

Meeting Notes

31ST JULY 2010 12PM

FOOTSCRAY SENIOR
CITIZENS HALL

Meeting Called By	Fair-go for Footscray Rail Residents
Type Of Meeting	Community Meeting Attended by Minister Pakula
Name of Meeting Facilitator	Bruce Turner
List Of Attendees	<p>Minister for Public Transport and Industrial Relations Adviser (Office of the Minister): Claudia Laidlaw Member for Western Metropolitan Region: Martin Pakula Department of Transport Acting Deputy Secretary: James Cain Department of Transport Director, Property & Commercial Development: Tim Cullinen RRL Executive Director, Intergovernmental Relations and Land, Planning and Environment: Kimberley Dripps RRL Project Construction Manager: Adam Maguire RRL Director Communications and Government Relations: Ilsa Colson RRL Community Relations Manager: Liz Evans</p>

WELCOME AND OPEN

Summary	Bruce Turner, Nick Fahey, Minister Pakula
<p>Bruce: General welcome and introduction. Overview of the purpose and process of the meeting including agenda overview. Discussion and Questions under the following topics: Dates and schedules, acquisition, livability, special needs, consultation.</p>	
<p>Nick: Outline objectives of the group and the day: as a community to be treated fairly and reasonably. Seeking clarity, toward certainty.</p>	
<p>Minster: General introduction</p>	

QUESTIONS

Summary Timelines & Process	Minister
<ul style="list-style-type: none"> - All have until 19th August to make a submission to the Dpt. Dpt needs to understand the issues and this is the purpose of the submissions. - DoT will provide referral to the Minister Planning in September - Minister Planning makes decision later in the year; October/November - After this owners of properties to be acquired will be notified - Owners will have 6 months from the date of notice to vacate property - Will require the land that properties are on in 2nd half of 2011. 	

Question	Will referral to Minister be a public document?
Answer Kimberly Dripps	- The department collates the information from the submission and this summary will be on the website.
Question David, Pedders Buckley St	As a tenant I was not told, how should I know I have less than 2 weeks to respond?

Answer James Cain	Apology and please talk to the team and they will arrange a meeting and you can still make a submission after the due date.
Answer Adam Maguire	Owners and tenants can make submissions

Question Craig, Buckley Street	Can part of a property be acquired?
Answer Minster	When RRL indicate that need part of a property the decision will be with the owner whether they agree to part of the property or if RRL take all of the property. You have the right for all to be taken

Question Hugh, Buckley Street	How long does the Planning Minister get to make a decision?
Answer DS	Think 1 month, but will take that question on notice

Question Tenant, Nicholson Street	As a tenant of a rental property where I have 20 year lease with VicTrack I have only received a general pamphlet and a recent call can you explain notification process?
Answer Minster	RRL has had 50-60 organised meetings with 7-8 to occur next week.
Response James Cain	We will take your details and contact you
Follow up Bruce Turner	We have highlighted a gap here between the tenants and owners
Response James Cain	We are happy to hear about others that are missing, if business tenants could please contact us and we will arrange a meeting

Question	Can we object to the project in the submission
Answer Kimberly Dripps	Put all your concerns in the submission
Question	Will submissions be public?
Answer Kimberly Dripps	The Department will read and summarise all the submissions and comment on things like number of responses, issues, how often issues come up Those making the submission can choose if they want their submission public or not. If you don't want your submission to be public please indicate this on your submission when you make it.

Question	Will the project documents that are part given to the consultants as
-----------------	--

Rose, Railway Place	part of the construction process be made public?
Answer James Cain	There will be an EOI (expression of interest) process this year and the tender process will happen in 2011
Answer Adam Maguire	We are 12 months away from understanding the construction process

Question Chris, Windsor Street	Where are the tracks going? I look at the map but there are coloured lines that stop, where do these coloured lines go?
Answer Adam Maguire	The red lines are the regional rail link. The green/blue lines are modifications to current tracks. These will connect into existing tracks.
Question Nick Fahey	Some people have seen higher resolution maps, when will everyone be able to see these?
Answer Adam Maguire	Existing drawings are on the website and we are having bigger maps printed and will circulate.

