988) Computer-assisted design of the geometry of roundabouts. **Transportation Planning and Technology**, 12, pp 23-37.
- Lindau, A. and Willumsen, L.G. (1988) How far can bus capacity be stretched? **Proc. of CODATU IV, session 2A**. Jakarta.
- lunes, F. and Willumsen, L.G. (1988) The computer-assisted design of with-flow bus lanes with BLISS. **Traffic Engineering and Control** 29, pp 384-391.
- Tamin, O. and Willumsen, L.G. (1988) Freight demand model estimation from traffic counts. **Proc. PTRC 16th Summer Annual Meeting**. PTRC Education and Research Services, London.
- Willumsen, L.G. and Radovanac, M. (1988) Testing the practical value of the UMOD model, **International Journal of Transport Economics**. Vol XV (2).
- Willumsen, L.G. (1987) Estimación de matrices de viajes a partir de aforos de tráfico: experiencias recientes. **Ingeniería Civil** 62, pp 17-28, Madrid.
- Hoose, H. and Willumsen, L.G. (1987) Automatically extracting traffic data from videotape using the CLIP4 parallel image processor. **Pattern Recognition Letters**, 6, pp 199-213.
- Hoose, H. and Willumsen, L.G. (1987) Real-time tracking using the CLIP4 parallel processor. **Proc. PTRC Seminar on Information Technology in Transport and Tourism**, Vol P302, pp 45-56. PTRC Education and Research Services, London.
- de Cea, J. Ortúzar, J de D. and Willumsen, L.G. (1986) Evaluating marginal improvements to a transportation network: an application to the Santiago underground. **Transportation** 13: pp 211-233.
- Willumsen, L.G. and Coeymans, J.E. (1986) Adapting TRAISYT to conditions in developing countries, **Proc. PTRC 13th Summer Annual Meeting**, Vol 278, pp 63-72, Brighton. PTRC Education and Research Services, London.
- Willumsen, L.G., Kay, W. and Ghosh, A (1986) Computer-assisted design of roundabouts. **Proc. PTRC 13th Summer Annual Meeting**, Vol P285, pp 69-78, Brighton, PTRC Education and Research Services, London.
- Khan, A. and Willumsen, L.G. (1986) Modelling car ownership and use in developing countries. **Traffic Engineering and Control** 27 (11), pp 554-560.
- Hoose, H. and Willumsen, L.G. (1986) Uso de procesamiento de imágenes para recolectar información de tráfico. **Apuntes de Ingeniería** 24, pp 63-88 Santiago.
- Willumsen, L.G. and Kay, W. (1986) Diseño de rotondas con ayuda del computador, in de Cea and Gibson Eds. **Proc. IV Pan-American Congress of Traffic and Transport Engineering**, pp 3-16, Santiago.
- Willumsen, L.G. (1985) Modelos simplificados de transporte urbano. **Revista Latinoamericana de Estudios Urbano Regionales EURE**, 11 (33), pp 49-64.
- Willumsen, L.G. and Ortúzar, J de D. (1985) Intuition and models in transport management. **Transportation Research** 19A (1) pp 51-58.
- Willumsen, L.G. (1982) Estimation of trip matrices from volume counts: validation of a model under congested conditions. **Proc. of PTRC 10th Summer Annual Meeting**, Vol P230, pp 311-326, Warwick, PTRC Education and Research Services, London.
- Willumsen, L.G. (1981) Transporte y medio ambiente. **Revista de Transporte**, Ilo. 3, Buenos Aires.
- Willumsen, L.G. (1981) Simplified transport models based on traffic count. **Transportation**, 10, pp 257-278.
- Van Zuylen, H.J., and Willumsen, L.G. (1980) The most likely trip matrix estimated from traffic count. **Transportation Research**, 14B (3), pp 281-294.

Attachment 4 - Attachment 4 - Traffic modelling expert witness statement

Selected Projects

Hall, M., van Vliet, D., and Willumsen, L.G. (1980) SATURII - a simulation- assignment model for the evaluation of traffic management scheme. **Traffic Engineering and Control**, 21 (4), pp 168-177.

Ortúzar, J de D, and Willumsen, L.G. (1980) GUTS, a Transport Systems Management training tool. **Systemi Urbani**, II (1) pp 25-42.

Ortúzar, J de D. and Willumsen, L.G. (1978) Learning to manage transport systems. **Traffic Engineering and Control**, 19 (5), pp 236-239.

Willumsen, L.G. (1978) O-D matrix from network data: a comparison of alternative methods for their estimation. **Proc. of PTRC 6th Summer Annual Meeting**, Vol P168, pp 294-304, Warwick. PTRC Education and Research Services, London.

Lo, S.Y. and Willumsen, L.G. (1978) The analysis of problems in the interface between urban motorways and urban traffic control. **Traffic Engineering and Control**, 19 (12), pp 550-558.

Willumsen, L.G. (1977) JUTRE, un juego de políticas de transporte. **Revista de la U. de Medellín**, Ilo. 23, pp 13-26, Medellín, Colombia.

Fernández, J.E. and Willumsen, L.G. (1977) Perspectivas tecnológicas para el transporte urbano. **Revista de la U. de Medellín**, Ilo. 23, pp 47-84, Medellín, Colombia.

Willumsen, L.G. (1977) Transport planning techniques for developing countries. **Proc. of PTRC 5th Summer Annual Meeting**, Vol P151, pp 151-157, Warwick. PTRC Education and Research Services, London.

Bolland, J., Hall, M., van Vliet, D. and Willumsen, L.G. (1977) A model for the simulation of traffic management schemes. **Proc. of PTRC 5th Summer Annual Meeting**, Vol P151, pp 155-169, Warwick

Willumsen, L.G. (1976) Transporte y medio ambiente: una preocupación superflua para países Andinos? **Proc. Second Andean Transport Conference**, Caracas, Venezuela, 1976. Also CIIIDA Working Paper Ilo 23, Santiago.

Attachment 4 - Attachment 4 - Traffic modelling expert witness statement

Annexure C Instructions

Attachment 4 - Attachment 4 - Traffic modelling expert witness statement

CLAYTON UTZ

Confidential

Email

5 June 2019

Luis Willumsen
Director
Willumsen Advisory Services
Luis@luiswillumsen.com

Dear Dr Willumsen

North East Link Project: Traffic modelling

We act for the North East Link Project (**NELP**) in relation to the North East Link (**Project**).

An Environment Effects Statement (**EES**), draft planning scheme amendment (**PSA**) and EPA works approval application (**WAA**) has been prepared for the Project, and is currently on exhibition and open for public comment until 7 June 2019.

The Minister for Planning has appointed the North East Link Inquiry and Advisory Committee (**IAC**) to conduct an inquiry into the environmental effects of the Project and to review and provide advice on the draft PSA and WAA, pursuant to terms of reference dated 11 April 2019 **enclosed**.

A directions hearing has been listed for **Friday 21 June 2019** and the main hearing is scheduled to commence on **Thursday 25 July 2019** for approximately 6 weeks.

In addition, the Project is being separately assessed by the Australian Government under the *Environment Protection and Biodiversity Conservation Act 1999* by way of a public environment report (**PER**). The draft PER is on exhibition until 30 May 2019.

We confirm that you are the author of the peer review report titled 'North East Link Authority: Environmental Effect Statement (EES) for North East Link - Transport Model Peer Review Report' (**Peer Review Report**).

The purpose of this letter is to formally instruct you to prepare an expert witness statement and to give evidence before the IAC relevant to your area of expertise.

Scope of Work

You are requested to undertake the following work:

1. Review the EES relevant to your area of expertise including Appendix B to Technical Report A to EES, Chapters 1 to 9 and 27 of the EES and the Map Book.
2. Review the public submissions relevant to your area of expertise.
3. Review the expert witness statement of Tim Veitch responding to issues raised in the public submissions relevant to transport modelling.
4. Prepare an expert witness statement that:
 - (a) addresses the Peer Review Report and the environmental effects of the Project relevant to your area of expertise;

Level 18, 333 Collins Street
Melbourne VIC 3000

GPO Box 9806
Melbourne VIC 3001
DX 38451 333 Collins VIC

T +61 3 9286 6000
F +61 3 9629 6488
www.claytonutz.com

L1331007732.1

Attachment 4 - Attachment 4 - Traffic modelling expert witness statement

CLAYTON UTZ

Luis Willumsen, Willumsen Advisory Services

5 June 2019

- (b) comments on the expert witness statement of Tim Veitch and the suitability of responses to public submissions;
 - (c) addresses any other matter that you consider relevant to your area of expertise.
5. Prepare a short (no more than 30 minutes) PowerPoint presentation for presenting before the IAC.
 6. If required by the IAC, participate in an expert conclave in accordance with the IAC's directions.
 7. Attend the hearing to give evidence before the IAC.

Please find enclosed Planning Panels Victoria's Guide to Expert Evidence dated April 2019. Please review and comply with this guide when preparing your expert witness statement and giving evidence before the IAC.

To provide consistency of format for the IAC, you are encouraged to use the **enclosed** template in the preparation of your expert witness statement.

Documents

Please find a brief of documents **enclosed**.

The EES and associated documents, including the documents referred to above, can be accessed on the Project website at <http://northeastlink.vic.gov.au>

You should have been given access to the public submissions by NELP, via Sharepoint. If you have not, please immediately let us know.

Timing

Based on the current hearing timetable, we would be pleased to receive your draft expert witness statement and PowerPoint presentation by **3 July 2019** on the assumption that we provide you with the expert witness statement of Tim Veitch by 28 June 2019.

Fee proposal

Would you please provide a fee proposal to undertake the works as per the instructions set out above as soon as possible. Please send your fee proposal to Sallyanne Everett and William Bartley of our office via email to severett@claytonutz.com or wbartley@claytonutz.com.

If you think that you will exceed your fee proposal during the course of undertaking your work, please immediately let us know and provide us with a revised fee proposal for approval by our client. Please also ensure that approval has been obtained for that variation before rendering any account.

Communications

All communications should be through Clayton Utz in the first instance. Please contact Sallyanne Everett or William Bartley if you require any further information or clarification.

Should you have any queries in relation to this matter, or require any further information or additional instructions, please do not hesitate to let us know.

Attachment 4 - Attachment 4 - Traffic modelling expert witness statement

CLAYTON UTZ

Luis Willumsen, Willumsen Advisory Services

5 June 2019

Yours sincerely



Sallyanne Everett, Partner
+61 3 9286 6965
severett@claytonutz.com

William Bartley, Senior Associate
+61 3 9286 6580
wbartley@claytonutz.com

Our ref 965/21054

Enclosures

Attachment 4 - Attachment 4 - Traffic modelling expert witness statement

CLAYTON UTZ

Luis Willumsen, Willumsen Advisory Services

5 June 2019

#	Document index
1.	Key dates and activities
2.	Template for expert witness statement
3.	IAC terms of reference, dated 11 April 2019
4.	Planning Panels Victoria's Guide to Expert Evidence, dated April 2019

Attachment 4 - Attachment 4 - Traffic modelling expert witness statement

CLAYTON UTZ

NELP: Key Dates and Activities for Luis Willumsen

No.	Activity	Date
1.	EES Exhibition	10 April to 7 June 2019
2.	IAC Directions Hearing	Friday 21 June 2019
3.	Receipt of instructions to assist with the preparation of responses to IAC RFIs (as necessary).	On or about Monday 24 June 2019
4.	Main Hearing	Thursday 25 July to Friday 6 September 2019
5.	Receipt of formal instructions to prepare expert witness report, power point presentation and attend the hearing to give evidence	On or about 17 May 2019
6.	Access to public submissions database	By 10 May 2019
7.	Date for provision of draft expert witness report and power point presentation	3 July 2019
8.	Date expert witness report and power point presentation to be finalised	8 July 2019
9.	Anticipated date for receipt of expert reports of other parties (subject to IAC directions)	11 July 2019
10.	Possible expert witness conclaves	week of 15 July 2019
11.	Commencement of hearing	Thursday 25 July 2019
12.	Likely anticipated date / days for giving evidence before the IAC	Early in the week of 29 July 2019
13.	Additional attendance at IAC hearing	TBA

Note: The above program is subject to the directions of the IAC to issue on or about 21 June 2019

L1331010701.1

5 June 2019

Attachment 4 - Attachment 4 - Traffic modelling expert witness statement

North East Link Inquiry and Advisory Committee

Expert Witness Statement of [insert name of expert]

State words to the following effect:

1. Introduction

1.1 [insert name of firm or I, as appropriate] undertook a peer review of Appendix B (Technical Report) to Technical Report A to the Environment Effects Statement (EES) for North East Link (Project). This peer review report is titled "[insert]" dated [insert] (Peer Review Report).

1.2 I have been instructed by Clayton Utz on behalf of NELP to review the public submissions and give evidence on the Peer Review Report. I have also been asked to comment on the suitability of the responses to public submissions contained in the expert witness statement of Tim Veitch.

2. Qualifications and experience

2.1 Annexure A contains a statement setting out my qualifications and experience, and the other matters raised by Planning Panels Victoria's Guide to Expert Evidence. A copy of my curriculum vitae is provided as Annexure B.

3. Peer Review

3.1 The role that I had in preparing the Peer Review Report was [insert]. [Insert as appropriate] "Other significant contributors to the Peer Review Report and their expertise is set out as follows:

(a) [insert]

3.2 I adopt the Peer Review Report, in combination with this statement, as my written expert evidence for the purposes of the North East Link Inquiry and Advisory Committee's inquiry into the environmental effects of the Project.

4. Further work since preparation of the Peer Review Report

Please select one of the following 3 options. Please read them carefully and decide which one is appropriate and delete the remaining 2 options.

Option One

4.1 Since the Peer Review Report was finalised, I have not undertaken any further work in relation to the matters addressed in the Peer Review Report relevant to the Project.

Option Two

4.2 Since the Peer Review Report was finalised, I have undertaken further work in relation to [specify]. A summary of my findings in relation to this further work is [insert].

4.3 However, this further work has not caused me to materially change my opinions as expressed in the Peer Review Report.

Option Three

4.4 Since the Peer Review Report was finalised, I have undertaken further work in relation to [specify]. A summary of my findings in relation to this further work is [insert].

4.5 This has caused me to change my opinion as expressed in the Peer Review Report in the following manner:

Attachment 4 - Attachment 4 - Traffic modelling expert witness statement

Original Opinion	Changed Opinion	Reason

5. Submissions

Submissions received

- 5.1 I have read the public submissions to the EES, draft planning scheme amendment and works approval application and identified those that are relevant to the Technical Report or the Peer Review Report and my area of expertise. These include the following submissions:

[insert the submission numbers that you have identified as being relevant to the Technical Report, Peer Review Report and your area of expertise]

- 5.2 I have also read the expert witness statement of Tim Veitch and the responses to public submissions relevant to transport modelling prepared for the Project.

Response to issues raised

- 5.3 Set out below are my comments on the suitability of the responses to public submissions contained in the expert witness statement of Tim Veitch.

[Set out your comments on the response to issues raised in the written submissions]

6. Environmental Performance Requirements

Please select one of the following 2 options. Please read them carefully and decide which one is appropriate and delete the remaining option.

Option One

- 6.1 It is my view that the environmental performance requirements relevant to my area of expertise, being **[specify all relevant EPRs]**, are appropriate and will ensure that the environmental effects of the Project relevant to my area of expertise will be suitably managed to achieve acceptable outcomes.
- 6.2 As such, I do not recommend any changes to the environmental performance requirements for the Project.

Option Two

- 6.3 I have reviewed the environmental performance requirements relevant to my area of expertise, being **[specify all relevant EPRs]**, in light of the public submissions and response to public submissions contained in the expert witness statement of Tim Veitch, and recommend the following changes:
- (a) **[specify change]**
- (b) **etc**
- 6.4 Subject to these changes, it is my view that the environmental performance requirements are appropriate and will ensure that the environmental effects of the Project relevant to my area of expertise will be acceptably managed.

Attachment 4 - Attachment 4 - Traffic modelling expert witness statement

7. Declaration

- 7.1 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 North East Link Inquiry and Advisory Committee.

.....
Signed

Date: [insert]

Attachment 4 - Attachment 4 - Traffic modelling expert witness statement

Annexure A - Matters Raised by PPV Guide to Expert Evidence

- (a) The name and address of the expert
(insert)
- (b) The expert's qualifications, experience and area of expertise
(insert, briefly summarise and attach CV as Annexure B)
- (c) Details of any other significant contributors to this statement (if any) and their expertise
(insert and briefly summarise)
- (d) All instructions that define the scope of this statement (original and supplementary and whether in writing or verbal)
(insert)
- (e) Details and qualifications of any person who carried out any tests or experiments upon which the expert relied in preparing this statement
(insert)
- (f) Any questions falling outside the expert's expertise
(insert)
- (g) Key assumptions made in preparing the Peer Review Report
(insert)
- (h) Any departures from the findings or opinions expressed in the Peer Review Report and, if so, why
(insert)
- (i) Whether the Peer Review Report is incomplete or inaccurate in any respect
(insert)
- (j) Details of any changed circumstances or assumptions since the Peer Review Report was prepared and whether these affect the opinions expressed in the Peer Review Report
(insert)

Attachment 4 - Attachment 4 - Traffic modelling expert witness statement

Annexure B - CV

Attachment 4 - Attachment 4 - Traffic modelling expert witness statement

Terms of Reference

North East Link Project – Inquiry and Advisory Committee

The North East Link Inquiry and Advisory Committee (the IAC) is appointed to inquire into, and report on, the North East Link Project (Project) in accordance with these terms of reference.

