

Table 7-1: JSA Assessment of Proponent Consultation

Guidelines for Major Project Community Consultation, October 2007, Pg 3.	EA Statement	JSA Assessment	EA, SIA or other reference document
Consult early, particularly where the project is likely to be contentious.	<p>The EA states that Achieve Australia (AA) commenced consultation with Ryde City Council during the exhibition of the draft LEP 2008 regarding the heights of buildings allowed on the site and a range of other planning matters related to opportunities for redevelopment of the site. Achieve Australia lodged a submission with Council on 28 January 2009 regarding these issues. The proponent consulted with Council to further refine its Concept Plan.</p> <p>The EA states at Section 7.16.2 that “targeted discussions have also taken place with various divisions of Council relating to traffic issues, stormwater issues and social impact assessment.”</p>	<p>No comment regarding consultation related to heights and other planning matters.</p> <p>While the EA refers briefly to discussions with Council regarding social impacts, the SIA states that Council recommended that a detailed SIA be included ‘as the proposal involves a significant increase in local population’ and at a minimum should address: impact on current residents, impacts on current services, needs of future residents and how these will be delivered, how proposal will link with community facilities and how the proposal will contribute to meeting the needs of future residents.</p> <p>There is no evidence within the EA or SIA that GML Social Research or other consultant conducted any direct consultation with existing residents or their families regarding the proposal prior to lodgement of the EA. This is a significant issue given the serious potential adverse impacts on these groups, and the desirability of factoring in key considerations or mitigations into the proposed redevelopment.</p> <p>Section 3.4 of the SIA refers to two letters to the editor in The Weekly Times which describes ‘limited negative media reactions’ that ‘reflect a lack of understanding about Achieve Australia’s intentions for the proposed redevelopment of the site’ regarding rezoning of the site, sale of the site and disability services to be provided on site. We do not characterise this information as ‘consultation’ with existing residents or the wider community.</p>	<p>EA Section 3 – Evolution of the Concept, Early consultations with Ryde City Council, Pg 11-12.</p> <p>EA Section 7.16.2. Ryde Council, Pg 78.</p> <p>GML Social Research, SIA, Pg 4.</p>
The EA states that AA conducted 11 information sessions with 90 immediate family members of clients and other interested stakeholders in		<p>It is unclear how many information sessions were held as the EA and SIA provide different figures (11 versus 5).</p> <p>These information sessions were not held ‘early’ in the process of</p>	<p>EA Section 7.16.1 Consultation with existing residents, Pg 78.</p>

	<p>August and October 2010 regarding AA's "broader strategic plan and how the redevelopment of the site sits with the implementation of the strategy".</p> <p>The SIA states that AA held five information sessions over four separate days in August and October 2010 for immediate family members and other interested stakeholders, which attracted 90 plus attendees.</p>	<p>developing the Concept Plan as the sessions were held months after the Preliminary EA was lodged in July 2010.</p> <p>The Preliminary EA also makes no mention of consultation with existing Crowle Home residents, their families, neighbours or the wider community.</p> <p>There is no indication that the views or preferences of existing residents, their families, neighbours or the wider community have been taken into account in the assessment process and decision making. Again, this is serious deficiency given the vulnerability of residents and their families to adverse social impacts, and the importance of factoring in appropriate mitigation that would assist in satisfying the matters raised by these groups.</p>	<p>GML Social Research, SIA, Section 3.4 Initial community reactions to the development proposal, Pg 11.</p> <p>Preliminary Environmental Assessment, Section 8 – Consultation, Pg. 14.</p>
	<p>The EA states that AA conducted a series of 30 individual family meetings from August to November 2010 regarding: reasons why residents would be moving to community living, transition plans, and improved levels of care and social inclusion that would be provided through the new accommodation.</p>	<p>These family meetings were not held 'early' in the process of developing the Concept Plan as the sessions were held months after the Preliminary EA was lodged in July 2010. The Preliminary EA also makes no mention of consultation with existing Crowle Home residents or the wider community.</p> <p>There is no indication that the views or preferences of existing residents or their families have been taken into account in the development of the proposal, assessment process and decision making – as the detailing of topics discussed at the family meetings refer to a justification for the proposal and information to be provided to families and not a genuine two-way flow of information where feedback is encouraged, recorded and responded to. Again, the process reported could not be regarded as 'consultation'.</p>	<p>EA Section 7.16.1 Consultation with existing residents, Pg 78.</p> <p>Preliminary Environmental Assessment, Section 8 – Consultation, Pg. 14.</p>
Commit adequate resources to consultation.	n/a	There is no statement within the EA that justifies or explains the adequacy of its consultation process or resources committed.	
Clearly describe who has been consulted and what issues were raised.	<p>The EA states that the proponent (or the SIA) <u>has</u> consulted with the following:</p>	<p>As above for comments related to consultation with Ryde City Council regarding social impacts.</p> <p>The SIA references two letters to the editor in The Weekly Times</p>	<p>GML Social Research, SIA, Section 3.4 Initial community</p>

	<ul style="list-style-type: none"> Existing residents and other interested stakeholders via information sessions and individual family meetings from August to November 2010; Ryde City Council; Utility and service providers (water, sewer, gas and electricity) regarding the capacity to service the development; and Local service providers including schools, child care and medical practitioners regarding adequacy of services for incoming population. 	<p>during December 2010, which demonstrate 'specific areas of misunderstanding' about the proposal present in the community including rezoning of the site, sale of the site and disability services to be provided on the site.</p> <p>Apart from the mention of these letters, there is no evidence or documentation provided in the EA or SIA that clearly describes or details issues that were raised by existing residents, their families or other stakeholders at the information sessions or individual family meetings held from August to November 2010 nor any other consultation activity that has occurred since that date and prior to the lodgement of the EA.</p> <p>This lack of detail regarding issues raised by significant stakeholders, particularly existing residents and their families, is in our view inadequate consultation. Rather, comments in the SIA appear to trivialise or explain away reasonable concerns rather than demonstrating careful consideration and appropriate mitigation as would be required in a proper 'consultation' process.</p>	<p>reactions to the development proposal, Pg 11-12.</p>
	<p>The EA states that further community consultation will take place as part of the formal exhibition process via a community information session.</p>	<p>There is no evidence of consultation with surrounding neighbours or the wider community, apart from the information sessions mentioned, that were held by the proponent prior to the lodgement of the EA that were expressly about the proposal.</p> <p>It is unclear whether or not neighbouring residents were notified about the information sessions. Moreover, as these sessions are described as focusing on the wider strategic direction of AA it is unlikely that neighbouring residents would have been interested in or seen the relevance of their attendance.</p> <p>The EA states that the consultation being offered during the exhibition period will be a 'community information session'. There is no indication that the views or preferences of the community will be taken into account as there is no provision for genuine consultation involving a two-way flow of information where feedback is encouraged, recorded and responded to.</p>	<p>EA Section 7.16.4 Community Consultation, Pg 79.</p>