Question David, Buckley Street	Can you provide a link or copy of the legislation relating to acquisition so we can look at what we are entitled to?
Answer Tim Cullinen	We can provide information of the section number and act
Question David, Buckley Street	What are the assessment criteria in the act?
Answer Tim Cullinen	Property will be valued by someone provided by Dpt Transport and will be provided market value. You are also entitled to have an independent valuation; the Dpt will cover this cost. You will be covered cost incurred for moving i.e. stamp duty and any cost arising from acquisition i.e. buyers advocate, any reasonable relocation costs. Businesses are covered under the land acquisition act
Question	Will tenants be notified or is it the owner?
Answer Tim Cullinen	Owners are notified
Question	What happens if you are living in a housing commission property?
Answer Tim Cullinen	Will take that question on notice

Question Client representative Slater & Gordon	If the purchase price is greater than the compensation received (due to rise in property prices) is there a policy position that decides on mortgages to cover compensation value
Answer Adam Maguire	The Department will abide by the act. It is not market value today, but at the time of valuation

Question Nick Fahey	Asking as a group to understand the position that people are fearful that they will not be able to live in Footscray. Can the minister guarantee a reasonable process that prevents residents from being forced out?
Answer Minister	There is a legal approach and process that has to be followed and there is no crystal ball so can't predict what will be for sale in the future. Difficult to give comfort generally people are satisfied with the acquisition process.

Question Tony, Footscray Smash Repairs	How does the process work do you have to pay in advance and claim costs after?
Answer Tim Cullinen	It is a case by case basis. You can pay and claim the costs, but the intention is to not be out of pocket.

Question Simon, Buckley Street	Trying to understand the compensation. The process is complicated why does it have to go through such a legal of process, why can't be negotiated, do you not have a duty of care to negotiate?
Answer Tim Cullinen	At the point of notice you will be advised in 1 month of the compensation cost. you can get independent advice and you have 1 month to respond. If an agreement cannot be reached then the matter is referred to VCAT or the Supreme Court.
Question Simon, Buckley Street	How do we get a fair go?
Answer Minster	We are bound by the Act and there is a process to reach agreement
Response Bruce Turner	Understand you are wanting a friendly process, however Department is bound by the Act to do the right thing.
Response Minister	The Department will fund the assistance that people need

Question Iliya, Buckley Street	For those indirectly affected how do we know how affected we will be and what to put in a submission?
Answer Minister	Provide a submission and advise of how you think you will be affected and that you want to be considered as part of the acquisition process.

Question Rachel, Raleigh Street	When will we receive further information about the elevations and height of the tracks, and the noise level of the new line?
Answer Adam Maguire	We have not yet started the design process, we are at the pre-design process, so we don't know at the moment.
Question Nick Fahey	It is difficult to provide a submission if we don't know what the impacts are, will there be a package of information provided that we can use to respond to in a submission

<p>Answer Adam Bligh</p>	<p>Currently refining the actual alignment, we are not able to give out information if we are not sure of the information. If there is something you are concerned about you can raise it with the RRL. When we are at the construction stage we will engage with the community. Contractor will be on board in 2011 and we will know more information after they are engaged</p>
-------------------------------------	---

<p>Question Ruth, Short Street</p>	<p>When the house is acquired and we have to move, what if you can't find a place, how long will it be possible to have access to compensation like stamp duty?</p>
<p>Answer Tim Cullinen</p>	<p>If you do not have a purchased property to move into rental costs are part of the package. If there is a delay in being able to purchase a property then the Department would seek to understand why. If the owner is doing everything they can to find a property and has done so by engaging a buyers advocate then there is no time limit on receiving the stamp duty. If owner is just trying to have the Department pay rent then this will be investigated and assessed.</p>

<p>Question Cath, Albert Street</p>	<p>The properties of 44-46 Albert Street are to be acquired, for the properties close to these and the track they will become devalued, will there be compensation provided for this devaluation and loss in rental income?</p>
<p>Answer Tim Cullinen</p>	<p>You can put in a submission. There will only be compensation provided for those properties that are to be acquired.</p>