The IAC is appointed pursuant to both:

- section 9(1) of the *Environment Effects Act 1978* (EE Act) as an inquiry; and
- part 7, section 151 of the *Planning and Environment Act 1987* (P&E Act) as an advisory committee.

The IAC will also provide advice that can be used to inform the Environment Protection Authority's consideration of the works approval application (WAA) prepared by the proponent for the Project.

Role of the IAC

1. The IAC is appointed by the Minister for Planning under section 9(1) of the EE Act to hold an inquiry into the environmental effects of the Project. The IAC is to:
 - a. review and consider the environment effects statement (EES) and public submissions received in relation to the environmental effects of the project;
 - b. consider and report on the potential environmental effects of the project, having regard to the evaluation objectives in the EES scoping requirements;
 - c. identify any measures it considers necessary to avoid, mitigate or manage the environmental effects of the project; and
 - d. provide advice to the Environment Protection Authority that can be used to inform its consideration of the WAA.
2. The IAC is appointed as an advisory committee under section 151 of the P&E Act to:
 - a. review the draft planning scheme amendment (draft PSA), which has been prepared to facilitate the Project, along with any public submissions received in relation to the draft PSA;
 - b. provide a report to the Minister for Planning as to whether the draft PSA contains provisions and controls that are appropriate for the Project; and
 - c. recommend any changes to the draft PSA that it considers necessary.

IAC members

3. The IAC members should have the following skills:
 - a. road transport modelling, road design and traffic management;
 - b. social impact;
 - c. urban design and visual impact; and
 - d. statutory planning.
4. The IAC may seek additional specialist expert advice to assist it in undertaking its role.
5. The IAC will comprise an appointed chair (IAC Chair), a deputy chair and other members.

Attachment 4 - Attachment 4 - Traffic modelling expert witness statement

Terms of Reference | North East Link Project – Inquiry and Advisory Committee

Background

Project outline

6. The Project proposes to connect Melbourne's freeway network between the M80 Ring Road and the Eastern Freeway, which will be upgraded and include a new busway. In summary, the Project proposes the following sections of works:
 - a. M80 Ring Road to Lower Plenty Road – a mixture of above, below and at surface road sections, a ventilation facility near Blamey Road, and new road interchanges at the M80 Ring Road, Grimshaw Street and Lower Plenty Road.
 - b. Tunnels – twin tunnels under residential areas, the Banyule Flats and the Yarra River to south of Manningham Road.
 - c. Bridge Street to Eastern Freeway – a cut and cover tunnel and a mined tunnel, with the southern tunnel portal and associated ventilation facility located south of the Veneto Club. This section would also include new interchanges at Manningham Road and the Eastern Freeway.
 - d. Eastern Freeway – widening of the Eastern Freeway, from around Hoddle Street in the west through to Springvale Road in the east to accommodate future traffic volumes, the provision of new dedicated bus lanes for the Doncaster Busway and other associated works.
 - e. Ancillary and temporary works to support construction of the Project.
7. The proponent is the State of Victoria acting through the Major Transport Infrastructure Authority (MTIA), which is an administrative office within the Department of Transport. The North East Link Project (NELP) is the division within MTIA that is responsible for developing and delivering the Project.
8. The proponent is responsible for preparing technical studies, consulting with the public and stakeholders and preparing an EES.

EES assessment process

9. The Project has been declared pursuant to section 3(1) of the EE Act to be 'public works' for the purposes of that act by an order of the Minister for Planning published in the Government Gazette on 2 February 2018. Pursuant to section 4(1) of the EE Act, an EES must be prepared for public works, and submitted to the Minister for Planning, before those works can commence. Procedures and requirements specified in the order are provided in Attachment 1.
10. The EES has been prepared by the proponent in response to the EES scoping requirements issued by the Minister for Planning in June 2018.
11. The EES is to be placed on public exhibition from 10 April 2019 to 7 June 2019, together with the WAA, and draft PSA.

Commonwealth assessment process

12. Because of its potential impacts on matters of national environmental significance, the Project was determined to be a controlled action for the purposes of the *Environment Protection and Biodiversity Conservation Act 1999* (Cth) (EPBC Act) on 13 April 2018. The relevant controlling provisions under the EPBC Act relate to listed threatened species and communities (sections 18 and 18A), listed migratory species (sections 20 and 20A) and environment on Commonwealth lands (sections 26 and 27A).
13. The EPBC Act assessment is to be undertaken through a public environment report. The public environment report is intended to be exhibited concurrently with the EES and will be assessed independently from the IAC by the Commonwealth Department of Environment and Energy. Any submissions on matters of national environmental significance are to be made to the Department of Environment and Energy and consequently, the IAC report is not required to, and should not,

Attachment 4 - Attachment 4 - Traffic modelling expert witness statement

Terms of Reference | North East Link Project – Inquiry and Advisory Committee

address impacts on matters of national environmental significance as described in the public environment report.

Planning approval process

14. The IAC is to consider and provide advice on the draft PSA. The draft PSA proposes planning controls and provisions that will allow for, and facilitate, the use and development of the Project in accordance with an incorporated document which is proposed to be included in the Banyule, Boroondara, Manningham, Nillumbik, Whitehorse, Whittlesea and Yarra planning schemes.
15. The draft PSA proposes that the Project be exempt from any requirement to obtain a planning permit, subject to any conditions set out in the incorporated document. The incorporated document is also proposed to include a requirement for the development of a framework to manage environmental effects associated with both the construction and operational phases of the Project.

Works approval process

16. A WAA for the Project has been prepared in accordance with the provisions of the *Environment Protection Act 1970* (EP Act). The works approval application will be jointly advertised with the EES, in accordance with section 20AA of the EP Act.
17. Section 19B(3)(b) of the EP Act provides that: *if an application for a works approval is to be jointly advertised under section 20AA with a notice relating to the same proposal under the Environment Effects Act 1978... comments by any person or body interested in the application must be made as a submission on the environment effects statement or be included in any submission on the environment effects statement.* In addition, the Environment Protection Authority can no longer decide under section 19B(6) to hold a section 20B conference.
18. The IAC is to provide advice that can be used to inform the Environment Protection Authority's consideration of the WAA prepared by the proponent. The IAC may request any further information from the proponent that it considers necessary to assist it to provide that advice. The advice should recommend avoidance, mitigation or management measures that the IAC considers are necessary to ensure compliance with any relevant legislation and/or policy.

Other approvals

19. The Project requires a number of other statutory approvals and/or consents, as outlined in the EES, and which include:
 - a. an approved Cultural Heritage Management Plan under the *Aboriginal Heritage Act 2006* to manage works in areas of cultural heritage sensitivity;
 - b. a permit to remove listed flora and fauna under the *Flora and Fauna Guarantee Act 1988*;
 - c. an authority to take or disturb wildlife under the *Wildlife Act 1975*;
 - d. licences to construct a groundwater bore and subsequently extract groundwater, as well as consents for works on, over or under waterways under the *Water Act 1989*;
 - e. consent for works on freeways and arterial roads declared under the *Road Management Act 2004*; and
 - f. permits for impacts to places identified on the Victorian Heritage Register under the *Heritage Act 2017*.

Public Hearing

20. The IAC must hold a public hearing and may make other such enquiries as are relevant to undertaking its role.
21. When it conducts a public hearing, the IAC has all the powers of an advisory committee that are specified in section 152(2) of the P&E Act.

Attachment 4 - Attachment 4 - Traffic modelling expert witness statement

Terms of Reference | North East Link Project – Inquiry and Advisory Committee

22. The IAC may inform itself in any way it sees fit, but must review and consider:
 - a. the exhibited EES, draft PSA and WAA;
 - b. all public submissions, and all submissions and evidence provided to the IAC by the proponent, state agencies, local councils and the public;
 - c. any information provided by the proponent that responds to submissions; and
 - d. any other relevant information that is provided to, or obtained by, the IAC.
23. Prior to the commencement of the public hearing, the IAC must hold a directions hearing in order to make any directions it considers necessary or appropriate as to the conduct, scope or scheduling of the public hearing.
24. The IAC must conduct its public hearing in accordance with the following principles:
 - a. the public hearing will be conducted in an open, orderly and equitable manner, in accordance with the principles of natural justice, with a minimum of formality and without the necessity for legal representation; and
 - b. the IAC process is to be exploratory and constructive with adversarial behaviour minimised with cross-examination strictly controlled by the IAC Chair.
25. The IAC may limit the time of parties appearing before it.
26. The IAC may, at its discretion, conduct concurrent public hearings as part of the public hearing where it considers it appropriate or efficient to do so, and where, in the opinion of the IAC, submitters participating in the hearing would not be unreasonably disadvantaged by those concurrent hearings.
27. The IAC Chair may direct that a submission or evidence is confidential in nature and the hearing be closed to the public for the purposes of receiving that submission or evidence.
28. The IAC may only conduct a public hearing (including any concurrent public hearing) when there is a quorum of at least two of its members present, one of whom must be the IAC Chair or deputy chair.
29. Recording of the hearing will be managed by Planning Panels Victoria, in accordance with any directions made by the IAC Chair. The audio recording of any hearing sessions will be made publicly available as soon as practicable after the conclusion of each day of the hearing, or otherwise as directed by the IAC Chair.
30. Any other audio or video recording of the hearing by any other person or organisation may only occur with the prior consent of, and strictly in accordance with, the directions of the IAC Chair.

Report

31. The IAC must produce a written report for the Minister for Planning containing the IAC's:
 - a. findings with respect to the environmental effects of the Project;
 - b. findings as to the capacity for the Project to achieve acceptable environmental outcomes having regard to legislation, policy, best practice, and the principles and objectives of ecologically sustainable development;
 - c. recommendations as to any feasible modifications to the alignment or design of the Project that would offer beneficial outcomes;
 - d. recommendations and/or specific measures that it considers necessary and appropriate to prevent, mitigate or offset adverse environmental effects having regard to legislation, policy, best practice, and the principles and objectives of ecologically sustainable development;

Attachment 4 - Attachment 4 - Traffic modelling expert witness statement

Terms of Reference | North East Link Project – Inquiry and Advisory Committee

- e. recommendations for any appropriate conditions that may be lawfully imposed on any approval for the Project, or changes that should be made to the draft PSA in order to ensure that the environmental effects of the Project are acceptable having regard to legislation, policy, best practice, and the principles and objectives of ecologically sustainable development;
 - f. recommendations for changes to the proposed urban design strategy;
 - g. recommendations as to the structure and content of the proposed environmental management framework;
 - h. recommendations as to any changes to the proposed environmental performance requirements; and
 - i. recommendations with respect to the structure and content of the draft PSA.
32. The report should include:
- a. information and analysis in support of the IAC's findings and recommendations;
 - b. a description of the public hearing conducted by the IAC, and a list of those persons consulted with or heard by the IAC;
 - c. a list of all recommendations, including cross-references to relevant discussions in the report; and
 - d. a list of the documents tabled during the public hearing.

Submissions

- 33. All submissions on the EES, draft PSA and WAA are to be sent to, and managed by, Planning Panels Victoria in accordance with Planning Panels Victoria's guide to privacy. All written submissions or other supporting documentation should be published on Engage Victoria's website, unless submitters request that their submission not be publicly available, or where the IAC specifically directs that the submission or part of it is to remain confidential.
- 34. Electronic copies of submissions on the EES, draft PSA and WAA should be provided to the Department of Environment, Land, Water and Planning, Environment Protection Authority and Major Transport Infrastructure Authority.
- 35. Petitions will be treated as a single submission, and only the first name to appear on the first page of the submission should receive correspondence in relation to the IAC.
- 36. Any written material or evidence provided to the IAC during the public hearing should be published on Engage Victoria's website, unless the IAC specifically directs that the material is to remain confidential.
- 37. Planning Panels Victoria will notify submitters of the release of the Minister for Planning's assessment and IAC report.
- 38. Planning Panels Victoria will retain any written submissions and other documentation provided to the IAC for a period of five years after the time of the appointment of the IAC.

Timing

- 39. The IAC must begin its hearings no later than 35 business days from the final date of the exhibition period, or as otherwise agreed by the Minister for Planning.
- 40. The IAC is required to submit its report in writing to the Minister for Planning within 30 business days from its last hearing date.

Attachment 4 - Attachment 4 - Traffic modelling expert witness statement

Terms of Reference | North East Link Project – Inquiry and Advisory Committee

Fees and Allowances

41. The members of the IAC will receive the same fees and allowances as a senior sessional panel member appointed under division 1 of part 8 of the P&E Act.
42. All costs of the IAC, including the costs of obtaining any expert advice, technical administration and legal support (including legal counsel if engaged), venue hire, accommodation, recording proceedings and other costs must be met by the MTIA.

Miscellaneous

43. The IAC may apply to the Minister for Planning to vary these terms of reference in writing, at any time prior to submission of its report.
44. The IAC may retain legal counsel to assist it in undertaking its role.
45. Planning Panels Victoria is to provide any necessary administrative support to the IAC.
46. The IAC may engage additional technical and administrative support as required.



Richard Wynne MP
Minister for Planning

Date: 11/4/19

Attachment 4 - Attachment 4 - Traffic modelling expert witness statement

Terms of Reference | North East Link Project – Inquiry and Advisory Committee

The following information does not form part of the Terms of Reference

Project manager

47. For matters regarding the IAC process, please contact Greta Grivas of Planning Panels Victoria, by phone (03) 8392 5123 or email planning.panels@delwp.vic.gov.au
48. For matters regarding the EES process please contact the Impact Assessment Unit in Department of Environment Land Water and Planning (DELWP) by phone (03) 8392 5503 or email environment.assessment@delwp.vic.gov.au.

Attachment 4 - Attachment 4 - Traffic modelling expert witness statement

Terms of Reference | North East Link Project – Inquiry and Advisory Committee

Attachment 1

PROCEDURES AND REQUIREMENTS: North East Link Project

Under section 3(3) of the Environment Effects Act 1978

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

- (i) The EES is to document investigations of potential environmental effects of the Public Works, including the feasibility of design alternatives and relevant environmental mitigation and management measures, in particular for:
 - a. potential effects on biodiversity, including through loss, degradation or fragmentation of habitat or through other causes (e.g. shading, light, noise and vibration), as well as related ecological effects;
 - b. potential effects on beneficial uses of surface water and groundwaters due to changes in flows, water quality, hydrology connectivity, mobilisation of existing groundwater contamination, or dewatering arising during construction or operation;
 - c. potential for ground movement or other geophysical conditions including risks related to land and river bank or bed stability;
 - d. effects on cultural heritage values including Aboriginal cultural heritage;
 - e. potential effects on health and amenity during construction and operation due to changes in visual conditions, changes in land use, redistributed traffic and transport changes, air quality, traffic noise and vibration;
 - f. potential temporary and permanent effects on transport network and services, both for residents and businesses located in the vicinity of the proposed and related works and for the broader community;
 - g. potential for displacement or severance of commercial and residential properties;
 - h. potential for acid sulphate soils, other contaminated materials and the management of spoil throughout construction; and
 - i. other effects on land uses and the community, including recreational value of open space.
- (ii) The matters to be investigated and documented in the EES will be set out more fully in scoping requirements. Draft scoping requirements will be exhibited for at least 15 business days for public comment, before final scoping requirements are endorsed by the Minister for Planning.
- (iii) The North East Link Authority is also to prepare and submit to the Department of Environment, Land, Water and Planning (DELWP) a draft EES study program to inform the preparation of scoping requirements.
- (iv) The North East Link Authority is to prepare a schedule for the completion of studies, and preparation and exhibition of the EES to facilitate the alignment of the North East Link Authority's and DELWP's timeframes, including for review of technical studies for the EES and the main EES documentation.
- (v) The level of detail of investigation for the EES studies should be consistent with the approach set out in the scoping requirements and be adequate to inform an assessment of the significance and acceptability of the potential environmental effects of the proposed works, in the context of the Ministerial Guidelines.
- (vi) DELWP will convene an inter-agency technical reference group (TRG) to advise DELWP and the North East Link Authority, as appropriate, during the preparation of the EES, the scoping requirements, the design and adequacy of the EES studies, and coordination with statutory approval processes.
- (vii) The North East Link Authority is to prepare and implement an EES consultation plan for informing the public and consulting with stakeholders during the preparation of the EES, having regard to advice from DELWP and the TRG.
- (viii) The North East Link Authority is to apply appropriate peer review and quality management procedures to enable the completion of EES studies to a satisfactory standard.
- (ix) The EES is to be exhibited for a period of 30 business days for public comment, unless the exhibition period spans the Christmas–New Year period, in which case 40 business days will apply.
- (x) An inquiry appointed pursuant to section 9(1) of the Environment Effects Act 1978 will be established to consider the environmental effects of the Public Works.

Attachment 4 - Attachment 4 - Traffic modelling expert witness statement



April 2019

Introduction

An expert witness has specialised knowledge from training, study or experience. A Panel may rely on that specialised knowledge to form an opinion about an issue that is relevant to the Hearing. Generally more weight will be given to expert evidence that is independent.