		<p>Subsequent to the EA, JSA staff attended the information session conducted by the applicant during the exhibition period on Thursday 8 September 2011 at the Meadowbank Public School. The session was correctly characterised as an 'information session', and was tightly controlled via a series of walk around 'story boards' and no initial public forum, with very limited opportunities for the views of those present to be expressed and acknowledged except on a narrow range of issues related to the Concept Plan. It is also understood from the comments of AA and consultants present that the invitation to attend was sent to a limited range of stakeholders (primarily nearby residents), and did not include the parents and carers of existing residents of the Crowle Home nor relevant agencies or wider stakeholders. The rationale for this was that the information session was 'about the Concept Plan'.</p> <p>A number of parents and carers were in attendance, and initiated a forum during the information session. They expressed strong concerns about the consultation process, the extent to which AA was running an 'open and accountable' process, the lack of inclusion and notification of key stakeholders including parents and guardians of existing residents, failure to honour past agreements (e.g. as part of the merger between the Crowle Foundation and AA), and that previous concerns raised has not been factored into the concept plan/EA to date. JSA staff did not observe assurances being provided at the session that such concerns would be factored into further iterations of the Concept Plan nor were appropriate mitigations discussed in any meaningful way, though some individual assurances were provided about future levels of care for the relative of one parent present.</p>	
<p>Demonstrate how the issues raised during the consultation process have been addressed in the EA and preferred project report (if required).</p>	<p>n/a</p>	<p>Apart from refinement of the Concept Plan related to planning issues raised during consultation with Ryde City Council, there is no statement or evidence within the EA that demonstrates how issues raised during the consultation process by other stakeholders (particularly existing residents, their families, neighbours or the wider community) have been incorporated or addressed in the EA.</p>	<p>EA Section 3.2 Refining of the Concept and Design Approach, Pg 12.</p>

7.2.3 “Adequate and Appropriate” Consultation

With regard to DGRs that require proponents to carry out ‘adequate and appropriate’ consultation (or in this case ‘appropriate and justified’), the Guidelines state that the extent to which consultation with the community and stakeholders should occur when preparing an EA will be determined by a range of factors including:

- The nature of the proposal and the extent of its likely environmental, social and economic impacts;
- The level of consultation required by the DGRs;
- Consultation that occurred prior to making an application to the Minister for approval of a major project or concept plan; and
- Whether the nature of the development will require on-going consultation once the project is constructed and has commenced operation. Where consultation is appropriate during the operational stages, the Minister may require long-term community engagement as a condition of approval.

The extent to which the applicant has adhered to these guidelines, including references to documents, and our assessment is detailed in the following table.

Based on our assessment, we find that the consultation process carried out by the applicant as described in the proposal documents has not been adequate in terms of this aspect of the Guidelines.

Table 7-2: “Adequate and Appropriate” Consultation

Guidelines for Major Project Community Consultation, October 2007, Pg 3.	EA Statement	JSA Assessment	EA, SIA or other reference document
The nature of the proposal and the extent of its likely environmental, social and economic impacts.	n/a	The inclusion of DGR 18, to address the impact on existing and future residents/tenants, particularly the social, health and safety considerations with respect to both the existing disadvantaged/disabled tenants and residents and any new disadvantaged/disabled tenants and residents, highlights that the nature of this proposal has the potential to include a range of social impacts on a variety of vulnerable groups. As such, we consider that consultation with these groups (particularly existing/future disabled residents) is essential.	
The level of consultation required by the DGRs.	There is no reference in either the EA or the SIA to DGR 17 or the Department's Major Project Community Consultation Guidelines October 2007.	DGR 17 requires that the applicant must undertake an appropriate and justified level of consultation in accordance with the Department's Major Project Community Consultation Guidelines October 2007. As above with regard to requirements for consultation based on DGR 18 and social impacts. Neither the EA nor the SIA provides sufficient documentation that suggests that the basic tenet of the Guidelines have been achieved.	
Consultation that occurred prior to making an application to the Minister for approval of a major project or concept plan.	The Preliminary Environmental Assessment refers to consultation with Ryde City Council during the exhibition of the draft LEP 2008 regarding the heights of buildings allowed on the site and a range of other planning matters related to opportunities for redevelopment of the site.	It is understood that this consultation occurred prior to the applicant making an application to the Minister for approval of a major project or concept plan.	Preliminary Environmental Assessment, Section 3.1 – Consultation to date, Pg. 1-3.
Whether the nature of the development will require on-going consultation	The EA states with regards to the Relocation Strategy for existing Crowle Home residents, there will be “continued one on one consultation and	Based on these statements in the EA, and the likely nature and duration of impacts on a highly vulnerable group, it appears that the development	EA Section 7.15.2 Dislocation of existing residents, Relocation