<p>Question Adele, Alexander Street</p>	<p>I have concerns about the livability of my house, it is a stumped house and shakes now when the trains go past. How do we know how it's going to be affected during construction and the vibration that will occur after?</p>
<p>Answer James Cain</p>	<p>We are moving the tracks and there will be new tracks, and rolling out new stock. We are putting in new infrastructure, which will lessen vibration and noise impact to some extent, although not promising that this will resolve all these issues. The project team will consider the environmental effects.</p>

<p>Question Catherine</p>	<p>The Minister has political will and I believe that if he wants the residents to stay then it can happen. There is legislation around relocation; however there must be room to move when people want to stay. Can the Minister provide assurance that residents can stay in the area?</p>
<p>Answer Minister</p>	<p>There is no guarantee that there will be property available in the area. There is a 6 month process of notice and the value is the value at the end of this process and this is the period that most people will be out in the market place in that same 6 month period.</p>
<p>Question Catherine</p>	<p>What processes are there to allow people to stay?</p>
<p>Answer Minister</p>	<p>Can't make promises that we can't keep. Owners will receive a fair value and Department will ensure the process is fair.</p>

Question Nick Fahey	What about the process for those renting?
Answer Tim Cullinen	Department will cover costs incurred and will consider the difference in rent on a case by case basis. If legal advice is required then the cost will be covered. Relocation costs will be covered.

Question Nick Fahey	There has been a limited amount of information provided. I have received 1 letter and 1 form to provide a submission. There has been on written information provided. We have had verbal responses. There is a need for a package of information, can this be provided?
Answer Minister	A package of information will be prepared by the end of next week or early the following week. If individual meetings are required to further discuss please request these meetings.
Question Nick Fahey	Who will provide this information?
Answer Minister	This information will be provided by the Department, the RRL team. If politicians have a name/face to information then it may seem they are politicising the process.

SUMMARY AT CONCLUSION OF MINISTER'S DEPARTURE

Summary	Minister
<ul style="list-style-type: none"> - Acknowledgement and thanks for the way the session was conducted. - Will resolve uncertainty. - Staff and Department are at communities disposal, if you want to voice concerns you can have as many meetings and as much information as required. 	

QUESTIONS ASKED AFTER MINISTER'S DEPARTURE

Question Nick Fahey	The needs of the community were highlighted as a priority, what kind of support will be available to navigate the process?
Answer Kimberly Dripps	<ul style="list-style-type: none"> - We have use translation services during some meetings with residents, this is available if needed. - We will produce material in different languages.

SUMMARY AT CONCLUSION OF MEETING

Summary	Nick Fahey, Bruce Turner
<ul style="list-style-type: none"> - If there are further questions that are not on the list or not covered today there has been paper provided on the table to write these on and we will collate and pass these on. - We have the Senior Citizens Centre booked for the next 4 weeks on a Wednesday night at 7pm. We can meet again as a group this coming Wednesday and discuss what we heard today. 	

QUESTIONS THAT WERE TAKEN ON NOTICE

<p>How long does the Planning Minister get to make a decision? What happens if you are living in a housing commission property?</p>

SUMMARY OF KEY POINTS

DoT Assumptions and Statements

Attempting to minimise the number of properties to be acquired
Submissions can cover any subject relating to RRL
Submissions can be attached, in full, to planning referral if submission writer requests it.
Property owners have option of full acquisition if any part of their property is to be acquired (Martin Pakula)
Property owners may apply for acquisition (via submission) if they haven't already been included (Martin Pakula)
If your property is not acquired, you are not eligible for compensation

Timelines and Project Strands

Consultation process -> until 19th August
The 'planning referral' document will go from DoT to the Minister for Planning for approval.
Decision on land to be acquired --> maybe Oct/Nov
Uncertain (DoT to clarify) how long the Planning Minister has to make a decision on the referral.
Acquisition notices to go out --> (clarification required)
Possession of properties --> (clarification required)

Products (things DoT will be providing or doing)

The Planning Referral document (from RRL to Minister Planning) will be published to a public web link.
Notice of acquisition will be sent by mail to property owners
Detailed maps will be provided asap
Links to land acquisition information materials will be provided
Department to fund 'reasonable' costs associated with obtaining support/advice for acquisition process.
preliminary engineering information will be provided as it comes to hand (track position and height, bridges, etc)
Package of information, in writing, to be provided to affected residents
no later than early following week (9th Aug)