This Guide applies to:

- instructing an expert witness preparing expert evidence
- the preparation of the expert's evidence
- the presentation of the evidence at the Hearing
- questioning ('cross examination') of an expert witness.

The Guide explains what happens when an expert witness is to be called at a Hearing. A Panel may make specific Directions that vary this Guide.

Parties calling an expert witness must make sure that the expert is made aware of this guide when they are retained.

Expert witness' duty to the Panel

An expert witness:

- has a paramount duty to the Panel
- has an overriding duty to assist the Panel on matters relevant to the expert's expertise
- is not an advocate for a party
- must not withhold material matters known to the witness even if it may be unfavourable to a particular party.

The expert witness statement

An expert witness preparing a written statement for a Hearing must do so in accordance with this Guide.

The statement must include:

- the expert's name and address
- the expert's qualifications, experience and area of expertise
- details of any other significant contributors to the statement (if there are any), and their expertise
- all instructions that define the scope of the statement (original and supplementary and whether in writing or verbal)
- details and qualifications of any person who carried out any tests or experiments upon which the expert has relied in preparing the statement.

All experts must declare in their statements:

'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 Panel.'



Attachment 4 - Attachment 4 - Traffic modelling expert witness statement

Planning Panels Victoria | Expert witnesses

Sometimes, an expert witness may have prepared an earlier report or advice that informed the Planning Scheme Amendment or proposal under consideration by the Panel. In these circumstances, the expert should not provide a revised version of that report. Instead, the expert's witness statement should include:

- a clear reference to the earlier report(s)
- details of the expert's role in preparing or overseeing the earlier report(s)
- confirmation that the expert adopts the earlier report(s) and identifying:
 - any key assumptions made in preparing the earlier report(s)
 - any departure from findings or opinion expressed in the earlier report(s), and why
 - any questions falling outside the expert's expertise
 - whether the earlier report is incomplete or inaccurate in any respect
- details of any changed circumstances or assumptions since the earlier report(s) were prepared, and whether these affect the opinions expressed in the earlier report(s).

Where the expert was not involved in the preparation of earlier reports or advice that informed the Planning Scheme Amendment or proposal, the expert's statement should include:

- the facts, matters and assumptions on which the expert relies in preparing the statement
- reference to documents and materials the expert has used in preparing the statement
- a summary of the expert's opinion(s), including provisional opinions.

Where the expert materially changes their opinion

An expert witness who changes their opinion on a material matter after the circulation of evidence must communicate that change in writing to the Panel and all parties to the Hearing and explain why their opinion has changed.

Privacy

Expert witness reports are usually published on a website. They are also available to all parties to a proceeding. An expert witness statement should not refer to submitters by name. Where necessary, submitters should be referenced by submission number.

Expert witnesses should inform themselves of their obligations under the *Privacy and Data Protection Act 2014*. Personal information contained in submissions should be used in accordance with the principles in the Act.

For more information on Privacy refer to the separate **Guide to Privacy at Planning Panels Victoria**.

Form of statement

Expert witness statements must be provided in the following form.

All copies

Witness statements and any supporting information must:

- be prepared at A4 page size, unless otherwise directed
- use a black, 12 point font (Arial or Calibri preferred)
- have numbered paragraphs and pages.

Maps, images or plans must be at a high-definition resolution of at least 600 pixels per inch.

Attachment 4 - Attachment 4 - Traffic modelling expert witness statement

Planning Panels Victoria | Expert witnesses

Electronic copies

An electronic version of a document must be less than 10MB in size and provided to:

- parties on the distribution list in accordance with the Panel's Direction
- the Panel in unlocked 'pdf' or Microsoft Word format
- the Planning Authority in a format suitable for uploading to its website.

Paper copies

Paper copies of evidence are generally not required. Where the Panel directs a paper copy, each document must be:

- two-hole punched
- stapled, not bound
- printed on both sides of each page.

Maps, images or plans may be printed at A3 and be folded within the report so they can be read without being removed.

Circulation of expert reports

Parties must confirm at the Directions Hearing any evidence they will be calling at the Public Hearing.

Expert reports must be circulated five working days before the Hearing starts or as directed by the Panel.

People not on the evidence circulation list can obtain electronic copies by contacting the Panel Co-ordinator on 8392 5115.

Directions relating to expert witnesses

The Panel may direct that expert witnesses address certain matters in their evidence, to enable all parties to gain a clear understanding of the basis of evidence to be presented. Examples include a response to specific questions asked by the Panel, or to explain the methodology, assumptions and inputs that contributed to the expert's assessment.

Expert meeting prior to the Hearing

The Panel may direct that expert witnesses in the same technical area meet before the Hearing and prepare a statement of agreed opinions and facts.

The expert meeting is for technical experts to discuss the issues without instructors, to identify (and if possible reduce) areas of disagreement in the Hearing. This ensures a more efficient and effective process. The Panel will provide specific directions for an expert meeting where required.

Evidence at the Hearing

Experts should identify any errors in their statement at the Hearing at the start of giving evidence. Witnesses should summarise key opinions in their evidence in no more than 30 minutes.

Experts can prepare a summary statement or presentation for the Hearing, but this must be drawn from the circulated evidence. Responses to other expert reports that constitute new material must be clearly identified.

Attachment 4 - Attachment 4 - Traffic modelling expert witness statement

Planning Panels Victoria | Expert witnesses

Cross examination

An expert witness may be questioned by parties, advocates and the Panel. Questions put to expert witnesses must be relevant, directed to matters of fact or professional opinion, and must genuinely assist the Panel in understanding the issues. To ask questions of a witness, a party must be present for the whole of the evidence summary and questioning of the witness.

The Panel may regulate cross-examination to ensure an efficient hearing and that the cross examination remains relevant to the issues. The Panel may limit cross-examination that is not of benefit to the Panel.

Consequences of not complying with a Direction

The Panel has a broad range of powers to control Hearings under Division 2, Part 8 of the *Planning and Environment Act 1987*.

It is important to comply with Directions. The consequences of a failure to comply may be significant. For example, a Panel may refuse to allow an expert to present evidence at the Hearing.

Other witnesses

A range of other people with specialist expertise appear at Panels including:

- technical staff from agencies or Councils, who might make submissions in place of giving evidence
- lay witnesses who may have specialist knowledge. Past examples have included business owners, farmers and boat skippers.

These witnesses are generally not subject to cross examination but may be asked questions by the Panel or by other parties through the Chair.

Further information

Further information about Planning Panels Victoria can be found at:

<https://www.planning.vic.gov.au/panels-and-committees/panels-and-committees>

11.2 Fitzroy Adventure Playground Program Grant 2019-2022 Recommendation Report

Executive Summary

Purpose

To seek Council endorsement of the successful applicant for the Fitzroy Adventure Playground Program Grant 2019 – 2022.

Key Issues

The Grant Assessment Panel (the panel) recommends awarding this grant to the Save the Children Australia because they submitted a strong application demonstrating that they meet all the criteria to a high or very high standard. The proposal has good financial and social value to the Yarra community and the applicant has provided a strong and responsive service to the local community and have demonstrated within this application a commitment to continue doing so.

Save the Children Australia is the only applicant for the grant and propose to continue the delivery of a program similar to their current Cubbies program but with reduced hours.

The proposal will reduce the number of hours offered in the program compared to the agreed hours of operation under the last funding agreement.

Save the Children Australia are not willing or able to make any further commitment to the program hours at this point in time.

It is noted that the current funding agreement had a similar leveraged funding arrangement in place, as it also by implication required the Save the Children Australia to secure additional revenue to deliver the program according to the funding agreement.

Financial Implications

Provision of \$150,000 for the grant program is included in the 2019/20 Council budget.

Save the Children Australia have requested the maximum amount with a year 1 budget and they will provide the equivalent of \$20,000 in-kind resources from their volunteers in the delivery of the program.

PROPOSAL

The panel recommends awarding this grant to Save the Children Australia for up to 3 years, subject to annual performance targets and financial acquittals being achieved.

11.2 Fitzroy Adventure Playground Program Grant 2019-2022 Recommendation Report

Trim Record Number: D19/95254

Responsible Officer: Director Community Wellbeing

Purpose

1. The purpose of this report is to seek Council endorsement of the successful applicant for the Fitzroy Adventure Playground Program Grant 2019 – 2022.

Background

2. Council resolved on 30 April 2019 to:
 - (a) Endorse the Fitzroy Adventure Playground Community Grant Guidelines 2019 - 2022;
 - (b) Authorise officers to establish the Fitzroy Adventure Playground Program Grant and to open applications from 1 May 2019;
 - (c) Endorse the formation of the Community Grant Assessment Panel for the Fitzroy Adventure Playground Community Grant to be chaired by the Manager Family, Youth and Children's Services with community representatives; and
 - (d) Authorise officers to provide interim funding to Save the Children for up to 3 months and only in the event that continuation of the program at the Fitzroy Adventure Playground is required beyond 1 July 2019 and until such time that a new funding agreement and lease are approved with the successful applicant.

External Consultation

3. Information about the grant and guidelines was promoted on Council's website from 1 May to 29 May.
4. Targeted promotion with key messages about the grant was also directed to community, children and youth sector organisations through local networks and committees.
5. Three organisations expressed interest in applying for the grant. One organisation, Save the Children Australia (SCA), submitted an application.
6. The Grant Assessment Panel (the Panel) met on 12 June to review the application against the program grant assessment criteria and to consider its recommendation to Council.
7. The Panel consisted of Yarra Council officers and senior representatives from Brotherhood of St Laurence and Sacred Heart Primary School.

Internal Consultation (One Yarra)

8. The Community Partnership Unit community grants team provided advice and support on the management of the grant process.
9. The Advocacy and Engagement Unit provided support to develop and deliver key message to promote the grant opportunity

Financial Implications

10. Provision of \$150,000 for the grant program is included in the 2019/20 Council budget.
11. The grant guidelines specify that the total funding available to this grant program is up to \$150,000 per annum (up to 3 years) and funding in years 2 and 3 is subject to Council's annual budget process.
12. The 2019/20 budget has allocated \$150,000 to this program.
13. SCA have requested the maximum amount with a year 1 budget demonstrating:

- (a) Total income of \$170,000, which includes the council grant and the equivalent of \$20,000 in-kind resources from SCA volunteers in the delivery of the program; and
 - (b) Expected program expenditure of \$170,000 as a minimum.
14. The application is to provide structured and unstructured activities supervised by staff / volunteers for 4 sessions a week during school terms. In-kind support is provided by corporate and student volunteers with whom SCA has established partnerships and that contributes to the cost-effectiveness of the program.
15. If successful for this grant, SCA will continue their revenue raising efforts to obtain additional income so that they could deliver the Cubbies program 5 days a week and during school holidays.
16. Following submission of their application, further information was sought from SCA about the contributions and external funding they would seek if successful for this grant. They provided examples from the last financial year in which they received funding from Yorke Family Funding, Nelson Alexander, and other general donations through charity.

Economic Implications

17. The Fitzroy Adventure Playground Program Grant strengthens the community sector through provision of funds to a community based not for profit organisation.

Sustainability Implications

18. The grant guidelines and application process was conducted on-line, therefore reducing the need for printing forms.
19. SCA are committed to action to reduce the environmental impact of the program through:
- (a) Solar energy;
 - (b) Rainwater collected for vegetable garden and water activities;
 - (c) Composting and worm farm;
 - (d) After school snacks and cooked meals on weekends come from Ozharvest and Second Bite;
 - (e) Use of recycled materials for program and built materials where possible; and
 - (f) Everyday program includes educating children about sustainability.
20. SCA have partnered with Cultivating Community and Sacred Heart to improve use of the garden space at the Fitzroy Adventure Playground during the day. The collaboration aims to enhance the outdoor and nature learning experience for the students at Sacred Heart as well as contributing to the aesthetics of the garden.

Social Implications

21. The benefits and value of play for children's healthy development has been well researched and well documented. Children and young people have a greater chance of reaching their potential when they have opportunities to engage in stimulating and safe environments, experiences and relationships that support the development of each individual's capacity.
22. Adventure playground programs offer opportunities to children and young people who do not have access to their own backyard and provide a safe play space in the community.
23. The Fitzroy Adventure Playground was established in 1974 as a dedicated space for children's play and is well known by the name 'Cubbies'. Cubbies is important to the local community. A recent evaluation of the SCA's Cubbies program, which was presented to the Councillor Briefing on 27 May 2019, found that for many young people and families, Cubbies has been a long-term association.

Human Rights Implications

24. A child's right to play is enshrined in the United Nations Convention Rights of the Child.

25. The Fitzroy Adventure Playground Community Grant is in alignment with the Victorian Charter of Human Rights and Responsibilities Act 2006 insofar that the proposed grant supports children and young people to participate in and contribute to their community through the adventure playground and related activities.

Communications with CALD Communities Implications

26. It is expected that many participants in programs at the Fitzroy Adventure Playground will reflect the cultural and linguistically diversity of the Atherton Gardens and Collingwood public housing estates where most participants live.
27. The target cohort for the Cubbies program is school aged children and young people aged 5 to 16 years living in public housing. Many are from culturally and linguistically backgrounds and SCA believes they are able to harness the relationships and trust with the local community to engage with existing participants and new beneficiaries too.
28. SCA has operated the Cubbies program for four years and worked directly with culturally and linguistically diverse residents in planning and delivery of Cubbies. They have also supported the provision of the MY space (middle years) program at the adventure playground site on Wednesdays, which includes children and young people from migrant and refugee families including students who do not speak English as a first language.

Council Plan, Strategy and Policy Implications

29. Four of the seven key objectives of the Council Plan 2017-2021 relate to the Grant:
- (a) Community health, safety and wellbeing are a focus in everything we do: The Grant provides a flexible and responsive source of funds to support the provision of the Fitzroy Adventure Playground by a not for profit community organisation. The Grant supports Council's commitment to social justice and social inclusion principles, and provides support to communities living in Yarra's public housing estates;
 - (b) Inclusion, diversity and uniqueness are welcomed, respected and celebrated: The Grant provides support for a community organisation to offer a program delivered to the Atherton community;
 - (c) Council leads on sustainability and protects and enhances its natural environment: applicants were asked to consider the environmental impact of their organisation and program; and
 - (d) Transparency, performance and community participation drive the way we operate: the establishment of the Grant positions future funding in an open process connecting with and supporting the Atherton community.
30. The grant program is aligned to strategic intent of the Yarra 0 to 25 Plan and in particular to these priority areas:
- (a) Improve the health and wellbeing of children, young people and their families – the grant program supports the provision of an adventure playground with beneficial risk-taking during supervised play; and
 - (b) Support children, young people and their families to be strong, resilient and resourceful - the grant program responds to importance of feeling loved and safe and having a sense of connection to programs and services.
31. The SCA's proposed evaluation plan is based on a program logic model linked to the Yarra 0 to 25 Plan.

Legal Implications

32. The Fitzroy Adventure Playground is situated on part of the Atherton Reserve, which is Crown land. Council must obtain approval from the relevant Minister under section 17D (4) (c) Crown Land (Reserves) Act 1978 – Terms and Conditions Approval – to enter into a new lease, or to extend an existing lease, the Fitzroy Adventure Playground.
33. SCA has remained in possession on a 1 monthly over holding under the existing lease.

34. Interim funding for the period 01 July 2019 to 31 August 2019, with option to extend for a further month if required, has been accepted by SCA.
35. The interim funding was offered to ensure continuity of the current program and therefore the operational hours remain unchanged.

Other Issues

36. SCA is the only applicant for the grant and propose to continue the delivery of a program similar to their current Cubbies program.
37. The target cohort for the proposed program will be school aged children and young people (5 to 16 years) living in public housing, predominately from the Atherton Gardens estate.
38. SCA propose to:
 - (a) Facilitate a structured and unstructured play-based curriculum including creative, social, and cognitive play that is developmentally and culturally appropriate, and supports children and young people to strengthen their emotional, social, cognitive and physical development;
 - (b) Ensure regular participants have their information recorded and stored securely, and maintain a safe environment through appropriate staff and volunteer ratios of 1:15; and
 - (c) Continue to collaborative relationships with families and other services through referrals to relevant community and human services, attending stakeholder meetings, community forums and events.
39. SCA propose to deliver 4 weekly sessions, during school terms, for 30-40 participants per session.
40. The recent evaluation of the SCA Cubbies' program found that it is premised on the original purpose of an adventure playground, which was to provide people living in high-rise housing estates with a backyard that was a safe environment for children and young people to engage in challenging child-led play supported by professional play workers.
41. The Panel's assessment of the application found that the SCA satisfactorily addressed all aspects of the assessment criteria and all required documents were provided.
42. The Panel determined that overall the application demonstrated:
 - (a) An understanding and commitment to adventure playgrounds including 4 years' experience in the delivery of Cubbies in Fitzroy;
 - (b) Support from local stakeholders working with the target community including letters of support from the BSL, Cultivating Community, Fitzroy Police and the Sacred Heart primary school;
 - (c) A strong policy commitment to child safety and child safeguarding and relevant guidelines and procedures for the site;
 - (d) A commitment in ensuring that the site meets the health and safety needs of participants, staff and volunteers; and
 - (e) The program plan and program logic indicates SCA willingness to ensure the appropriateness of their program to local needs.
43. The Panel agreed with the advice from Council officers' regarding how some elements of the supporting plans to deliver the proposed program could be improved if Council determines that the SCA will be awarded the grant.
 - (a) The Site Management Plan could be further improved with better clarity around roles, responsibilities around some of the maintenance requirements for the site (e.g. topping

up the soil and tan bark) and that this could be addressed in the funding agreement and lease; and

- (b) The evaluation plan could be improved through further work on the program logic and documenting the objectives, inputs, outputs and outcomes. A greater focus on the core purpose of an Adventure Playground would represent the proposed program plan better. The evaluation plan and KPIs should be addressed in the funding agreement.
44. The panel recommends awarding this grant to the SCA for up to 3 years, subject to annual performance targets and financial acquittals being achieved, because:
- (a) SCA submitted a strong application demonstrating that they meet all the criteria to a high or very high standard;
 - (b) The proposal has good financial and social value to the Yarra community; and
 - (c) The applicant has provided a strong and responsive service to the local community and have demonstrated within this application a commitment to continue doing so.
45. Having consider this application, the community panel noted that there were some further areas in the application that required clarification from the SCA, which are summarised and presented in the table below.