<p>once the project is constructed and has commenced operation. Where consultation is appropriate during the operational stages, the Minister may require long-term community engagement as a condition of approval.</p>	<p>communication with residents and their families to develop the most appropriate relocation option for their needs and jointly develop Individual Transition Plans.”</p> <p>The EA stated that, “Some residents may return to live in apartments on the site as stages of the development are completed.”</p>	<p>will require significant on-going consultation, particularly with existing clients and their families about their relocation from the site and possible return to the site during the construction and operation stages of the project.</p> <p>The statements in the EA provide no information about the structure or program for how and when these consultations will occur, such as by inclusion of a staging plan/tentative timeline for the development. Likewise, the EA provides no evidence of appropriate relocation and rehousing plans or protocols as would be expected in a redevelopment of this nature with an ‘in situ’ resident population.</p> <p>This lack of information reflects inadequate consultation on the proposal and what consultation will be necessary throughout the life of the redevelopment. It is a serious issue given the vulnerability of the resident population and their families or guardians, and the power imbalance between them and AA.</p> <p>Whilst these proposals are on exhibition, this information provides little to no detail about future consultation that interested parties could comment on apart from requesting additional information and highlighting the inadequacy of the proposal.</p>	<p>Strategy – Consultation, Pg 72.</p> <p>EA Section 7.15.3 Assessment of Impacts, Table 14: Dislocation of Residents, Measures/Comment, Pg 73.</p>
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7.2.4 The Consultation Process

The Guidelines state that the account of the consultation process included in the EA may be adequate if it demonstrates that:

- Individuals and organisations likely to have an interest in the proposal had enough opportunity to express their views;
- Information regarding the nature of the proposal has been accurately and widely distributed;
- Community and stakeholder feedback was encouraged and recorded; and
- Consultation with community and stakeholders was inclusive.

The extent to which the applicant has adhered to these guidelines, including references to documents, and our assessment is detailed in the following table.

Based on our assessment, we find that the consultation process carried out by the applicant as described in the proposal documents has not been adequate in terms of this aspect of the Guidelines.

Table 7-3: The Consultation Process

Guidelines for Major Project Community Consultation, October 2007, Pg 3-4.	EA Statement	JSA Assessment	EA, SIA or other reference document
<p>Individuals and organisations likely to have an interest in the proposal had enough opportunity to express their views, including:</p> <ul style="list-style-type: none"> • Those directly impacted by the project • Individuals or groups likely to have an interest in the local or regional implications of the project • Organisations with a state and national interest 	<p>The EA states that the proponent (or the SIA) has consulted with:</p> <ul style="list-style-type: none"> • Existing residents and other interested stakeholders via information sessions and individual family meetings from August to November 2010; • Ryde City Council; • Utility and service providers; and • Local service providers including schools, child care and medical practitioners. <p>The EA states that further community consultation will take place during the formal exhibition process via a community information session. As outlined above, the information session attended by JSA staff on 8 September 2011 was inadequate with regard to what would be properly regarded as consultation that is compliant with the Guidelines.</p>	<p>The information sessions provided by AA for immediate family members of people receiving support and other interested stakeholders were “designed to provide advanced information on AA broader strategic plan and how the redevelopment of the site fits with the implementation of the strategy.” It is not clear from this statement that these individuals received an adequate opportunity to both receive detailed information about the redevelopment proposal and also to express their views, nor that their views have in any way influenced the proposal.</p> <p>There is no indication that other key individuals, interest groups or organisations with a state or national interest have been consulted regarding the proposal. Such organisations could have included for example - intellectual disability advocates; the NSW Department of Ageing, Disability and Home Care; City of Ryde Council staff specialising in social planning and/or disability programs and services.</p>	<p>GML Social Research, SIA, Section 3.4 Initial community reactions to the development proposal, Pg 11-12.</p> <p>EA Section 7.16.4 Community Consultation, Pg 79.</p> <p>EA Section 7.15.2 Dislocation of existing residents, Pg 71.</p>
<p>Information regarding the nature of the proposal has been accurately and widely distributed and may include but not necessarily be limited to:</p> <ul style="list-style-type: none"> • letters to key stakeholders, newsletters, a website, advertisement of consultation 	<p>n/a</p>	<p>There is no information or detail provided with the EA, SIA or other proposal documents that shows information (printed or other format) that was provided to stakeholders or those identified as being consulted through the process, particularly existing residents and their families.</p>	

events and public displays on the proposal.			
Community and stakeholder feedback was encouraged and recorded and may include but not necessarily limited to: <ul style="list-style-type: none"> surveys and feedback forms, submissions, a database that records issues and comments via 1800 number or similar arrangement, and meeting minutes. 	n/a	There is no information or detail provided with the EA, SLA or other proposal documents that demonstrates that feedback from stakeholders (apart from Ryde City Council re: planning matters) was encouraged or recorded through the consultation process.	
Methods of discussing issues with stakeholders may include, but not necessarily limited to: <ul style="list-style-type: none"> drop in community information centres, displays or open days with project team members available to discuss issues, focus groups, community group meetings, feedback sessions, individual or group briefings with key stakeholders and presentations/discussions at organisation meetings. 	<p>The EA describes consultation methods including:</p> <ul style="list-style-type: none"> Consultation meetings with Ryde City Council regarding planning matters and engagement in the formal submission process for the LEP; A series of information sessions with immediate family members of people receiving support and other interested stakeholders "designed to provide advanced information on AA broader strategic plan and how the redevelopment of the site fits with the implementation of the strategy." Individual family meetings with 30 families with a family member residing on-site. 	<p>There is no evidence of consultation with surrounding neighbours or the wider community, apart from the information sessions mentioned, that were held by the proponent prior to the lodgement of the EA that were expressly about the proposal.</p> <p>It is unclear who, apart from families, were notified about the information sessions. As these sessions are described as focusing on the wider strategic direction of AA it is unlikely/unknown whether stakeholders such as neighbouring residents would have been interested in or seen the relevance of their attendance of those meetings at the time.</p> <p>The EA states that the consultation being offered during the exhibition period will be a 'community information session'. There is no indication that the views or preferences of the community will be taken into account as there is no provision for genuine consultation involving a two-way flow of information where feedback is encouraged, recorded and responded to.</p>	EA Section 7.16.4 Community Consultation, Pg 79.