Summary of Issue and SCA response	Officer comments
<p><i>Reduction in sessions / hours</i></p> <p>SCA cannot operate the adventure playground without additional funding through other grants and fund raising. Without additional funding, it is not possible to operate the program 5 days a week and during school holidays. SCA are committed to seeking additional funding however, they cannot commit to this level of operation within this funding envelope.</p>	<p>The SCA proposal will result in minimum of 363 annual hours and 4 sessions a week at the playground.</p> <p>SCA were previously required to deliver a minimum of 650 hours of structured and unstructured activities. Of the 650 hours, 492 hours were delivered through 5 sessions a week in school terms.</p> <p>The SCA are committed to seeking additional funding, which would be used to increase the number of hours and sessions at the playground.</p> <p>SCA are not willing or able to make any further commitment to the program hours at this point in time.</p> <p>It is noted that the current funding agreement had a similar leveraged funding arrangement in place, as it also by implication required the SCA to secure additional revenue to deliver the program according to the funding agreement.</p>
<p><i>Is there a reason SCA propose to operate on particular days of the week i.e. Monday, Tuesday, Friday and Saturday?</i></p> <p>Based on data collection, SCA has slightly higher attendance on Fridays compared to Thursdays. If SCA is the successful applicant, they will consult with the local community to help determine the most suitable days of operation and identifying where the programming can fulfil a gap in services.</p>	<p>SCA have an interim funding agreement with Council until 31 August 2019. Officers are authorised to provide up to 3 months of interim funding whilst the grant outcome / new funding agreement is negotiated.</p> <p>Interim period could be used to ask SCA to undertake the proposed community consultation about session times and days.</p>

Summary of Issue and SCA response	Officer comments
<p><i>Will SCA continue to support the provision of a middle years program on Wednesdays at the playground?</i></p> <p>SCA will continue to work with BSL and Council to deliver the Fitzroy MY Space program, where there are additional funds that can be secured to continue the program beyond 30 June 2019.</p> <p>If further funding is not secured, SCA will work with partners in the middle years working group to continue collaborative efforts in engaging young people in the middle years, and to see the program continue.</p>	<p>SCA, Fitzroy Learning Network and Council's outside of school hours, youth and library services have been supporting a Brotherhood of St Laurence initiative to pilot middle years after school program in Fitzroy, called My Space.</p> <p>The program has been operating at the Fitzroy Adventure Playground on Wednesdays, which is a day that the Cubbies program does not operate.</p> <p>It is noted that the program target group also fall within the current and proposed target group for the adventure playground program.</p>
<p><i>Program evaluation plan – the panel has raised queries about the extent to which the program logic and evaluation plan adequately captures the inputs, outputs and outcomes for an adventure playground program.</i></p> <p>SCA are willing to work with Council to refine the program logic and evaluation plan, with support from our internal Program Quality Team.</p>	<p>An updated evaluation plan could be developed in the interim funding period and is recommended to be included in a new funding agreement.</p>
<p><i>Will the program operation provide the following components to provide safety and support for children:</i></p> <ul style="list-style-type: none"> <i>Regular participants have completed enrolment and attendance records</i> <i>New attendees are provided with registration forms as they join the program</i> <i>Visiting participants are supervised by their parents and guardians</i> <p>SCA confirmed that these practices would continue if they are the successful applicant.</p>	<p>Recommend that safety and support requirements for children are specified in a new funding agreement.</p>
<p><i>Does SCA intend to work with families and other organisations to address the safety of unaccompanied children leaving the program site during or at the end of the program session?</i></p> <p>SCA addresses this issue through its operational practices and policies including registration forms for regular school aged children and young people and requirement that children under 5 arrive, attend and leave the site accompanied by a parent / guardian.</p>	<p>Recommend that safety and support requirements for children are specified in a new funding agreement</p>

Summary of Issue and SCA response	Officer comments
SCA are committed to Child Safeguarding Policy and Guidelines to ensure staff and volunteers complete mandatory training and facilitate referral pathways to other organisations where required.	

46. SCA demonstrate a willingness to work with community stakeholders in the planning and provision of their adventure playground program and to seek additional funding to further meet community needs.
47. The successful applicant is not only awarded the grant but will be offered a lease for the whole site. The funding agreement with the SCA could encourage and specify the parameters for use the site to raise revenue for the adventure playground program.
48. The reduction in program hours and sessions in the proposal demonstrates that SCA are not willing to commit to more than 363 annual hours unless additional funding is secured.
49. In the last funding agreement the value of the program was measured by the minimum number of hours and sessions which 5 sessions a week during school terms and a minimum of 650 hours.
50. The recent evaluation of the program suggested that the value of the existing program was also in the contribution it made towards community cohesion and opportunity for participants. The SCA application suggests that those factors would continue to be encouraged and promoted.
51. In providing this advice to Council, further consideration could be given to:
 - (a) Undertaking another round of funding to attract more than one applicant. This would require consideration of a longer interim funding period and authorisation to negotiate with the SCA to extend the funding arrangement;
 - (b) Considering other program options and if these could provide similar outputs for the same amount of the investment. It is noted that Council makes a significant contribution to the local community already through direct services, partnerships and community grants;
 - (c) The Panel has recommended to seek a commitment from the SCA in a future funding agreement to deliver any additional funding secured for the program to specific functions such as an additional session; and
 - (d) Seeking further commitment from the SCA to specific target hours to activate the playground for other potential programs relevant to school aged children.

Conclusion

52. One application was received for the Fitzroy Adventure Playground Program Grant. SCA submitted an application to continue their current program with some changes, most notably a reduction in the minimum number of sessions and hours. SCA are committed to seeking additional funding and working with officers to improve their evaluation plan.
53. The Panel recommend that Council award the grant to the SCA for up to 3 years and subject to annual performance targets and financial acquittals being met each year.

RECOMMENDATION

1. That Council:

- (a) award the Fitzroy Adventure Playground Program Grant 2019-2022 to Save the Children Australia, subject to performance targets and financial acquittals being met each year;
- (b) authorise officers to negotiate a funding agreement with Save the Children Australia that includes:
 - (i) provision of \$125,000 in 2019/20, noting that \$25,000 has already been provided to Save the Children Australia this financial year, as an interim payment to ensure continuity of the Cubbies program;
 - (ii) provision of \$150,000 in 2020/21 (year 2) and 2021/22 (year 3), subject to approval through the annual Council budget and performance targets being met;
 - (iii) annual performance targets and financial acquittals from date of agreement to 30 June 2022;
 - (iv) performance commitment to seek and allocate any further funding towards additional sessions of the adventure playground program during school terms and school holiday periods;
 - (v) performance commitment to undertake an evaluation plan that specifies the inputs, outputs and outcomes for an adventure playground program in Fitzroy;
 - (vi) performance commitment to adhering to requirements to safety and support for all children and young people attending the program and/or visiting the site of the Fitzroy Adventure Playground; and
 - (vii) performance commitment to encourage and specify the parameters for use of the site to raise revenue and/or improve utilisation outside of the scheduled program hours; and
- (c) authorise officers to seek approval from the relevant Minister under section 17D (4) (c) Crown Land (Reserves) Act 1978 – Terms and Conditions Approval – to extend the current lease with SCA for the Fitzroy Adventure Playground;
- (d) subject to Minister approval, authorise a new Crown Lease with a new funding agreement to be issued to Save the Children Australia for a term expiring 30 June 2022 and including such conditions and performance measures as may be required by Council to secure all rights and obligations and payments to Council; and
- (e) advocates to the Victorian and Commonwealth governments seeking restoration of an appropriate funding scheme to support program costs associated with operating adventure playgrounds.

CONTACT OFFICER: Lisa Wilkins
TITLE: Coordinator Service Planning and Development
TEL: 9205 5472

Attachments

There are no attachments for this report.

11.3 Library Policy Update

Executive Summary

Purpose

Yarra's library service has developed and grown significantly since the Library Policy was last reviewed in 2016, and changes to the policy are required to make it more robust and to align Yarra Libraries with best contemporary practice.

Key Issues

This paper is to outline a number of updates to the Library Policy, including the proposed retirement of library fines. The updated policy is reflective of contemporary Library practice and includes changes to supervision, child safety, internet and Wi-Fi use, borrowings and a range of other operational matters.

Officers recommend that discontinuing the current practice of issuing of fines for overdue items will reduce barriers to participation for some of the more vulnerable members of the Yarra community and encourage the return of overdue items from all customers. Incentives for the return of items can be achieved by using other mechanisms.

Financial Implications

The impact of removal of overdue fines is a budgeted revenue shortfall. The budgeted amount for Library fines for 2019/20 is \$40,000 in line with the long term trend, however the actual amount collected varies and Council has collected up to \$74,000 in a single year.

Whilst income derived from library fines adds to the total income for the service, the direct staffing cost of administering the fines is approximately \$61,000 per year. Any net financial benefit from the collection of fines needs to be weighed against the value of the lost items requiring replacement, the indirect costs of administering the fines program, good will towards the library service, and potential barriers to participation.

PROPOSAL

That Council:

- (a) Note the changes to the updated Library Policy that seek to improve the customer experience of Library Services in line with contemporary best practice; and
- (b) Authorise officers to discontinue the issuing Library fines for customers who have overdue items

11.3 Library Policy Update

Reference: D19/128081
Authoriser: Director Community Wellbeing

Purpose

1. To inform Council of updates to the Library Policy, including the proposed retirement of library fines.

Background

2. The Library Policy was last reviewed in 2016 and since then our community's needs have evolved and changed, as has our library service in response to this.
3. In the last four years, Yarra Libraries has acquired more digital collections and resources, Bargoonga Nganjin has opened, and our other four branches have been renovated. Yarra Libraries has embarked on a new Strategic Plan, with spaces, facilities and services in more demand than ever.
4. Increasingly the library service must juggle competing community needs for resources and services to address social inequity to provide an inclusive service for all.
5. The digital and economic divides continue to grow and we must ensure that our library service remains accessible to those who need it most. Through changes to Victorian law, Council operated libraries also have new obligations to ensure that all children are safe in our spaces.
6. Victoria's public library sector has also undergone changes in the last three years, with an increased focus on active programming, inclusive flexible spaces, and active promotion of social equity.
7. Yarra Libraries' Management Team has reviewed the Library Policy in light of this context and revised and clarified key clauses concerning membership, borrowing, conduct in the library and enforcement of the Library Policy.
8. We have included our Computer and Internet Policy and Unattended Children Policy into this one Library Policy document.
9. Attachment one is the updated revised draft of the Library Policy 2019, and attachment two is the 2016 Library Policy.
10. Officers also recommend that Council consider the retirement of library fines, to bring the service into line with best practice already reflected in worldwide trends and initiatives.
11. Highlighted below are the major changes in the Policy and information on the retirement of library fines.
12. We have reworded the entire Library Policy document into an easier plain-language format due to staff consultation and feedback regarding the policy's accessibility.

Conduct in the Library (sections 3–5)

13. We have included acceptable and unacceptable behaviours in our library policy as, due to increasing demand, we are experiencing more challenging behaviours. There is a new clause to specify that sleeping is permitted in the library as long as it is not disturbing other patrons.

Unattended Children in the Library (section 6)

14. Yarra Libraries' policy regarding unattended children in the library was previously separate and is being incorporated into the overall Library Policy to emphasise the importance of child safety.

Child Safety (section 7)

15. The steps that must be taken by both library staff and customers to ensure child safety at all times are now much clearer and stronger and comply with Yarra's Child Safe responsibilities.

Changes to Membership types (section 9)

16. There have been changes and additions to our membership types including –
 - (a) Children and Youth membership has been changed to include a person who is from the age of 15–18 and is living independently from their parents (section 9b (iii));
 - (b) Partial Membership is restricted borrowing privileges for people who do not have a fixed address. People may join in this category upon presentation of identification without confirming an Australian residential address. They will have full access to digital and online services and be able to borrow up to two items at a time;
 - (c) Any interstate/overseas visitor may join up under the Partial Membership category (section 9c);
 - (d) Digital Membership has been added so our customers have an option to use only our online collections and resources (section 9d); and
 - (e) There is now a clause that confirms Yarra's commitment to providing a home library service, and which outlines the criteria for a home library membership (section 9f).

Changes to Borrowing (section 12)

17. The number of items that could be borrowed at one time is now unspecified (it was previously 40 items).

Swift consortium (section 19)

18. Yarra's libraries are currently a member of the Swift consortium, which is a network of libraries with which Yarra shares a catalogue and exchanges collection items. This section outlines the benefits to customers and offers guidance on how loans through the Swift network are managed.

Inter-Library Loans (section 20)

19. Yarra has capacity to facilitate inter-library loans through LibraryLink Victoria. This section outlines the benefits to customers and offers guidance on how loans through the LibraryLink inter-library network are managed.

Computer, Internet and Wi-Fi (sections 22–25)

20. These sections previously comprised a separate policy document, the Internet and Wireless Usage Policy. That document is being merged with the overall Library Policy because internet and wireless services are now one of the most popular library offerings and need to be understood in the broader policy context of the library service. The updated policy also now references Yarra Libraries' commitment to cyber safety.

Privacy (section 26)

21. A clause has been added to the section on privacy to clarify that library members who provide an email address will be contacted by the library to communicate news and upcoming events, and that members may opt out of this at any time.

Enforcement of the policy (section 28)

22. The explanation of the steps that can be taken in response to a breach of this policy was made clearer and put in a more logical order of escalation, allowing for a range of responses, including a stepped process of warnings.

Retirement of Library Fines

23. Yarra Libraries has always had a fines system in place for overdue items. It remains unpopular with our customers and our staff, and it is not clear that the process currently in place actually encourages library customers to return their items.

24. Library fines undermine one of the core principles of public libraries, which is the provision of free and universal access to information. The people who can least afford to pay fines are often the ones who need the library service the most.
25. There are direct social and economic benefits from the removal of overdue fines. Further information on this can be found in the social and economic implications sections of this report.
26. Library fines create a disproportionate administrative burden on staff. Council has traditionally budgeted for library fines to generate up to \$40,000 each financial year. In 2017/18, this target was exceeded with \$74,597 being recovered in library fines. This equates to more than 51,600 transactions with an average per transaction payment of \$1.44. The staff time it takes to process each transaction is approximately two minutes with a direct staffing cost of \$1.18 per transaction.
27. Based on the above calculations the staffing cost for this financial year was \$61,017. Whilst in 2017/18 there was a small net gain from fines, officers suggest that the administrative resources required to manage the process is largely a false economy. These are resources that could be better spent delivering services such as storytimes, digital assistance and enhancing the quality of our service through better customer engagement.
28. In 2017/18 financial year, Yarra Libraries lost more than 3,462 items, the total value of which was \$88,814.15. There is research to indicate that if there were no fines in place the likelihood of these items being returned would be higher. Whilst the exact number of items is difficult to estimate, anecdotal evidence from other services that have removed fines indicates it would be significant.
29. A number other library services in Victoria have successfully implemented or are trialling the removal of library fines, including Casey-Cardinia Libraries, Bayside Libraries, City of Port Phillip and City of Wodonga.
30. Using membership restrictions instead of fines would be used to encourage return of items, rather than fining customers. This would incentivise borrowers and provide those who cannot afford fines with a genuine alternative for accessing library resources without fear of unaffordable charges.
31. By removing the barrier of fines, we believe that it will increase the recovery of our assets.
32. It is also believed that retiring library overdue fines will further assist in building a trusting and positive relationship with staff and all Yarra Libraries customers.

Alternative approach to fines

33. In place of charging overdue fines, Yarra Libraries intend to implement a system of temporary restrictions on membership as a lever. This would enable the library service to:
 - (a) Maintain capacity to recover costs for lost items;
 - (b) Use more cost effective and reliable electronic communications; and
 - (c) Use restrictions on membership as the lever for incentivising compliance.
34. To achieve this, Yarra Libraries would:
 - (a) Limit borrowing rights of members if one or more items is overdue for more than seven days; and
 - (b) Actively inform, engage and educate library users about the shared responsibility for the collection and the fact that the responsible return of items is expected.
35. The measures of success would be:
 - (a) Number of long overdue items;
 - (b) Number of loans (physical);
 - (c) Number of visits (physical);

- (d) Customer feedback; and
- (e) Active membership numbers.

External Consultation

36. Library Management consulted other public library services throughout Victoria and Public Libraries Victoria (PLV), accessing benchmarking documents with regard to overdue fines.
37. Library Services consulted included:
 - (a) Bayside Libraries (trialling no fines);
 - (b) Casey-Cardinia Libraries (retired fines after 12 month period);
 - (c) Darebin Libraries (still charge fines);
 - (d) City of Port Phillip (no fines for eight years); and
 - (e) City of Wodonga (trialling no fines).
38. Elements considered in the benchmarking were:
 - (a) Whether they charge overdue fines;
 - (b) Why fines are waived; and
 - (c) Social implications of fines.
39. The following cases provide a representative sample of industry best practice with regard to not charging overdue fines:
 - (a) The Casey-Cardinia Library Corporation have recently reported on the trial removal of fines and this is now implemented permanently. The loan rates of items have increased, customers are reporting high satisfaction with the library service and the number of overdue items has not increased; and
 - (b) The City of Port Phillip Library service have not charged overdue fines for more than 8 years. There was no discernable increase in the number of items long overdue and lost items when fines were removed. They report no ongoing issues with compliance.

Internal Consultation (One Yarra)

40. The proposed updates were discussed with the Library Leadership Team and library staff, who all had direct input into the changes and the opportunity to provide feedback on the final draft.
41. Previous consultation with Yarra's Disability Advisory Committee was also considered with regard to feedback about overdue fines being a barrier for people with disability.

Financial Implications

42. The impact of removal of overdue fines is a budgeted revenue shortfall. The budgeted amount for Library fines for 2019/20 is \$40,000 in line with the long term trend, however the actual amount collected varies and Council has collected up to \$74,000 in a single year.
43. Whilst income derived from library fines adds to the total income for the service, the direct staffing cost of administering the fines is approximately \$61,000 per year. Any net financial benefit from the collection of fines needs to be weighed against the value of the lost items requiring replacement, the indirect costs of administering the fines program, good will towards the library service, and potential barriers to participation.
44. In 2017/18 total value of the approximately 3,450 items lost was \$88,814. Whilst not all of these items requires replacement (e.g. due to multiple copies already being part of the collection or older items), a proportion of them do need to be replaced as part of the annual capital expense. Once the impact of the reduced need to replace items can be reasonably determined, there may be an opportunity to either slightly reduce the overall collections capital budget as an offset to the reduced income, or to re-invest savings into additional resources for the community.

45. Yarra Libraries will continue to charge people on a cost recovery basis for lost or long overdue items if a reasonable explanation is not provided (e.g. family emergency, fire or theft).

Economic Implications

46. The current practice of issuing Library fines is an economic barrier to participation from some members of the community. Whilst each individual fine may be initially low, the cumulative effect can lead to a significant amount that, in some cases, ends up being greater than the value of the items borrowed.
47. For those in the community on very low, low or fixed incomes, even modest fines can prevent continued engagement with the service.

Sustainability Implications

48. There are no sustainability implications inherent in this report.

Social Implications

49. Officers suggest that these changes will have a positive social impact. They will create a more equitable membership platform for library customers and remove barriers for more people to engage with Yarra's Library service.
50. Increasingly, it has been observed by Victorian public libraries that fines in fact operate as a barrier that prevents people who are economically disadvantaged from using the library service. These are the people who need the library the most.
51. Yarra Libraries has tried to minimise the impact of fines for our customers, and library staff have been encouraged to exercise discretion, particularly when there is obvious hardship. However, there are ongoing concerns within Yarra Libraries and the library industry as a whole in regards to the impact library fines have on the community we serve.
52. During consultation with Yarra's Disability Advisory Committee for the Library's current Strategic Plan, DAC members also raised the issue that overdue fines are a barrier for people with disability.
53. People who have restricted mobility and/or rely on carers and pre-arranged transport to go to the library will not borrow for fear that they will end up with items that they are unable to bring back on time, which will result in fines that they cannot afford on a limited income.

Human Rights Implications

54. Yarra Libraries actively supports the Charter of Human Rights and Responsibilities Act 2006, which identifies 20 basic responsibilities for agencies delivering services on behalf of local communities. Yarra Libraries, through a range of policies, supports freedom of thought, conscience, religion and belief, freedom of expression, and taking part in public life and cultural life.
55. This policy furthers each of these responsibilities and promotes social equity.

Communications with CALD Communities Implications

56. Yarra Libraries meets the needs of the culturally and linguistically diverse members of the Yarra community through the provision of information and resources in community languages where appropriate, and this will not change.
57. The library service engages the community through the delivery of programs and services that engage, value and promote cultural diversity, a position that will be strengthened by providing more flexible membership options and fewer barriers with the retirement of library fines.

Council Plan, Strategy and Policy Implications

58. The proposed changes align with the Council Plan 2017–2021 as follows:
 - (a) Goal 1.2: Promote a community that is inclusive, resilient, connected and enjoys strong mental and physical health and wellbeing; and

- (b) Action 1.2.2: Continue to provide a range services and work collaboratively with external groups to improve the health and wellbeing of the Yarra community.
- 59. The proposed changes to the Library Policy better align the policy with the current strategic vision for Yarra Libraries, which is to *Connect, Discover, Inspire*.
- 60. The proposed changes also better align the service to the purpose of Yarra Libraries as articulated in the Strategic Plan 2017–20, which is to *provide a place for all people to connect with others, discover new things and find inspiration, both within the library walls and beyond*.
- 61. By adjusting our practices to actively remove barriers, and recognise the different ways that people now use the library service, the changes to membership, particularly the introduction of the low-barrier membership category, and the retirement of fines for overdue items brings the policy into alignment with the priorities of the *Yarra Libraries Strategic Plan 2017–20*:
 - (a) Creating opportunities for learning and literacy;
 - (b) Putting people first;
 - (c) Connecting with our community;
 - (d) Discovering through technology;
 - (e) Curating inspired collections; and
 - (f) Providing places for all people.

Legal Implications

- 62. These proposed changes incorporate Council's Child Safe Policy requirements as established under Victorian Law.
- 63. There are otherwise no legal implications inherent in this report.

Other Issues

- 64. There are no other issues inherent in this report.

Options

- 65. Council can choose to separate consideration of the changes to the Library policy from the issue of retirement of fines. Should Council not support the retirement of fines, other changes to Library policy can still be implemented, with the issuing of fines continuing as part of existing business practice.
- 66. Council could also consider the retirement of fines for a specified trial period, similar to the approach taken by other Councils. Officers however suggest that there is now enough shared industry experience that provides strong evidence of the efficacy of the practice.

Conclusion

- 67. By implementing these updates to the Library Policy, Yarra Libraries will redefine its relationship with the broader community, operate in closer alignment with its core values and the Library Services Strategy 2017-2020, and better exemplify best practice among the Victorian Public Library sector.
- 68. There are direct social and economic benefits from the retirement of overdue fines, saving time and resources, removing barriers to engagement, and focussing the time and skill of library staff towards better serving our community.
- 69. Should Council support the changes to the policy and the fines process, staff can implement the changes within the next few weeks.

RECOMMENDATION

1. That Council:
 - (a) note the changes to the updated Library Policy that seek to improve the customer experience of Library Services in line with contemporary best practice; and
 - (b) authorise officers to discontinue the issuing Library fines for customers who have overdue items.

CONTACT OFFICER: Felicity Macchion
TITLE: Manager Yarra Libraries
TEL: 9205 5389

Attachments

- 1 [↓](#) Library Policy 2019 - FINAL DRAFT
- 2 [↓](#) Yarra Libraries Policy 2016

Attachment 1 - Library Policy 2019 - FINAL DRAFT



Yarra Libraries Policy 2019

Table of Contents

Purpose	2
Scope	2
Policy statement	2
1. Administration of the Library	2
2. Admission and Use	2
3. Conduct in the Library	3
4. Sleeping in the Library	3
5. Animals in the Library	4
6. Unattended Children in the Library	4
7. Child Safety	4
8. Membership Conditions.....	5
9. Membership Types	5
10. Cancellation of Membership (Including deceased)	8
11. Replacement Membership Cards.....	8
12. Borrowing of Library Items	8
13. Overdue Items.....	9
14. Lost and Damaged Items.....	9
15. Claims Returned	10
16. Restricted Items	10
17. Reservations.....	10
18. Library Item Recommendations.....	11
19. Library Consortium (SWIFT)	11
20. Inter-library Loans.....	11
21. Fees and Charges	12
22. Computer, Internet and Wi-Fi.....	12
23. Internet Access for Children	13
24. Offensive Material	13
25. Security	14
26. Privacy	14
27. Copyright.....	14
28. Enforcement of this Policy	15
Definitions	16
Related documents	17

Attachment 1 - Library Policy 2019 - FINAL DRAFT

Yarra Libraries Policy

Approval Date:

Last Revised: 06/03/2019

Purpose

Yarra Libraries are for the use and enjoyment of the whole community. This policy is to ensure that:

- The library operates effectively and efficiently.
- Members of the community enjoy the facilities in a way that does not infringe upon the rights of other customers or of staff.

Yarra Libraries actively supports the substantive rights outlined in the *Charter of Human Rights and Responsibilities Act 2006* (Vic.), notably those of relevance to the role and function of public libraries including freedom of thought, conscience, religion and belief, freedom of expression, taking part in public life and cultural rights.

Scope

This policy applies to all Council officers, Councillors and customers of the Yarra Libraries service.

Policy statement

1. Administration of the Library

- a) The Manager is responsible for the management and administration of the library Service in accordance with the policies and directions of the Council.
- b) Any person using Yarra Libraries shall obey the lawful directions of an Authorised Staff Member.

2. Admission and Use

- a) Customers may only enter the library (other than Restricted Areas) at times of opening, as set by Council. These opening hours will be prominently displayed inside and outside the library and advertised by other methods as determined by the Manager.
- b) No person, other than library staff or persons duly authorised by the Manager or the Council, shall enter or remain in the library during the hours when the library is not open for use by the public.

Attachment 1 - Library Policy 2019 - FINAL DRAFT**Yarra Libraries Policy**

Approval Date:

Last Revised: 06/03/2019

3. Conduct in the Library**a) Customers must:**

- (i) conduct themselves in a responsible and reasonable manner whilst in the library, showing consideration for the rights of other customers and staff,
- (ii) present any container or bag brought into the library for inspection on the request of an Authorised Staff Member,
- (iii) follow all reasonable requests from an Authorised Staff Member to modify their behaviour if deemed disruptive to other customers,
- (iv) leave the library upon request by an Authorised Staff Member,
- (v) be respectful of others while eating or drinking in the library, and clean up after themselves.

b) Customers must not:

- (i) behave in the library in such a manner as may cause serious harm, inconvenience or discomfort to any other customer or staff member in the library,
- (ii) bring alcohol/illicit drugs in to the library, or be in the library whilst intoxicated or under the influence,
- (iii) eat or drink near computers, photocopiers and other library equipment,
- (iv) smoke in the library, or within four metres of the library entrance,
- (v) deface, damage or interfere with any part of the building, furniture, fittings, computers, equipment, books or other materials belonging to the library, or in the care of the library service,
- (vi) conduct any form of gambling within the library,
- (vii) use the internet to download or view offensive material, as per the conditions specified in the Computer, Internet and Wi-Fi section of this policy.

4. Sleeping in the Library

- a)** Sleeping is permitted in the library provided that the sleeping person is not disturbing or posing a risk to customers, staff or themselves.

Attachment 1 - Library Policy 2019 - FINAL DRAFT**Yarra Libraries Policy**

Approval Date:

Last Revised: 06/03/2019

5. Animals in the Library

- a) No animals, other than Assistance Dogs, therapy or companion animals, are permitted in the library at any time without authorisation from an Authorised Staff Member.

6. Unattended Children in the Library

- a) Except where specified, library staff do not actively supervise children in the library.
- b) All children under the age of 8 years old must be adequately supervised by their parent/carer/guardian or older sibling at all times.
- c) Children aged 8-9 may use the library on their own, but should not be left unattended on their own for long periods of time.
- d) Children aged 10 and older may use the library unattended providing they are mature enough to follow library rules and observe proper conduct
- e) Children of any age with mental, physical or emotional disabilities whose behaviour or decision-making skills require supervision/intervention must be accompanied by a parent/carer at all times.
- f) The parent/carer/guardian of a child left unattended in the library will be contacted and informed of any misbehaviour.
- g) Staff may call the police if the parent/carer/guardian cannot be contacted or if they feel it appropriate to do so.

7. Child Safety

- a) Yarra Council is a Child Safe organisation and the library is committed to every child's safety. In accordance with Victoria's state legislation, it is everyone's responsibility to ensure that no children are placed in danger or harmed.
- b) All library staff are authorised to report suspected cases of a child being in an unsafe situation to the police and Council's Child Safety Officers, in accordance with Council's Child Safe Policy.
- c) If library customers notice any potential sign of a child being in an unsafe situation, they are obliged to report this immediately to an Authorised Staff Member or the police, in accordance with Council's Child Safe Policy.

Yarra Libraries Policy

Approval Date:

Last Revised: 06/03/2019

8. Membership Conditions

- a) Membership of Yarra Libraries is free.
- b) Any individual may apply to become a member of the library by visiting a branch or applying online as per the various membership types listed in this policy.
- c) Members must be responsible for the use of their membership/card and report the loss or unauthorised use of their membership/card to the library immediately.
- d) Members must produce their membership card or suitable ID to an Authorised Staff Member whenever an item is borrowed.
- e) Members must notify the library of any change of address or contact details, and notify the library to cancel their membership on ceasing to be eligible for membership.
- f) Members agree to pay the Council the full replacement value of any items, including the cost of cataloguing and processing, if lost or damaged beyond repair while borrowed.
- g) Memberships are not transferable and the holder is responsible for all membership activities and items borrowed.
- h) An Authorised Staff Member may suspend or cancel the membership of any member who fails to comply with any obligation of membership of the library.
- i) All Membership Types are current for a period of two years unless cancelled prior. A person whose membership has lapsed can have it renewed upon confirming their ID with an Authorised Staff Member.

9. Membership Types

a) Adult Membership

- (i) Individuals over the age of 18, with proof of ID and a current Victorian residential address are eligible for an Adult Membership.
- (ii) An Adult Membership provides access to the library's full range of services and resources.
- (iii) Acceptable forms of ID include a Driver's License, Key Pass or Passport, or two forms of other ID such as Medicare, Healthcare card or bank card.
- (iv) A utility bill, rates notice, signed rental agreement, bank statement or similar documentation (as determined by an Authorised Staff Member) may be used to provide proof of current residential address.

Attachment 1 - Library Policy 2019 - FINAL DRAFT**Yarra Libraries Policy**

Approval Date:

Last Revised: 06/03/2019

b) Children and Youth Membership

- (i) A person under the age of 18 must have a parent/carer/guardian agree to be a guarantor by which that person agrees to:
 - pay for the loss or damage to any item issued under the membership, while in the young member's use or possession,
 - agree not to hold the library responsible for the suitability of items chosen by the young member,
 - accept responsibility as a guarantor until receipt of a notice of withdrawal of guarantee has been received by an Authorised Staff Member,
 - and accept responsibility as a guarantor for the young member's use of the internet and Wi-Fi.
- (ii) Children aged 10 and older may use a proxy membership form to take home for a guarantor to sign. The guarantor must provide suitable ID prior to the membership being issued.
- (iii) If a person between the ages of 15 and 18 is living independently from their parents, they may obtain a Children and Youth Membership by presenting proof of ID and address, or an Australian government-issued Health Care Card.
- (iv) Members under the age of 15 cannot borrow materials classified above MA15+.

c) Partial Membership

- (i) If any individual above the age of 15 has a valid form of ID but is unable to provide proof of address, they are eligible for a Partial Membership.
- (ii) A Partial Membership provides full access to the library, its services and digital resources, with the restriction that a maximum of two physical items be borrowed at a time, or other conditions as determined by the Manager.
- (iii) All interstate or international visitors are eligible for a Partial Membership upon presentation of an acceptable form of ID.
- (iv) Acceptable forms of ID include an International Driver's License, Passport or similar, as determined by an Authorised Staff Member.

Attachment 1 - Library Policy 2019 - FINAL DRAFT**Yarra Libraries Policy**

Approval Date:

Last Revised: 06/03/2019

d) Digital Membership

- (i) Any individual may apply for a digital membership by completing an online form without providing proof of ID or address, upon which that individual will be allocated a membership number that can be used to access online collections and resources only.
- (ii) A Digital Membership can be upgraded at any time to a Partial, Child and Youth, or Adult Membership upon presentation of the required proof of ID and/or proof of address as required for the desired membership type.

e) Organisational Membership

- (i) Any association, society, institution, business or agency located within the City of Yarra, or at the discretion of an Authorised Staff Member, is eligible for an Organisational Membership.
- (ii) An Organisational Membership provides access to the library's full range of services and resources and may be authorised for use by multiple people provided an individual agrees to act as guarantor and all subsequent users agree to follow the membership conditions outlined in Section 8 of this policy.

f) Home Library Membership

- (i) Yarra Libraries will provide a home library service for people who reside within the City of Yarra and are unable to visit a library due to illness, frailty or disability, and have no one in their household able to visit on their behalf.
- (ii) Home Library Membership may be permanent or temporary, as long as the person demonstrates a genuine need for the service as determined by an Authorised Staff Member.
- (iii) Home Library Membership provides access to the full range of library resources, including answers to requests for information, and the routine delivery of specifically requested or curated resources.