<p>Consultation with community and stakeholders was inclusive and the proponent has:</p> <ul style="list-style-type: none"> got to know and understand the communities it needs to engage; acknowledged and respected their diversity; accepted different views, but ensured that dominant special interest groups are not the only voices heard; and ensured that participants are aware of what they can and cannot influence. 	n/a	<p>There is no information or detail provided with the EA, SIA or other proposal documents that would demonstrate that the consultation undertaken to date has been inclusive as described by the Guidelines.</p> <p>Many individuals interviewed by JSA, including family members of current residents of the Crowle Home and other individuals with an interest in the welfare of residents, expressed the sentiment that the applicant has been difficult to engage with and has not openly provided information about the proposal nor sufficient opportunities to discuss the proposal or provide feedback.</p> <p>Importantly, there is no evidence of any protocols or special consultation or communication methods used with vulnerable stakeholders, in particular those with an intellectual disability, older people, and those less confident in dealing with the planning process.</p>	
<p>Consultation with community and stakeholders was inclusive and the proponent has aimed for accessibility by:</p> <ul style="list-style-type: none"> Choosing engagement techniques that offer opportunities to participate across all relevant groups; considering timing, location and style of engagement events and strategies; avoiding notifying and holding events during holiday periods; avoiding jargon and technical language; paying particular attention to the needs 	n/a	<p>Again, as there is no evidence or demonstration within the EA, SIA or other proposal documents or information materials (print or other) that have been provided and to whom, it is our assessment that the consultation process has not been inclusive or accessible as described by the Guidelines.</p> <p>Again, interviews conducted by JSA report that the applicant has been difficult to engage with and has not openly provided information about the proposal nor sufficient opportunities to discuss the proposal or provide feedback. This was also apparent from observations at the Information Session conducted by the applicant on 8 September,</p>	

of groups that tend to be under represented.		as outlined above.	
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7.2.5 Report of the Consultation Process

The Guidelines state that the report of the consultation process should include:

- A summary of findings;
- Objectives of the process;
- When consultation was undertaken;
- Number and type of stakeholders involved;
- Engagement techniques – how feedback was collected and how discussions with the community were undertaken;
- An assessment of how well the objectives were met;
- An analysis of issues raised that is comprehensive and identifies what issues were raised by particular groups, how each issue is proposed to be addressed in the EA and where the proposal has been altered as a result of the feedback received.⁵⁷

Based on our assessment, as detailed in the tables above, we find that the applicant's reporting of the consultation process as described in the proposal documents has not been adequate as described by the Guidelines.

7.2.6 JSA Interviews with Families of Crowle Residents re: Consultation

Achieve Australia's Relocation Strategy, as presented in the EA, states that it will provide "continued one on one consultation and communication with residents and their families to develop the most appropriate relocation option for their needs and jointly develop Individual Transition Plans."⁵⁸

On the 26th of August 2011, following the publication of the EA and supporting documentation, JSA researchers contacted the families of four residents identified as still living at Crowle Home who were previously interviewed to conduct a short questionnaire regarding the consultation process between Achieve Australia and families described in the EA which took place during late 2010.

JSA designed and administered a basic questionnaire to understand the nature and extent of family participation in the planning process, and the level of satisfaction of families with the consultation process that was offered. Questions included:

1. Do you recall being informed by Achieve Australia about information sessions in August and October 2010, regarding the strategic plan for the organisation and the redevelopment of Crowle Home?

⁵⁷ NSW Department of Planning (2007) Guidelines for major project community consultation, October, Pg 4.

⁵⁸ Don Fox Planning (2011) Environmental Assessment, Relocation Strategy, Pg. 72.

2. Did you attend any of these information sessions?
3. To your knowledge, were you invited to any individual family meetings with Achieve Australia during late 2010, about the closure of the Crowle Home and the relocation of residents to other forms of accommodation in the community?

If the interviewee answered 'yes' to question 3:

4. Do you recall talking about an Individual Transition Plan for your family member?
5. If so, what can you tell me about that?

If the interviewee answered 'no' to question 3:

4. Have you had an individual family meeting with Achieve Australia about the closure of the home and relocation of your family member at any other time?
5. If so, what can you tell me about that meeting?

Respondents

The four family members interviewed about the consultation included two elderly parents and two siblings of current residents at Crowle Home. The two parents had a long history of involvement with the Crowle Foundation, both having served on the organisation's board in the past. The two siblings interviewed had only recently become actively involved in the care of their brothers/sisters, as the parents of clients had passed away or were too old to play a meaningful role in decision making processes.

Key Findings from Interviews

Three of the four family members interviewed recalled being notified of the information sessions to be held by Achieve Australia in late 2010. Of the three who were aware of the meetings, two attended. One interviewee was unable to attend the information session due to work commitments, while another who did not attend reported that they were unaware that the redevelopment was to be discussed at the meeting and subsequently felt uninformed about the process.

For those who did attend an information session, unfortunately one respondent could not recall specific details about the meeting due to the length of time that has elapsed since the meeting was held, while the second respondent reported that the meeting was very different compared to meetings historically conducted at Crowle Home and was particularly dissatisfied with the lack of opportunity for input into the proposal. As the interviewee said, "I would describe it as more of a presentation than a meeting. There was no real opportunity to ask questions or give feedback on the proposal."⁵⁹

With regard to the individual family meetings, all respondents reported that they were invited to attend. As the meetings occurred some time ago, some respondents were unable to recall exact details of the content of the meetings. However, all four respondents indicated that they were

⁵⁹ Telephone interview with current Crowle Home resident family member, 26 August 2010.

dissatisfied with the outcomes of the meetings for a range of reasons relating to the proposed redevelopment in general or the future housing options for their family member.

- One interviewee likewise recalls expressing their concerns about the initial plans for the redevelopment.
- One interviewee reported that whilst they expressed their opposition to and concerns about the proposed redevelopment at the family meeting to the Achieve Australia management staff present, they did not feel that their concerns were accepted.
- One interviewee reported that at the meeting they passed along the wishes of their family member with regards to preferred housemates in any alternative accommodation scenario, only to receive a phone call from Achieve Australia later offering accommodation in the community that did not include the preferred housemates nominated by the client.
- One interviewee expressed the desire for their family member to live with another resident of Crowle Home with whom they have a strong bond and relationship, though does not feel that 'they have a choice' about the client's future accommodation options.