Yarra Libraries Policy

Approval Date:

Last Revised: 06/03/2019

10. Cancellation of Membership (Including deceased)

- a) If a person requests that the library cancel their membership, or request that a deceased person's membership be cancelled, an Authorised Staff Member will render the account inactive.
- b) All outstanding fees and charges must be paid in full before a membership can be cancelled.
- c) Fees and charges outstanding on a deceased person's membership will be waived upon the completion of a statutory declaration, including the replacement cost of outstanding items if they cannot be retrieved.
- d) If a membership has been cancelled in error, it can be reactivated within two years of cancellation upon presentation of suitable ID.
- e) Cancelled memberships are retained for two years before being purged from the library Management System.

11. Replacement Membership Cards

- a) Authorised Staff Members will issue a replacement membership card upon paying the replacement fee as set by Council, or under special circumstances without charge.
- b) Institutional members must report the loss of the card in writing to an Authorised Staff Member. Institutional membership cards may be replaced without charge.

12. Borrowing of Library Items

- a) There is no limitation on the number of items that may be borrowed at one time, other than any applicable membership restrictions.
- b) The use of digital resources, including downloading and streaming, must comply with the conditions of the digital licensing agreement between the library and the product vendor.
- c) The usual period allowed for a member to retain an item shall be determined by the Manager, and may be varied at the discretion of an Authorised Staff Member.
- d) The date for return of each item shall be clearly indicated to the member at the time of borrowing.
- e) Members are responsible for safe care of every item borrowed on their membership and for its return to the library by the due date.

Attachment 1 - Library Policy 2019 - FINAL DRAFT

Yarra Libraries Policy

Approval Date:

Last Revised: 06/03/2019

13. Overdue Items

- a) There is no onus on the library to send any notice that an item has not been returned by the due date. Failure to send such notice is not an accepted excuse for non-return of items.
- b) Overdue items must be returned before additional items can be borrowed.
- c) Item renewals are available by telephone, online, and in person.
- d) The number of renewals available on any particular item will be determined according to the Collection Development Policy.
- e) Renewals may not be available if the item has been reserved by another member, if or item is part of a special collection.
- f) Where the option is available, items will be automatically renewed up to the renewal limit when not returned by the due date.
- g) Long overdue items will be presumed lost and liabilities incurred by a member for the loss of items shall be discharged before any further items can be borrowed.

14. Lost and Damaged Items

- a) Members are responsible for reporting any damage on any item borrowed, either at the time of issue or immediately upon return.
- b) If an item is lost or damaged beyond repair or it is stolen, the member shall pay the Council the full replacement value of the item, including the cost of cataloguing and processing.
- c) If the item was found after the replacement charges have been paid within 6 months of the payment, customer may request a refund of the replacement charges, less the processing fee. Proof of payment/receipt is required for refund.
- d) An Authorised Staff Member may require a member to make a statutory declaration concerning the damage or loss of an item.

Yarra Libraries Policy

Approval Date:

Last Revised: 06/03/2019

15. Claims Returned

- a) Customers may file a Claim of Return if they believe that an item is still appearing checked-out to their membership card has been returned.
- b) An Authorised Staff Member will make note of the claim and will investigate in accordance with library procedure.
- c) If the item is located within the library, any associated fees or charged will be waived.
- d) If the item is not found in the library during the three week period, the customer may be required to make a statutory declaration.
- e) Abuse of this procedure can result in the suspension borrowing privileges.

16. Restricted Items

- a) All customers are entitled to browse and consult all library items located at the library, except for items which are restricted due to:
 - (i) Their rarity and/or poor physical condition,
 - (ii) Any access condition imposed by the item's donor,
 - (iii) Any relevant legislation prohibiting access.
- b) Some items may become restricted at the discretion of an Authorised Staff Member if they are deemed eligible for preservation in accordance with criteria as determined by the Manager.

17. Reservations

- a) Any items that can be reserved (placed on hold) via the library catalogue will be reserved free of charge.
- b) Reservations for items not available via the library catalogue (inclusive of SWIFT) may incur a charge as set by the owning library. All charges will be passed to the requesting member and must be paid upon collection of the item.
- c) Reserved items must be collected within the timeframe as determined by the Manager.

Attachment 1 - Library Policy 2019 - FINAL DRAFT

Yarra Libraries Policy

Approval Date:

Last Revised: 06/03/2019

18. Library Item Recommendations

- a) Library Members may recommend items for purchase if not currently available in the library collection.
- b) Recommendations will be reviewed by an Authorised Staff Member in accordance with the Collection Development Policy.

19. Library Consortium (SWIFT)

- a) Library Members can access items held by another SWIFT library only when a comparable copy is not held in Yarra Libraries' collection.
- b) Yarra Libraries' items borrowed from another SWIFT library are subject to that library's lending conditions and may differ from Yarra Libraries' lending conditions.
- c) Yarra Libraries' lending conditions apply to all items, including items borrowed from SWIFT libraries, when borrowed at a Yarra Libraries branch.
- d) The sharing of collection items through SWIFT does not apply to all digital collections, which are licensed individually to each library service.
- e) Library Members can borrow from any participating SWIFT library, just as members from other participating libraries can borrow from Yarra Libraries.

20. Inter-library Loans

- a) If an item is not available via the library catalogue (inclusive of SWIFT), members can request an inter-library loan via LibraryLink Victoria.
- b) Limits and charges, as well as lending conditions, are set by owning library. Timeframes for inter-library loans vary depending on the library or institution from which the item originates.
- c) Items borrowed from the National library of Australia and State Libraries are not able to be taken home and must be used within the library only.
- d) Interlibrary loans cannot be renewed automatically. Renewal requests must be applied for seven days before the due date through the LibraryLink Victoria website or an Authorised Staff Member.

Attachment 1 - Library Policy 2019 - FINAL DRAFT**Yarra Libraries Policy**

Approval Date:

Last Revised: 06/03/2019

21. Fees and Charges

- a) No overdue fees will be charged for borrowed items that are returned after the specified due date.
- b) When an item is overdue, restrictions will be placed on the account of the member who borrowed the item until it is returned, preventing further borrowing.
- c) If an item is lost, the replacement cost and catalogue processing fee will be charged to the member who last borrowed the item.
- d) The Council, its officers or a third party appointed by the Council may take action for the recovery of an item or its value, at any time after the item becomes overdue.
- e) At the discretion of the library Manager, these fines may be reduced or forgiven in certain extenuating circumstances.
- f) All fees and charges will be set annually by the Council at the beginning of each financial year.

22. Computer, Internet and Wi-Fi

This policy section is intended to guide and support use of public access computers and Wi-Fi service available at Yarra Libraries and ensure consistency with National and State laws. Yarra Libraries is committed to working towards a cyber safe environment and is a registered eSmart library.

- a) Yarra Libraries provides public access computers and Wi-Fi at all branches, and tablets at selected locations. All public access computers have internet access and standard office software.
- b) Customers are required to accept the Yarra Libraries 'Terms and Conditions of Use' when accessing the library computers and Wi-Fi.
- c) Parental permission is required for individuals under the age of 18 who wish to use the public access computers.
- d) Children under the age of 12 must be supervised by a parent/carer/guardian at all times.
- e) Guest passes are available for customers over 18 years of age, who are not eligible for any other membership types.
- f) Customers can make advance computer bookings as required, subject to availability.
- g) Computers can be used for 1 hour periods, or as determined by an Authorised Staff Member, and may be extended at the discretion of an Authorised Staff Member.
- h) Yarra Libraries does not accept responsibility or liability for any damages resulting from (but not limited to) loss of data, delays, non-deliveries, service interruptions, technical difficulties or transmission of viruses.

Responsible Officer: Manager Library Services

Document Name: Yarra Libraries Policy

TRIM reference: D19/101154

Page 12 of 17

Yarra Libraries Policy

Approval Date:

Last Revised: 06/03/2019

23. Internet Access for Children

- a) Yarra Parents/carer/guardians are responsible for any use of computers and Internet (including Wi-Fi) by their children and for any sites/services which may be accessed.
- b) In accordance with the Public Libraries Victoria statement on Internet access and content regulation adopted on 20 June 2017, Yarra Libraries does not provide filtering software. The library does not have any control over the information accessible on the Internet.
- c) Some Internet sources may contain material which is inaccurate or which may cause offence to some people. The library does not accept responsibility for the accuracy of information on the Internet or for any consequences which may arise from the use of that information.
- d) Parents/carers/guardians are encouraged to monitor and supervise their children's use of the Internet. Library staff are available to assist with children's information needs but the library does not accept responsibility for determining what they should or can access.

24. Offensive Material

- a) Intentional downloading/viewing of material on internet or viewing material stored in portable media that contains content considered to be offensive as defined by the Victorian Equal Opportunity Act 1995 is not permissible.
- b) Offensive material includes, but is not limited to:
 - (i) any material that is deemed a breach of the Child Safety Policy,
 - (ii) obscene or harassing language or images,
 - (iii) racial, ethnic, sexual, erotic or gender specific comments or images,
 - (iv) and/or other comments or images that would offend someone on the basis of their religious or political beliefs, sexual orientation, physical features, national origin or age (as defined in the Equal Opportunity Act).

Attachment 1 - Library Policy 2019 - FINAL DRAFT

Yarra Libraries Policy

Approval Date:

Last Revised: 06/03/2019

25. Security

- a) Intentional Internet is inherently insecure and whilst Yarra/service providers take reasonable measures to provide secure access, it cannot guarantee the security of the network/computers at all times.
- b) We shall not accept responsibility or liability for any damages resulting from (but not limited to) loss of data, delays, non-deliveries, service interruptions, technical difficulties or transmission of viruses.
- c) Yarra Libraries is not responsible for providing anti-virus software on personal devices and does not guarantee for the security of information transmitted over the internet.

26. Privacy

- a) Information gained as a result of membership registration, circulation of library material or participation in any library activity will not be made available to outside enquirers except by a Court order or requested as part of an official police investigation.
- b) The library collects information about members for the purpose of communicating with them about their account, borrowed/held items, and for statistical purposes.
- c) Membership and circulation statistics shall not be identifiable except where this is agreed to by the customers for operational reasons such as the home library service.
- d) Members who provide their email address will be subscribed to an email update service used to share important service updates and information about new resources and upcoming events; members can opt out at any time.
- e) Yarra Libraries will provide notice when photographs and/or video are being taken.
- f) Yarra City Council's Privacy Policy applies to all computer and Wi-Fi usage at the library.
- g) When using Public Access Computers, customers must ensure that private information is not saved on the computer, and must sign out of all applications and web browsers at the end of their session.

27. Copyright

- a) All copyright requirements of materials accessed electronically and physically are the responsibility of the customer.
- b) Customers shall be responsible for compliance with all international and national copyright laws.

Responsible Officer: Manager Library Services

Document Name: Yarra Libraries Policy

TRIM reference: D19/101154

Page 14 of 17

Yarra Libraries Policy

Approval Date:

Last Revised: 06/03/2019

28. Enforcement of this Policy

- a)** Breaches of any of the conditions of this policy can result in:
 - (i) a verbal warning with an explanation of the policy, its rationale and the procedures to be undertaken when it is breached (first warning),
 - (ii) a written warning, detailing the nature of the breach, the time it occurred and procedures to be undertaken (second warning),
 - (iii) a written notification of withdrawal/ban of access to the library space and all services,
 - (iv) withdrawal of borrowing privileges,
 - (v) suspension of membership,
 - (vi) and/or referral to the police for further action.
- b)** The above are not necessarily to be applied in a required sequence. For instance, a serious breach may result in a final withdrawal of access or referral to the police for further action without a written warning.
- c)** Any person who (whether wilfully or not) does not abide by the requirements of this Policy may be requested to give their name and address to an Authorised Staff Member and may be asked to immediately leave the library.

Attachment 1 - Library Policy 2019 - FINAL DRAFT**Yarra Libraries Policy**

Approval Date:

Last Revised: 06/03/2019

Definitions

Term / Abbreviation	Definition
Authorised Staff Member	Any person officially employed by Council to work for Yarra Libraries.
Borrow	To take an item, either physical or digital, from a library collection in accordance with the conditions of borrowing.
Copyright	The exclusive right granted by law for a certain term of years, to make and dispose of copies of, and otherwise control, a literary, musical, dramatic, or artistic work.
Customer	Any person whether or not a member, making use of the library service.
Institution	Any institute, association, corporation, society, business, collective or agency.
library	All or any library outlet under the management and control of the Council and includes all buildings or portions thereof, and other areas, facilities and vehicles used in connection with the provision of the library service.
Manager	The person responsible for the day to day operations of Yarra's library service.
Member	A person or institution holding a membership card issued in accordance with the Yarra Libraries Policy.
Membership Card	A current and valid card issued to a member in accordance with the Yarra Libraries Policy as authority to borrow and access collection items and resources in person and online.
Restricted Area	An area within the any Yarra Libraries branch to which access is restricted to officers and employees of Yarra Libraries.
Yarra Libraries	All the library facilities, resources, services and activities provided by Yarra City Council.

Attachment 1 - Library Policy 2019 - FINAL DRAFT

Yarra Libraries Policy

Approval Date:

Last Revised: 06/03/2019

Related documents

- Yarra Council Plan
- Yarra Council Child Safe Policy
- Yarra Council Information Privacy Policy
- Yarra Libraries Strategic Plan
- Yarra Libraries Collection Development Policy
- Yarra Libraries Local History Collection Development Policy
- *Equal Opportunity Act 1995 (Vic)*
- *Children, Youth and Families Act 2005 (Vic)*
- *Charter of Human Rights and Responsibilities Act 2006 (Vic)*
- *Copyright Act 1968*

Responsible Officer: Manager Library Services

Document Name: Yarra Libraries Policy

TRIM reference: D19/101154

Page 17 of 17

Attachment 2 - Yarra Libraries Policy 2016



Yarra Libraries

PoLiCY

3.6

Approval Date: 6/9/11

Last Revised: 15/01/16

Purpose

Yarra Libraries are for the use and enjoyment by the whole community. This policy is to ensure that:

- The library operates effectively and efficiently.
- Members of the community enjoy the facilities in a way that does not infringe upon the rights of other users or of staff.

Yarra Libraries actively supports the *Charter of Human Rights and Responsibilities Act 2006* (Vic.), listing 20 substantive rights, notably those of direct relevance to the role and function of public libraries including freedom of thought, conscience, religion and belief, freedom of expression, taking part in public life and cultural life.

Scope

This policy applies to all Officers and Councillors and users of the Yarra Libraries service.

Definitions

Term / Abbreviation	Definition
Borrow	To take an item from a library in accordance with the conditions of borrowing.
Institution	Any institute, association, corporation, society, business, collective or agency.
Authorised Staff Member	Any person officially employed by Council to work for Yarra Libraries.
Library	All or any library outlet under the management and control of the Council and includes all buildings or portions thereof, and other areas, facilities and vehicles used in connection with the provision of the library service.
Yarra Libraries	All the library facilities, resources, services and activities provided by Yarra City Council.
Manager	The person who is responsible for the day to day operations of the library service.
Member	A person or institution holding a membership card issues in accordance with the Yarra Libraries Policy.
Membership Card	A current and valid card issued to a member in accordance with this policy as authority to borrow books.
Restricted Areas	Areas within the Library to which access is restricted to officers and employees of the Library.
User	Any person whether or not a member, making use of the library service.
Note: Words importing the masculine gender include the feminine, words in the singular number include the plural words in the plural number include the singular number.	

Responsible Officer: Manager Cultural and Library Services

Document Name: Yarra Libraries Policy

TRIM reference: D11/9518

Attachment 2 - Yarra Libraries Policy 2016



Yarra Libraries

Policy

Approval Date: 6/9/11

Last Revised: 15/01/16

Policy statement

1. Administration of the library

- (a) The Manager is responsible for the management and administration of the Library Service in accordance with the policies and directions of the Council.
- (b) Any person using Yarra Libraries shall obey the lawful directions of an Authorised Staff Member.

2. Admission and Use

- (a) Users may only enter the Library at times of opening, as fixed by Council. These opening hours will be prominently displayed inside and outside the Library and advertised by other methods as shall be determined by the Manager.
- (b) Any person may enter the Library (other than Restricted Areas) for the purpose of using the services and facilities on the premises during the hours it is open to the public.
- (c) Subject to the provisions of this policy members may have access to the Library for the purpose of borrowing library materials and using the facilities at the discretion of an Authorised Staff Member.
- (d) No person, other than library staff or persons duly authorised by the Library Manager or the Council, shall enter or remain in the Library during the hours when the Library is not open for use by the public.
- (e) Children are welcome to use the library under the following conditions:
 - (i) Children 7 years old and under must be supervised by a parent or caregiver. Supervision requires that the person be within sight of the child at all times.
 - (ii) Children 8 to 10 years old may use the library on their own but should not be left unattended for extended periods of time.
 - (iii) Older children (aged 10 and above) may use the library service without being supervised provided they maintain acceptable library behaviour at all times.