It is acknowledged that these four interviews are a small sample of the thirty families that the applicant indicates participated in individual family meetings regarding the redevelopment and transition plans for existing residents. However, these four interviewees recall concerns that were raised in those meetings about the redevelopment and the transition of their family members to alternative accommodation within the community. There is no evidence within the EA, SIA or other proposal document that reports that issues such as these were raised during either the consultation process or how such concerns were addressed in the proposal documents. It is our view that the key findings of these interviews further demonstrate that the consultation process conducted in relation to this proposal has been inadequate in terms of what is described within the Guidelines for Major Project Community Consultation.

7.2.7 Achieve Australia Information Session on 8 September 2011

As noted in above, an information session was conducted by the applicant during the exhibition period on Thursday 8 September 2011 at the Meadowbank Public School. The session was correctly characterised as an 'information session', and was tightly controlled via a series of walk around 'story boards' and no initial public forum, with very limited opportunities for the views of those present to be expressed and acknowledged except on a narrow range of issues related to the Concept Plan. It is also understood from the comments of Achieve Australia and consultants present that the invitation to attend was sent to a limited range of stakeholders (primarily nearby residents), and did not include the parents and carers of existing residents of Crowle Home nor relevant agencies or wider stakeholders. The rationale for this was that the information session was 'about the Concept Plan'.

A number of parents and carers were in attendance, and initiated a forum during the information session. They expressed strong concerns expressed about the consultation process, the extent to which Achieve Australia was running an 'open and accountable' process, the lack of inclusion and notification of key stakeholders including parents and guardians of existing residents, failure

to honour past agreements (e.g. as part of the merger between the Crowle Foundation and Achieve Australia), and that previous concerns raised has not been factored into the concept plan/EA to date. JSA staff did not observe assurances being provided at the session that such concerns would be factored into further iterations of the concept plan nor were appropriate mitigations considered or offered, apart from some individual assurances to one parent about future care options for her son. The latter does not provide for more structural consideration of these issues and required actions for all remaining residents.

Again, the limitations to notification, process and outcomes of this session would not appear to be in compliance with the intentions of the Department's Guidelines.

7.3 DGR 18 – Impact on Existing and Future Residents /Tenants

7.3.1 Overview

The original DGRs for the project issued on 16 September 2011 were amended following further consideration of the proposal by the Department. The amendments added DGR 18, which is a requirement for an assessment by the proponent for consideration of the social impacts on existing and future residents, including the social, health and safety impacts on existing and future residents. Each of the sub-points in DGR 18 is considered in turn.

7.3.2 Relocation Strategy

As part of the Director General's Requirement 18 (DGR 18), the applicant is required to:

- 'Prepare a relocation strategy for existing tenants and private residents/occupants, including consideration of timing, relocation assistance and protocols for ensuring that existing residents/tenants will not be disadvantaged by any relocation;'

According to the EA, Achieve Australia is already implementing a strategy for the relocation of the existing residents at the site as part of ongoing devolution of people with an intellectual disability into community living situations, which will continue for the remaining residents as part of the redevelopment process. The EA has included a relocation strategy, prepared with input from Achieve Australia. It can be found under section 7.15.2 of the EA.

The strategy addresses four key points:

- Consultation (see also relevant issues under the review of DGR 17 above)
- Timing
- Relocation assistance and timing
- Protocols to ensure existing residents are not disadvantaged

Each of these will be reviewed in turn below:

Consultation

The EA states: 'Continued one-on-one consultation and communication with residents and their families to develop the most appropriate relocation option their needs and jointly develop Individual Transition Plans'.

Responses gathered during JSA's interview process indicate that the consultation with families has been inadequate. Only one respondent cited that they were satisfied with the consultation conducted by Achieve Australia. For the most part, this process was deemed to be inadequate by those interviewed. Interestingly, these views were held by families who had already experienced the relocation process, as well as those with family members still living at the Crowle Home site. Some examples are given below:

"I haven't heard anything from Achieve, and we haven't been to any meetings for a while. There [were meetings] at the early stage...we went to a couple at Eastwood, but nothing much was said... They keep it all to themselves..." *Interviewee 15*

"I didn't get to be involved in any of the planning. I mean I was just told that he was going to move and that was it." *Interviewee 2*

"Well the decisions that they don't consult me on, I don't know about. There are some things that I find out about after the event, that they've made for me. At the time, and I may never hear about decisions that they make...So we kind of stumble along with me accidentally I guess finding out about things that they've done for her and with her, but they haven't consulted me on." *Interviewee 5*

"[The respondent] has had no real involvement in the planning for [the client], and hasn't received any information about the proposed model of care for [the client]. She stated: '...and I'm at the point where I would demand it in writing, too.'" *Interviewee 6*

"There's been no contact with me whatsoever to make any suggestions since that initial telling of what they were going to do building these units...[The Achieve management] has never been in contact with me..." *Interviewee 9*

"We got a phone call [from Achieve] on a Tuesday afternoon, saying that our client would be moved the following week. We said 'you can't do that, we didn't know anything about it...' Normally they have what they call a transition time, which is about six months. They said they have to move her out straight away...To me it sucks." *Interviewee 15*

"[The client] didn't get any say in who they would like to move in with. There was no trial period and no consultation: 'We weren't asked who she could move in with, we were just told that she was moving into this house with these two people, she hadn't met them once before the move. And that was it.'" *Interviewee 15*

Our interviews with key stakeholders reveal the importance of timely, genuine and ongoing consultation with those most likely to be directly affected by the proposed redevelopment. Indications that this has not occurred in the current process is likely to significantly

exacerbate the likely impacts on a very vulnerable people, and mean that potential opportunities for mitigation are lost. In particular, the following is noted:

- The inevitable anxiety, stress and resultant health impacts arising from change of this nature and duration are likely to be exacerbated by lack of certainty and control arising from poor communication and consultation (see for example JSA (2007) SIA that accompanied a Part 3A allocation for the redevelopment of Bonnyrigg Public Housing Estate, which dealt with these type of social including health impacts in detail where a redevelopment was proposed involving an in situ vulnerable resident population);
- There would be considerable concerns, anxiety and resultant health and welfare impacts for those being relocated, exacerbated by the loss of their familiar surroundings, supports, networks and friends. Again, there are indications that this will be exacerbated by failure to properly consult on matters including the location of new housing, ongoing support required, and the placement in appropriate housing with existing friends, who the literature indicates will be particularly important to the social life and wellbeing of those with an intellectual disability, who often quite unlikely to 'socially integrate' with mainstream community members despite increased 'physical integration' (see literature review in this report). This will also be exacerbated by feelings that families' and residents' wishes are not being listened to and respected, resulting in increased stress, uncertainty and anxiety, and loss of the limited control which they have over their lives and decisions;
- There are also current and ongoing likely impacts on residents who continue to be accommodated on-site during the devolution process, the current EA process, and the future redevelopment process. In JSA's experience in working closely with vulnerable communities through a process of such change, there are likely to be significant social including health impacts arising from the loss of friends and critical networks as the operation is wound down and friends and supports are moved off site, from the ongoing uncertainty about their futures, as well as more practical concerns about health and safety impacts arising from lower staffing levels, and from the physical redevelopment process itself where people are still living on the site.
- The information session which JSA attended on 8 September 2011 provided no comfort in this regard, and it was apparent from comments by Achieve Australia staff that key decisions had not been made regarding relevant matters, including whether the relocation would occur prior to redevelopment commencing, and how the needs of residents would be met during the process. Likewise, vital information was not provided on related matters such as:
 - The number of residents likely to remain on site, an assessment of the nature and needs of such residents,
 - The number and type of dwellings likely to be needed,
 - Details of the staging of the redevelopment and how this will affect remaining residents (e.g. so that existing residents who were to remain on site could be

rehoused with minimum stress and disruption for example, through constructing their accommodation in the first stage), and

- Clear written criteria and protocols that would apply to rehousing on or off-site, etc
- Moreover, the applicant has missed an incredibly valuable opportunity to engage the existing and previous residents of Crowle Home in identifying their needs and issues as a group, in developing appropriate procedures and protocols for rehousing and relocation, and in identifying potential impacts and mitigations for those who are relocated as well as those who remain on site. In JSA's experience, such participation by those most affected leads to better outcomes, and also plays a vital role in and of itself in providing comfort and reassurance to very vulnerable people most affected by redevelopment.

It would be strongly preferable that the current relocation process is suspended at this time until critical issues such as those above are resolved in close consultation with those affected in an open and transparent way to ensure that existing and future impacts are avoided or minimised. A support plan for existing residents should be developed and documented, and provided as part of EA documentation. This needs to show an understanding of the way in which existing (and recently relocated) residents are likely to be affected, and provide evidence for ways in which this will be mitigated including provision for continuity of care, service and support arrangements. The maintenance of appropriate staffing and support/change management arrangements for residents at Crowle Home, now and as the redevelopment proceeds, is also essential, and needs to be demonstrated in the EA.

Timing

With regard to the timing of the proposed relocation, the EA provides that timing of the relocation process will depend on the availability of alternative accommodation. As the development will be a staged process, the EA acknowledges that some residents may elect to continue living at the site during the development. The EA states that these residents will continue to receive accommodation support at the site, if this is their preference.

The EA also states that Achieve Australia are currently in the process of relocating residents into new accommodation that better suits their needs. This relocation is occurring irrespective of the proposed concept plan. As a result of this relocation, the number of residents at Crowle Home has decreased in recent times.

There is some evidence to suggest that the level of care at Crowle Home has deteriorated in recent times, and that the number of staff on-site has declined. As some residents have already been moved into the community living service, it is understandable that the number of staff required to care for the remaining clients would be lower. However, this does not provide a justification for inadequate level of care for residents who are likely to be facing a difficult adjustment process, fears and uncertainty at this time.

Other staffing concerns relate to **staff turnover** and the **staff ratio**:

“High staff ratio (around 1:8), and they don’t have any staff in the mornings. The day services people come in at 6[am] to get the residents out of bed, but then they’ll go to the day services building.” *Interviewee 1*

“So now you’re seeing a bit more turnover of people within the facility that are doing the care. Whether they’re as qualified as previous carers, I think you’ve got to draw a question mark...the care is not as good as it used to be.” *Interviewee 4*

“...[the client] not getting the support [they] need...She typically has no underwear or no socks...if I can track down a carer – because she’s a bit scarce on weekends - they go to a cupboard and find some for her to take. There’s even been an occasion where a carer couldn’t find any socks. That never used to happen when Crowle was looking after them. If anything, she would have this enormous bag packed with too many clothes...we didn’t have to worry about these things.” *Interviewee 5*

“They are changing staff all the time. [The effect on our residents] is not good. I think our people become accustomed to the people who have cared for them for a long while. When a stranger comes in and doesn’t know their personality...They’re very complex characters these people, and they are all different and they need very deep understanding of their personalities to make their life worthwhile. If you keep getting casual carers and carers keep changing and that sort of thing.” *Interviewee 6*

“That’s another problem these days, particularly at the Crowle Home. Once upon a time, they would have staff that would work five nights a week, or five mornings a week. And they got to know the residents really well, and the residents got to know them...[Now] there are different staff every day of the week.” *Interviewee 6*

“It’s like a ghost town. There are very little staff there now. I think maybe two staff around the clock. It’s not very nice” *Interviewee 8*

“...they’re just getting rid of all the ex-Crowle staff. In fact when they merged, it was huge the amount of managers that were made to leave or left within the first six months. I would say eighty percent.” *Interviewee 12*

“[the rate of staff turnover] has an impact on services. [The client] is supposed to go swimming one day a week...I’d say at least one out of every three weeks, she doesn’t go swimming because they’re short of staff. So it impacts on the community participation programs they’re supposed to be having.” *Interviewee 13*

Such issues were also raised by stakeholders at the information session on 8 September 2011. However, Achieve Australia’s response was generally that the purpose of this information session was to provide information and allow for comment on the Concept Plan, rather than on such detailed issues. This indicated a lack of understanding by Achieve Australia and their consultants that measures to understand and adequately address likely social impacts is **an integral part** of the preparation of the Concept Plan and the EA at this stage, particularly given the nature of the proposal and the likely impacts and significant risk for those most affected.

In light of these concerns Achieve Australia must demonstrate that an adequate level of care will be provided to those residents who wish to stay living at Crowle Home throughout the

development process. As noted above, JSA's extensive experience in working with vulnerable communities in the process of change indicates that special care and support is likely to be required for remaining residents, who are likely to be significantly affected in terms of health and wellbeing by the changes happening around them, now and in the future. The engagement of those affected is crucial, as a mitigation strategy as well as an opportunity to improve planning and procedures for the redevelopment. Again, this suggests that impacts may not be being managed appropriately at present, and does not bode well for appropriate management of adverse impacts during the future redevelopment. It highlights the need for more detail to be provided with regard to how such impacts will be managed, and such detail does not currently accompany the EA.

Relocation Assistance and Transition Planning

The EA states that relocation assistance to clients and families will occur via 'continued consultation'. This consultation will form part of a planned transition, which will incorporate and develop Individual Transition Plans (ITPs) as a means of guiding this process.

Individual Transition Plans are a requirement of the NSW ADHC for any resident transitioning to a placement in supported accommodation. The requirements of these transition plans are set out in section 7.11 the NSW DHS publication *Allocation of Places in Supported Accommodation*.⁶⁰

Under the guidance of this document, service providers are required to develop a transition plan for each person who is to move into any form of supported accommodation. This is to ensure the individual's needs are met in the new arrangement, and to brief existing carers and residents about the move. Responsibility for the development and implementation rests with the case manager, who is to ensure appropriate consultation occurs with the applicant (client), appropriate family members (or guardians) and service providers. This transition plan must include:

- Important issues and risks for the applicant before and when the new place is accepted;
- Actions and timetable for managing the identified issues and risks;
- Identification of persons with responsibility for the actions and their implementations;
- Steps to introduce the applicant to the new services and for the existing residents to meet the new person;
- Identification of any physical modifications to a building or equipment required to support the applicant in the accepted place;
- Integration of other programs, services and supports with the placement (for example. Transport to community participation activities, school, health services and the like); and

⁶⁰ NSW Department of Human Services; Ageing, Disability and Homecare (2010). *Allocation of Places in Supported Accommodation, Policy and Procedures*.

- A date for the applicant to move into the service.

The following has been taken directly from the section 7.11 of the aforementioned document: “All transition plans are to reflect the outcomes of discussion with all appropriate parties and include their endorsement.”⁶¹ The transition planning process also incorporates a briefing for existing residents and their families.

In describing the role of the transition plans in the relocation process, the EA states “The transition plan endeavours to identify every aspect of the change of living circumstances for the resident as well as their family members.”⁶² In order to minimise the potential impacts of such relocations, the ITPs set out under the relocation plan claim to undertake socialisation work (where appropriate) to introduce new household members to existing ones, as well as ensure a gradual introduction to the household.

Though the EA references the ITPs in the relocation plan provided at section 7.15.2, neither that document or the SIA provide any documentation of these plans, or evidence of their implementation. It is not the role of JSA to monitor the relocation process, however, results from the interview process and follow up conversations held over 26 and 27 August 2011 indicate that the consultation aspects of this process have been superficial at best, and in some cases non-existent. Families were generally dissatisfied with the consultation procedure involved in the transition planning:

“People have got to have choice. And that’s what they’re not getting” *Interviewee 14*

“There hasn’t been any contact or involvement in the planning of the future accommodation for [the client]” *Interviewee 9*

“We got a phone call on a Tuesday afternoon, saying that [the client] would be moved the following week. I said, ‘You can’t do that, we didn’t know anything about it or...’ [Interviewer: Who was the phone call from?] It was from Crowle [under Achieve management]...Normally they have what they call a transition time, which is about six months. They said they have to move her straight away...To me it sucks” *Interviewee 14*

“[The respondent] has had no real involvement in the planning so far for [the client], and doesn’t have any information about the proposed model of care for [the client]... ‘and I’m at the stage where I would demand it in writing, too’” *Interviewee 6*

“...the relocation of the residents was presented to families as a ‘fate accompli’, ie not something they could stop or have any input into” *Interviewee 8*

“...yes well I was quite upset about it... and then I was told ‘Well [the client]’s going anyway’. I said I didn’t want him to go, and they said ‘Well too bad, [the client]’s going’” *Interviewee 2*

⁶¹ NSW DHS, Ibid. Pg. 20-21

⁶² DFP (2011), Ibid. Pg. 72

It may well be that the relocation process has been more satisfactory than reported by many interviewees in the course of JSA's research, and that detailed written procedures and protocols exist. However, there is insufficient evidence in the EA or the SIA of the nature of the process to date, and generally only vague statements about the process that will be implemented. No written plans, procedures or protocols are provided with the EA. There is also no reason to doubt the veracity of those interviewed due to reasonable consistency in what they have reported.

Though only a Concept Plan application at this stage, the nature of the proposal and the potential for significant adverse social impacts should have guided the provision of sufficiently detailed information to make an assessment of the adequacy of the measures that will accompany the redevelopment. Again, this appears to be a significant deficiency of the EA and related SIA.

Protocols to ensure existing residents are not disadvantaged

The final aspect of the relocation process set out in the EA included three measures or 'protocols' designed to ensure that the relocation does not disadvantage any residents. These include:

- **the ITPs** (described in section 3.3);

See section 3.3 above

- **pre-transition socialisation,**

The purpose of the socialisation is to ensure that the resident and their family are comfortable and satisfied with the transition arrangements. It involves a process of familiarisation with the new home, staff and existing residents (where appropriate).

There is little detail included in the EA regarding the nature of this socialisation, how long the socialisation period is designed to take, how the process integrates with other aspects of the ITP procedure etc.

- **Intensive support following the transition.**

Again, there is little detail as to what type of support will be provided, how long it will be provided for, how it differs from the regular support the client will receive etc.