3. Membership

- (a) Any individual may apply to become a member of the Library by completing the prescribed membership form and providing proof of identity and current residential address. Membership is free.
- (b) An Authorised Staff Member may, at his or her absolute discretion, allow any association, society, institution, business or agency, to become a member of the Library provided that such body's premises, predominant area of service or activity, or normal place of meeting is within the municipality.

Responsible Officer: Manager Cultural and Library Services
 Document Name: Yarra Libraries Policy
 TRIM reference: D11/9518

Attachment 2 - Yarra Libraries Policy 2016



Yarra Libraries

Policy

Approval Date: 6/9/11

Last Revised: 15/01/16

- (c) If an Institution wishes to borrow library materials the Institution shall have a representative complete and sign an application form, on behalf of the Institution, which shall include an undertaking that the Institution will comply with the provisions of this policy.
- (d) If a person under the age of 18 wishes to be a member, the person must have a parent or guardian sign a guarantee by which that person guarantees to:
 - (i) pay for the loss or damage to any item while in the young member's use or possession;
 - (ii) agree not to hold the library responsible for the suitability of items chosen by the young member; and
 - (iii) accept responsibility as a guarantor until receipt of a notice of withdrawal of guarantee has been received by an Authorised Staff Member.
 - (iv) accept responsibility as a guarantor for the young member's use of the internet or WiFi.
- (e) Every member on being issued with a membership card shall:
 - (i) be responsible for the custody of the card;
 - (ii) produce the card or suitable identification to Library Staff whenever an item is borrowed;
 - (iii) notify any change of address to the Library;
 - (iv) surrender the card to an Authorised Staff Member on ceasing to be eligible for membership; and
 - (v) report the loss of the card to the Library immediately such loss is discovered.
- (f) Library Staff may issue a replacement card:
 - (i) immediately upon payment of such fee as may be determined by the Chief Executive Officer; or
 - (ii) under special circumstances without charge.
- (g) Institutional members must report the loss of the card, in writing, to an Authorised Staff Member who may then issue a replacement card without charge or delay.
- (h) Membership is current for a period of two years unless it is surrendered or cancelled before this. A person whose membership has lapsed will be required by an Authorised Staff Member to re-register before borrowing items.

Responsible Officer: Manager Cultural and Library Services
Document Name: Yarra Libraries Policy
TRIM reference: D11/9518

Attachment 2 - Yarra Libraries Policy 2016



Yarra Libraries

Policy

Approval Date: 6/9/11

Last Revised: 15/01/16

- (i) Membership cards are not transferable and the holder of the membership card is responsible for all items borrowed on that card.
- (j) An Authorised Staff Member may suspend or cancel the membership of any member who fails to comply with any obligation of membership of the Library.

4. Borrowing of Library Items

- (a) The Council shall determine the number of items (in total and of a particular type) which may be borrowed by an individual member during a borrowing period and will also determine the overdue charges that will apply to items returned late.
- (b) The usual period allowed for a member to retain an item shall be determined by Council, and the date for return of each item shall be clearly indicated to the member. The time allowed for retaining an item may be varied at the discretion of an Authorised Staff Member.
- (c) A member is responsible for safe care of every item borrowed on his/her membership card and for its return to the library by the due date.
- (d) There is no onus on the Library to send to any member a notice that an item has not been returned by the due date. Failure to send such notice is not an excuse for non-return of items. Library Staff may require that overdue items be returned before any other item is issued.
- (e) A member may apply by telephone, the Library website or in person for an extension to the time allowed for retaining an item. The number of extensions available will be determined at the discretion of the Authorised Staff Member. Such extension will not be granted if the item has been reserved by another member or another library.
- (f) Any item in the lending stock of the Library may be reserved for a member, free of charge. The Library will notify the member when the item is available.
- (g) A member may recommend the Library purchase an item which is not in stock of the library, or may request the Library to borrow an item from another library for him/her. Items requested by a member for loan from another library are only made available subject to the conditions of loan applied by that lending library.
- (h) A member is responsible for reporting to the Librarian any damage discovered in any item on loan to him/her. This damage shall be reported at the time of issue or immediately on return.
- (i) If an item is lost or damaged beyond repair, while borrowed by a member, or it is stolen from a member, the member shall pay to the Council the full replacement value of the item including the cost of cataloguing and processing.

Responsible Officer: Manager Cultural and Library Services

Document Name: Yarra Libraries Policy

TRIM reference: D11/9518

Attachment 2 - Yarra Libraries Policy 2016



Yarra Libraries

PoLiCY

Approval Date: 6/9/11

Last Revised: 15/01/16

- (j) Failure to receive a notice concerning overdue charges is no excuse for non-payment of such charges. Liabilities incurred by a member for the loss of items shall be discharged before any further item is issued.
- (k) The Council or any of its officers may take action for the recovery of an item or for its value, at any time after the item becomes overdue.
- (l) Items stolen or lost remain the property of the Library although replaced or paid for.
- (m) All users of the Yarra Libraries are entitled to consult all Library items located at the Library, except for Library items to which are on restricted access because of:
 - (i) the rarity of the Library item;
 - (ii) the physical condition of the Library item;
 - (iii) any condition imposed by the donor of the Library item; or
 - (iv) any relevant legislation.
- (n) An Authorised Staff Member may require a member to make a statutory declaration concerning the loss of an item.

5. Conduct in the Library

- (a) Users must:
 - (i) Conduct themselves in a responsible and reasonable manner whilst in the library, showing consideration for the rights of other users and staff.
 - (ii) When leaving the Library, open any container or bag brought into the library, for inspection, on the request of an Authorised Staff Member.
 - (iii) Leave the Library at closing time or at the request of an Authorised Staff Member.
- (b) Users must not:
 - (i) Behave in the Library in such a manner as may cause serious inconvenience or discomfort to any other user or staff member in the library.
 - (ii) Bring into the Library any animal, other than a guide dog for the blind.
 - (iii) Drink alcohol or smoke in any Library.
 - (iv) Deface, mutilate, break, damage or interfere with any part of any Library building, furniture, fittings, computers, equipment, books, or materials belonging to, or in the care of, the Library Service.

Responsible Officer: Manager Cultural and Library Services
Document Name: Yarra Libraries Policy
TRIM reference: D11/9518

Attachment 2 - Yarra Libraries Policy 2016



Yarra Libraries

Policy

Approval Date: 6/9/11

Last Revised: 15/01/16

- (v) Solicit or collect gifts of money or subscriptions or sell or expose for sale any goods in the library.
- (vi) Conduct any form of gambling within the Library.
- (vii) Conduct any "for profit" business within the Library.
- (viii) Remain in the Library after being requested to leave the premises by an Authorised Staff Member.
- (ix) Use the internet to download or view offensive material, as per the Yarra Libraries Internet and Wireless Use Policy.

Users wishing to book any meeting rooms within the Library must apply to do so using the prescribed application form.

Enforcement of this Policy

Any person who (whether wilfully or not) does not abide by the requirements of this Policy may be requested to give his/her name and address to an Authorised Staff Member and may be asked to immediately leave the library.

Failure to comply with this Policy may result in the suspension of Library privileges and, if necessary, referral to the Police for further action.

Privacy

Information gained as a result of membership registration, book circulation or participation in any library activity will not:

be made available to outside enquirers (except by a Court order), or be used by library staff for any purposes other than follow-up of unreturned books borrowed from the library service, or for statistical purposes. Note: This includes information held in files outside the library and in computer files. Membership and circulation statistics shall not be identifiable with individual members except where this agreed to by users for operational reasons such as the home library service.

Related documents

- Yarra Libraries Internet and Wireless Use Policy.
- Unattended Children Policy
- Yarra Libraries Strategic Plan 2008 – 2012
- Charter of Human Rights and Responsibilities Act 2006 (Vic)

Responsible Officer: Manager Cultural and Library Services

Document Name: Yarra Libraries Policy

TRIM reference: D11/9518

11.4 Self defence programs for women, girls and LGBTIQ+ community

Trim Record Number: D19/128007

Responsible Officer: Director City Works and Assets

Purpose

1. Council resolved on 14 May 2019:

“That:

- (a) Officers present a report to Council outlining the potential for Council to conduct self-defence courses at its Leisure Centres or other suitable venue for:*
 - (i) Women; and*
 - (ii) LGBTIQ Community; and*
- (b) such report propose options for a flexible fee structure offering, a no-fee, low-fee and subsidised fee structure”.*

2. This report has been drafted to satisfy this resolution; it presents information on the current status of self-defence courses offered within the municipality, and the recommendations for Councils future role and investment to meet the identified needs of the local community.

Background

3. Violence against women is a serious and widespread issue in Australia and throughout the world. Violence against women is primarily driven by gender inequality, and reinforced or exacerbated by a number of other factors.
4. Zero violence against women today still seems aspirational and a large scale societal shift will be required to make genuine improvements. But, the scale of the problem and the facts should not preclude focused action on prevention of men’s violence against women.
5. Research shows 1 in 3 Australian women have experienced physical violence since the age of 15, 1 in 5 Australian women has experienced sexual violence, 1 in 6 Australian women has experienced physical or sexual violence by current or former partner and almost one in 10 women (9.4%) have experienced violence by a stranger since the age of 15.
6. A study from the Australian Research Centre in Sex, Health and Society at La Trobe University in 2012 found 18 per cent of young LGBTIQ+ people had experienced physical homophobic abuse and 61 per cent had experienced verbal homophobic abuse.
7. The City of Yarra has worked collaboratively across the municipality and beyond and have been sector leaders in the prevention of violence against women, gender equity and broader inclusion for many years.
8. The Gender Equity Strategy 2013-16 was followed by a new plan in 2016-21. The first Action Plan under the existing strategy (2016-18) predominately focused on the City of Yarra as a workplace, but some actions have broader community outcomes. The second plan under the existing strategy (2019-21) is focussed on internal action.
9. Identifying the approach and possible focus for action can be challenging when faced with such an issue, as no single action will have a large scale impact. Therefore a multifaceted and planned approach that is collaborative, resourced, monitored and evaluated is optimal.
10. No documented evidence-based research has been found to confirm any positive impacts of self-defence training on women and LGBTIQ+ community’s safety. However possible benefits to individuals could include: ability to protect yourself; enhanced awareness of your surroundings; increased self-confidence; improved general fitness, strength, balance, reflex and wellbeing and other benefits associated with participation in sport and physical activity.

11. Sport and recreation has the capacity to challenge gender stereotypes and discriminatory attitudes, change the way communities perceive them and break down barriers. With participation in sport lower for women than men both on and off the field, local governments have been turning attention to creating female friendly and inclusive environments.
12. In a review of available information focussed on gender equity in sport and recreation and the role council can play, the following was identified:
 - (a) Gender equity and prevention of violence against women education in grassroots sporting clubs;
 - (b) Promote equitable treatment of women, men and gender diverse people in the provision of and access to infrastructure and facilities;
 - (c) Consider annual expenditure on sport and recreation services and infrastructure thorough annual budgeting process to ensure an equitable distribution of funds to support women's and girls' participation for both operations and capital;
 - (d) Provision of grants to support community groups to develop programs and initiatives that focus on gender equality and prevention of violence against women;
 - (e) Gender balance leadership, volunteerism and membership at club level; and
 - (f) Gender balance employment, programs, visitation and environments within service provision e.g. Leisure centres.
13. In a recreation and leisure context, the City of Yarra is currently focussing on a range of actions that seek to achieve equity and increase female participation:
 - (a) Pavilions – enhancing these to be universally accessible and female friendly;
 - (b) Programs – specialised programs such as Women Making Waves at Collingwood Leisure Centre;
 - (c) Community Grants - the Sport and Recreation stream includes a focus on women and girls participation;
 - (d) Club fee discounts – supporting inclusion of women and girls teams;
 - (e) Data - Avenues to collect data on female participation in clubs and committee, which assists in understanding the current status and informing decision making to promote gender equity; and
 - (f) Other - Fully funded sanitary services for all pavilions.
14. In 2019/20 the Recreation and Leisure and other City of Yarra Branches team propose additional actions, including to:
 - (a) Finalise and implement a local Club governance and analysis health check program to create more gender equitable and inclusive environments;
 - (b) Finalise a Participation Plan that aims to get more people more active more often and address barriers to involvement in sport and recreation. This plan will include a greater focus on leadership, activating spaces and places and developing a highly walkable community that favours women, children and our most disadvantaged as well as creating safer spaces for all;
 - (c) Consider the establishment of a Participation Officer, to facilitate the implementation of the Participation Plan with equality and inclusion fundamental principles of the role;
 - (d) Focus on greater levels of employment diversity in the leadership team and in the areas of high volumes of males such as our gymnasiums and pool supervision;
 - (e) Host two LGBTIQ+ swim gym nights as part of a regional partnership project and use the learnings to extend existing or develop new programs initiatives to be more inclusive and welcoming;

- (f) Finalise the female friendly Malcolm Graham Reserve pavilion, Richmond Recreation Centre all gender amenities, Victoria Park Sherrin Stand AFLW change rooms and amenities and Ryan's Reserve Netball; and
 - (g) Finalise plans and design on a number of key facilities that will foster great level of participation by women and girls including Brunswick St Oval Precinct, Panther Pavilion, Burnley Golf Course and Yarra Bend Netball Facility.
15. Actions from other Branches within Council include:
- (a) Events - International Women's Day celebration and awards, flag raising on IDAHOBIT and Transgender Day of Visibility;
 - (b) Programs –LGBTI and Elders Dance Club, Youth programs;
 - (c) Infrastructure - additional lighting in parks; Universal design and design according to CPTED principles;
 - (d) Partnerships – participate in a range of networks and committees including the Regional Building Respectful Communities initiative by Women's Health in the North;
 - (e) Strategy – A LGBTIQ+ Strategy is being drafted and expected to be finalised by the end of 2019 and be primarily internally focussed;
 - (f) Communications - Stock photos are being updated on an ongoing basis to include positive images of women and men including non-stereotypical images in the workplace and community and highlight gender equity and respect in all internal and external Council communications; and
 - (g) Governance – a project to name streets and other places after prominent Yarra female leaders. Street naming is an existing council process and this can become part of the usual process in the future.
16. A report to Council is also being prepared on opportunities to improve public safety in parks and is proposed to be presented to Council later in 2019.
17. There are a number of local businesses that offer self defence programs within their own ongoing programs and premises, or in other facilities and open spaces:
- (a) Van Wijk's Kenpo offers a nine week program x one hour for \$120 per person (up to 15) at their premise in Brunswick or from other venues;
 - (b) Fightback Women's Self Defence provide programs from other venues only and offer one off programs for one hour for \$165, two hours for \$440 or 3 hour for \$500 or a six hour program over four weeks for \$990. They can cater for up to 30 people;
 - (c) Advanced Conflict provide programs from a Richmond and other venues and provide a six hour ACT program over four weeks at a cost of \$60 per student per week or \$200 per student per program and caters for between 6-20 students; and
 - (d) All Stars offer a 10 week program every Friday evening for \$195 per person.

External Consultation

18. There has been little external consultation on self-defence at this stage. Services have been contacted to understand the local offering only.

Internal Consultation (One Yarra)

19. Key City of Yarra Recreation and Leisure staff were engaged in the process and had an opportunity to discuss challenges, issues and ideas. Other areas of council were contacted in relation to broader work around Gender Equity, Prevention of Violence against Women and LGBTIQ+ including Organisational Development, Social Policy and Community Partnerships.

Financial Implications

20. Programs can cost anywhere between \$60 and \$200 for participation in existing self defence programs.

21. Professionally qualified instructors can be engaged from \$165 per hour to deliver self defence programs.
22. Council facilitated 4-6 week program could cost between \$13,000 and \$16,000.
 - (a) Instructors will cost between \$2000-\$6000; and
 - (b) Program development, marketing, implementation and review will cost around \$11,000
23. If Council decided to increase its external facing efforts in Gender Equity, PVAW or LGBTIQ+ space there may be other financial implications.
24. No funding has been allocated in the 2019/20 budget specifically to fund self-defence programs.

Economic Implications

25. There are little economic implications as a result of this report however there may be an impact on local business offering self –defence classes as a business if Council were to proceed and offer low or no cost classes.
26. It should be noted that violence against women comes at a high cost to the Australian economy.

Sustainability Implications

27. There are no sustainability implications as a result of this report

Social Implications

28. Great social benefit can be attributed to removing barriers to participation and by encouraging greater inclusion within the community.
29. The impact of violence against women on community health and wellbeing is devastating and significant.

Human Rights Implications

30. There are no human rights implications as a result of this report.

Communications with CALD Communities Implications

31. Any future engagement or changes to services will be communicated in a range of ways to reflect and meet the needs of our diverse community. Officers acknowledge that there are specific challenges in supporting people from CALD communities and therefore would need to draw on existing networks and service providers to enable involvement.

Council Plan, Strategy and Policy Implications

32. This project could contribute to the delivery of numerous Council strategies as outlined below.
 - (a) Council Plan 2017-2021:
 - (i) Strategy 1.2 – Promote a community that is inclusive, resilient, connected and enjoys strong mental and physical health and wellbeing;
 - (ii) Strategy 1.6 – Promote a gender equitable, safe and respectful community;
 - (iii) Strategy 1.8 – Provide opportunities for people to be involved in and connect with their community; and
 - (iv) Strategy 2.1 – Build resilience by providing opportunities and places for people to meet, be involved in and connect with their community;
 - (b) Strategy 2.5 – Supports community initiatives that promote diversity and inclusion.
Access and Inclusion Strategy 2018-2024;
 - (c) Strategy 1.1 – Promote and encourage the application of Universal Design and Universal Access within, and external to Council;

- (d) Strategy 2.1 – Provide and/or support the community to provide a diverse range of accessible community services and arts, cultural, sport and recreational activities that are creative and fun for all abilities and ages; and
- (e) Gender Equity Strategy 2016-21- for an organisation that positively and proactively demonstrates a gender-inclusive culture that encourages leadership. Participation and contribution from a diverse workforce:
 - (i) 2016-18 Action Plan – superseded; and
 - (ii) 2019-21 Action Plan – current and internally focussed;
- (f) LGBTQI Strategy 2019 –22 (under development);
- (g) Building a Respectful Community Strategy 2017-2021 – Partner with Women’s Health in the North:
 - (i) Our workplaces are gender equitable, safe and inclusive;
 - (ii) Our services and facilities are gender equitable, safe and inclusive;
 - (iii) Our communities and neighbourhoods are gender equitable, safe and inclusive;
 - (iv) Our communications are gender equitable and inclusive; and
 - (v) A wide range of sectors and organisations take responsibility for preventing violence against women.

Legal Implications

33. There are no legal implications as a result of this report.

Other Issues

- 34. The direct provision of self defence programs by Yarra Leisure presents challenges through the volume of equipment required to offer the program and the cost and storage requirements.
- 35. Collingwood Leisure Centre and Richmond Recreation Centre group fitness rooms will meet size requirements. Rooms are heavily booked for existing programs in peak times but the timetables are reviewed every quarter which presents opportunities.
- 36. Open spaces in close proximity to Yarra Leisure facilities such as Citizens Park, Mayors Park and Smith Reserve could provide open space options to offer outdoor programs.
- 37. Other council owned or managed facilities could be considered to provide programs or we could lease space in well positioned facilities such as Richmond High School, Lynall Hall etc. however the need for equipment storage may prevent these from being genuine options.
- 38. Instructors can be engaged to deliver programs on behalf of council from as small as one off one hour programs through to nine weeks plus programs. An example of programs include:
 - (a) Nine week program x one hour - \$120 per person with www.vwkenpo.com.au – at their premise or can deliver from council owned facilities. Up to 15 people;
 - (b) One off programs - one hour - \$165, 2 hour - \$440, 3 hour - \$500 or six weeks x one hour - \$990 <https://www.fightbackselfdefence.com.au/> - at council owned facilities indoor or out – up to 30 people; and
 - (c) Six hour program – four x 1.5 hrs - \$60 per student per week or \$200 per student per program (6-20 students) www.advancedconflict.com.au – at council owned facilities.

Options

39. There is an almost endless range of options available to Council, depending on the outcome sought. Some of these options (which are not intended to be read as being mutually exclusive) are outlined below:

Option 1

40. Refer self-defence enquiries to appropriate local venues and existing self-defence programs.

Option 2

41. Offer self-defence come and try sessions at existing council hosted events such as Community Wellbeing Day at Atherton Gardens in October - \$165 per session.

Option 3

42. Trial a series of one off sessions for one month across various Council facilities, open space, days and times to gauge the level of interest in self-defence which includes: the development, promotion, delivery and assessment of 3 x 1 hours sessions per week x four weeks for up to 30 people per session. Prices based on 50% occupancy or average of 15 people per session:

- (a) Full subsidy costs to Council:

- (i) \$1,980;

NB. Above cost includes instructor costs; excludes costs such as officer time and promotion – at estimated cost of \$10,000

- (b) Partial subsidy of 50/50 of full costs:

- (i) \$990 to Council: and \$5.50 per person per session; and

NB. Above cost includes instructor costs; excludes costs such as officer time and promotion – at estimated cost of \$5,500.

- (c) Nil subsidies by Council:

- (i) \$11 per person per session

NB. Above cost includes instructor costs only; excludes costs such as officer time and promotion – at estimated cost of an additional \$60 per person per session.

Option 4

43. Promote the existing women's self defence programs as identified as available in the City of Yarra or close proximity in existing council produced publications and media channels.

Option 5

44. Provide a grant to external providers based in the City of Yarra to promote and deliver self defence programs for City of Yarra residents. Requirements could stipulate the programs are free or partially subsidised.

Option 6

45. Build capacity of commercial self-defence/martial arts providers to focus on providing equal access and female friendly environments. Officers believe this would be a realistic and evidenced based action and aligned to action occurring with sporting clubs and workplaces. A series of 1:1 meetings, assessments, development workshops, resource development and communications would be necessary and cost approximately \$50,000 over a 12 month period. (Note; this work is not budgeted for in 2019/20)

Option 7

46. If the overall aim is to lead or contribute to making the public realm in the City of Yarra safer for women, girls and our LGBTIQ+ community officers could prepare a report and bring to council on the possibilities of a coordinated external focussed plan on public safety and equal opportunity of women and the LGBTIQ+ community. Such a plan may include actions such as:

- (a) Projects like Plan Internationals *Free to Be* and Ballarat City Councils *Right to the Night*. Rich information gathered can be used to design key places with inclusiveness, safety and liveability at its heart. <https://www.plan.org.au/freetobe> and <https://news.ballarat.vic.gov.au/news-media/news/right-night-project-wins-award>. Platforms such as Crowdsport provide the online systems required to undertake such projects, which can be enhanced through promotions campaigns and localised organised walks. Based on previous collected information here -

<https://crowdspot.carto.com/builder/ca6d8917-579c-463c-a918-8ac8d6402500/embed>
if there is support to consider a campaign like this, it would be recommended to start with Brunswick St, Smith St and Victoria St. This would require the engagement of an appropriate external data solutions agency, promotional activities, series of walks and workshops, data analysis and reporting and the development of recommendations and costs plan for consideration. Cost approximately \$100,000 over a 12 month period.

47. It should be noted that no funding has been allocated specifically in the 2019/20 budget to fund these options.
48. Option 7 above is the option recommended by officers, on the basis that it is the most likely to have a genuine long-term impact on safety for women, girls and the LGBTIQ+ community.

Conclusion

49. There is an almost endless range of options available to Council on the provision of self-defence and the broader issue of tackling the prevention of violence against women and equality.
50. A report to Council is also being prepared on opportunities to improve public safety in parks and is expected to be presented to Council later in 2019.
51. Due to the magnitude of the issue at hand, a coordinated and planned approach to achieving and maximising outcomes for our community is considered the best way forward.

RECOMMENDATION

1. That Council:
 - (a) note that a separate report is planned to be presented to Council later in 2019 on public safety in parks, reserves and gardens, and
 - (b) seek a further report from officers on the options for a coordinated external focussed plan on public safety and equal opportunity of women and the LGBTIQ+ community, that includes advice on how Yarra could implement a program along the lines of the Plan International *Free to Be*, and the City of Ballarat's *Right to the Night* campaigns.

CONTACT OFFICER: Kerry Irwin
TITLE: Manager Recreation and Leisure Services
TEL: 92055371

Attachments

There are no attachments for this report.

11.5 Appointment of Authorised Officers - Planning and Environment Act 1987

Trim Record Number: D19/124614

Responsible Officer: Group Manager Chief Executive's Office

Purpose

1. To provide for the formal appointment of Council Officers as Authorised Officers pursuant to Section 147(4) of the *Planning and Environment Act 1987* and Section 232 of the *Local Government Act 1989*.

Background

2. In order to undertake the duties of office, the below named staff member should be appointed as an Authorised Officer pursuant to the above referred legislation.
3. This authorisation cannot be made by the Chief Executive Officer under delegation, and must be made by resolution of Council.

Consultation

4. Not applicable.

Financial Implications

5. There are no direct financial implications arising from the appointment of an authorised officer.

Economic Implications

6. This report has no economic implications.

Sustainability Implications

7. This report has no sustainability implications.

Social Implications

8. This report has no direct social implications.

Human Rights Implications

9. This report has no Human Rights implications.

Communications with CALD Communities Implications

10. Not applicable.

Council Plan, Strategy and Policy Implications

11. This report is an example of this Council's positive action, in demonstrating its commitment to its legislative obligations.

Legal Implications

12. Appointment of Authorised Officers under the *Planning and Environment Act 1987* requires a formal resolution of Council. Where such authorisation is proposed to be granted, provision is also made to allow the respective officer to also initiate proceedings on behalf of Council (as provided in Section 232 of the *Local Government Act 1989*).

Other Issues

13. Not applicable.

Options

14. Not applicable.

Conclusion

15. That Council formally appoint the officers listed below as Authorised Officers pursuant to Section 147 (4) of the *Planning and Environment Act* 1987 and Section 232 of the *Local Government Act* 1989. The Instruments of Appointment and Authorisation document will be signed accordingly by the Chief Executive Officer.

RECOMMENDATION

1. That Council formally appoints:
 - (a) Cait Ramsden
as an Authorised Officer pursuant to Section 147(4) of the *Planning and Environment Act* 1987 and Section 232 of the *Local Government Act* 1989.
2. That Council directs that the Instrument of Appointment and Authorisation be signed accordingly by the Chief Executive Officer.

CONTACT OFFICER: Rhys Thomas
TITLE: Senior Governance Advisor
TEL: 9205 5302

Attachments

There are no attachments for this report.

11.6 Report on Assemblies of Councillors

Trim Record Number: D19/119503

Responsible Officer: Group Manager Chief Executive's Office

Purpose

1. To provide a report on Assemblies of Councillors.

Background

2. The *Local Government Act 1989* (The Act) requires that ... "The Chief Executive Officer must ensure that the written record of an Assembly of Councillors is, as soon as practicable:
 - (a) reported at an ordinary meeting of the Council; and
 - (b) incorporated in the minutes of that Council meeting.....".
3. This report includes all Assemblies of Councillors reported to the Governance Department at the cut-off date that have not already been reported to Council. Assemblies held prior to the cut-off date that are not included here will be included in the next report to Council.

Consultation

4. Not applicable.

Financial Implications

5. Not applicable.

Economic Implications

6. Not applicable.

Sustainability Implications

7. Not applicable.

Social Implications

8. Not applicable.

Human Rights Implications

9. Not applicable.

Communications with CALD Communities Implications

10. Not applicable.

Council Plan, Strategy and Policy Implications

11. Not applicable.

Legal Implications

12. The Act requires the above information be reported to a formal Council Meeting and also be recorded into the Minutes of the Council.

Other Issues

13. Not applicable.

Options

14. Nil.

Conclusion

15. That Council formally note and record the Assemblies of Councillors report as detailed in **Attachment 1** hereto.

RECOMMENDATION

1. That Council formally note and record the Assemblies of Councillors report as detailed in ***Attachment 1*** hereto.

CONTACT OFFICER: Mel Nikou
TITLE: Administration Officer - Governance Support
TEL: 9205 5158

Attachments

- 1 [!\[\]\(8c4dca64662d21542001ca0ed7eeb688_img.jpg\)](#) Assemblies of Councillors Report - 30 July 2019

Attachment 1 - Assemblies of Councillors Report - 30 July 2019

Record of Assemblies of Councillors

Report cut-off	19 July 2019
Council Meeting	30 July 2019

This report includes all Assemblies reported to the Governance Department at the cut-off date that have not already been reported to Council. Assemblies held prior to the cut-off date that are not included here will be included in the next report to Council.

Assembly	Attendance	Matters considered	Disclosures
Disability Advisory Committee 9 July 2019 4.30pm	Councillors <ul style="list-style-type: none"> • Cr Stephen Jolly Officers <ul style="list-style-type: none"> • Adrian Murphy • Laurice Younge • Cheryle Gray • Marta Rokicki 	1. Changing places toilet facility in re-developments 2. Community Engagement Strategy development 3. NDIS Advocacy Report 4. Accessible versions of access and inclusion strategy 5. Members individual reports	Nil

Attachment 1 - Assemblies of Councillors Report - 30 July 2019

Assembly	Attendance	Matters considered	Disclosures
Councillors Briefing 24 June 2019 6.30pm	Councillors <ul style="list-style-type: none"> • Cr Danae Bosler • Cr Mi-Lin Chen Yi Mei • Cr Misha Coleman • Cr Jackie Fristacky • Cr Stephen Jolly • Cr Bridgid O'Brien • Cr Daniel Nguyen • Cr Amanda Stone Officers <ul style="list-style-type: none"> • Vijaya Vaidyanath • Ivan Gilbert • Bruce Phillips • Diarmuid McAlary • Chris Leivers • Lucas Gosling • Gracie Karabinis • Ange Marshall • Rhys Thomas • Colm Connolly • Kerry Irwin 	1. Finance Report – May 2019 2. Annual Plan and Budget 2019/20 3. Local Government Bill 2019 4. Multicultural Partnerships Plan 2019/22 5. Leisure Centre Masterplan 6. Urban Agriculture Strategy 7. Alpha Partners Affordable Housing 8. VCAT Activity Report – Third Quarter 2018-19	Nil

Attachment 1 - Assemblies of Councillors Report - 30 July 2019

Assembly	Attendance	Matters considered	Disclosures
Councillors Briefing 1 July 2019 6.30pm	Councillors <ul style="list-style-type: none"> • Cr Danae Bosler • Cr Mi-Lin Chen Yi Mei • Cr Misha Coleman • Cr Jackie Fristacky • Cr Bridgid O'Brien • Cr Daniel Nguyen • Cr James Searle • Cr Amanda Stone Officers <ul style="list-style-type: none"> • Vijaya Vaidyanath • Ivan Gilbert • Bruce Phillips • Diarmuid McAlary • Chris Leivers • Lucas Gosling • Gracie Karabinis • David Walmsley • Simon Exon • Dennis Cheng • Sophie Green • Sarah Jaggard • Aldo Malavisi • Michael Oke • Rhys Thomas 	<ol style="list-style-type: none"> 1. Amendment C223 – 82-95 Burnely Street, Richmond – reauthorisation 2. Car Share Policy 3. LAPM Process 4. YCC becoming single plastic use free 5. Endorsement of Graffiti Management Framework 2019-22 6. Embedding Greens Infrastructure 7. Local Government Bill 2019 8. Draft Council Committees Policy 9. Place Naming Policy 10. Road Naming Protocols 11. Discussion on Heritage Referrals from Heritage Victoria 	Nil

Attachment 1 - Assemblies of Councillors Report - 30 July 2019

Assembly	Attendance	Matters considered	Disclosures
Councillors Briefing 15 July 2019 6.30pm	Councillors <ul style="list-style-type: none"> • Cr Danae Bosler • Cr Misha Coleman • Cr Jackie Fristacky • Cr Daniel Nguyen • Cr James Searle • Cr Amanda Stone Officers <ul style="list-style-type: none"> • Vijaya Vaidyanath • Ivan Gilbert • Bruce Phillips • Diarmuid McAlary • Chris Leivers • Lucas Gosling • Gracie Karabinis • Malcolm Foard • Kerry Irwin • David Walmsley • Fiona van der Hoeven • Ann Limbrey • Lisa Wilkinson • Steven Jackson 	<ol style="list-style-type: none"> 1. Collingwood Children's Farm – presentation 2. Fitzroy Adventure Playground Program Grant 2019-2022 Recommendation Report 3. Brunswick St Oval Precinct Plan 4. Cremorne - Issues and Opportunities Report 5. Plane Tree Report 6. Walmer Street Bridge Update 7. AMCOR Update 8. Graffiti Management Update 9. Heritage Referrals and Delegations Update 10. Local Government Bill – Proposed Reforms Update 11. Review Forward Report Schedule – verbal 12. Agenda Review – verbal 	Nil
Yarra Arts Advisory Committee (YAARTS) 17 July 2019 6.00pm	Councillors <ul style="list-style-type: none"> • Cr Bridgid O'Brien Officers <ul style="list-style-type: none"> • Siu Chan • Brona Keenan 	<ol style="list-style-type: none"> 1. Information presentation – Community Engagement Strategy 2. Information presentation – Social and Affordable Housing Strategy 3. 2020-25 Arts Strategy Development 4. Room to Create Program 5. Update on Visual Arts Panel matters including artwork donations 6. Completed multi-year funding grants program 	Nil

Attachment 1 - Assemblies of Councillors Report - 30 July 2019

Assembly	Attendance	Matters considered	Disclosures
Business Advisory Group 18 July 2019 8.00am	Councillors <ul style="list-style-type: none"> • Cr Jackie Fristacky • Cr Daniel Nguyen • Cr Amanda Stone Officers <ul style="list-style-type: none"> • Kim Swinson • Simon Osborne • Will Anderson • Joy Saunders • Michael Oke • Sophie Green 	1. E-waste and plastic bag ban 2. Supporting sustainable business practices in Yarra 3. Carlton United Breweries	Nil