Moreover, reported problems with the process to date provide little comfort that the process accompanying the proposed redevelopment will be satisfactory, and highlights the need for more detailed consideration and evidence that residents will not be disadvantaged as part of the EA. The development and documentation of detailed protocols that demonstrate an understanding of potential impacts and appropriate mitigations should be provided with the EA.

Additional comments

A supplementary section of the relocation process – titled 'Other' – states that Achieve Australia is a continuing participant in the NSW Government's scheme to close all Large Residential Centres over time. More information on this scheme can be read at section 4.1 of this report. The EA cites that continued funding for LRCs such as Crowle Home was only made possible through

the submission of a transition plan outlining the closure of such centres. This was undertaken by the now defunct Crowle Foundation in the mid-nineties. The EA states that Achieve Australia remains committed to the closure of the LRC and relocation of on-site residents.

A telephone conversation with John Ryan – executive director of contemporary accommodation at the NSW ADHC – on 7 September 2011 confirmed that Achieve Australia was required to submit a transition plan to the Department. The transition plan was required to provide information on the proposed closure of Crowle Home and transition of the remaining residents into more suitable accommodation, so that Achieve Australia and the NSW ADHC can approach the treasury to secure funds. Importantly, it was made clear that the NSW ADHC imposed no guidelines or requirements of NGOs when preparing these plans, as they represented a “conversation” between the department and the NGO.

Again, this makes the provision of adequate detail at this stage of the development process important to satisfy the Department’s requirements under the amended DGRs.

7.3.3 Adequacy of existing services to meet the needs of new tenants/residents

Point 2 of DGR 18 also sets out the following requirement of the applicant:

- address the adequacy of existing services, social infrastructure, employment opportunities, and open space to meet the needs of new disadvantaged/disabled tenants/residents and identify the range of new services proposed to meet the needs of tenants/residents

In order to address this requirement, section 7.15.4: Adequacy of existing services etc for disabled/disadvantaged residents has been included in the EA by the applicant. That section states that Achieve Australia is considering a co-housing model of accommodation support in the units of the completed development. Co-housing is not a model specifically described by the NSW ADHC’s Innovative Accommodation Framework (see section 4.1). There is no information available on the Achieve Australia website, or in Achieve Australia’s quarterly newsletters or annual reports, as to what constitutes a ‘co-housing’ model of accommodation support. The only information as to the proposed model of accommodation is provided in the EA, as follows:

“Achieve Australia is considering a co-housing model of accommodation whereby accommodation for people with disability would be integrated throughout the completed development.”

Not all of those people currently living at Crowle Home will be able to live in the accommodation proposed:

“It is anticipated that some of the existing residents may be suited to living in this form of housing, while other residents with higher support needs will need to be

accommodated in other homes within Achieve Australia's Community Living Services."⁶³

With respect to the availability of services for those residents who would be housed within the redevelopment, the proposal states:

"The residents that could be housed by Achieve Australia in the future development would therefore be integrated into the wider community and would utilise services and facilities available to the whole community...No specific demands were identified as needing to be provided for the future residents of the development."⁶⁴

Whilst no specific needs of future disabled/disadvantaged residents were identified by the EA, the document iterated that in the event that the needs of future disabled/disadvantaged residents were not met by services available to the general community, Achieve Australia would continue to provide services to these people, through a range of programs already administered by Achieve Australia. These include: specialist support services, day programs, transition to work, and disability employment services.

However, there is very limited information provided in the SIA (principally at p 52) regarding the nature, location or adequacy of services and facilities for people with a disability in the locality. There are likewise no interviews, surveys or other data provided regarding the availability or adequacy of services that may be accessed in the locality by the existing residents (should they remain on site) nor other people with some form of disability if they are to move on to the site (for example, into the 10% of adaptable housing proposed as part of the development).

The lack of such data is a critical omission from the research conducted and reported as part of the EA and SIA, particularly given the nature of the proposal and the requirements under the amended DGRs. Statements that the 'majority will be already known to the service system' or that 'residents will be integrated into the wider community and would utilise services and facilities available to the whole community' (EA, p 76) are of little comfort when current service availability and capacity is not demonstrated in the SIA or EA. Further, the SIA notes that the proposal will 'increase the availability of supported accommodation places' (though as discussed later, there is no evidence for this statement provided) (see for example p 53 of the SIA). If this were to be the case in the locality, again it would be prudent to understand the service environment into which this additional accommodation is being introduced. Finally, the SIA notes that 'Interviews with service providers have provided an overview of existing and anticipated service demand' (p 52). This may well be the case, but JSA was unable to find evidence of detailed data or information arising from such interviews to support claims made regarding service adequacy in the SIA.

Again, it would appear that far more information is required on service provision and adequacy in the locality, as well as the needs and the proposed level of service support for

⁶³ DFP (2011), Ibid. Pg. 71

⁶⁴ DFP (2011), Ibid. Pg. 76

existing residents, in order to satisfy this part of DGR 18 and ensure that potential adverse impact on residents or in the wider locality are avoided or adequately mitigated.

7.3.4 Nature of Consultation with Existing Community Regarding Relocation Strategy

Point 3 of DGR 18 also sets out the following requirement of the applicant:

- Identify the nature of consultation with the existing community regarding the relocation strategy.

As noted above, there are serious deficiencies with consultation in general, and in relation to the relocation strategy in particular. This is regarded as a significant matter that would need be addressed before the EA would be regarded as satisfactorily demonstrating that there will be no (or at least acceptable level) or adverse social impacts.

7.3.5 Concept Plan to Consider Housing Choice and Affordability

Overview

Point 4 of DGR 18 also sets out the following requirement of the applicant:

- Identify how the Concept Plan has considered affordability and housing choice for the disadvantaged and disabled.

The EA and SIA upon which it relies makes a range of statements about housing ‘choice’ and ‘affordability’, and the contribution which implementation of the Concept Plan will make to each of these issues. However, apart from providing a broad indicative mix of apartments (225 one-bedroom, 225 two-bedroom and 20 three-bedroom units with a 10% adaptable housing component, with the latter often required under relevant EPIs for multiunit developments generally), the documents provide scant detail on how ‘affordable housing’ will be achieved as part of the redevelopment for people with a disability and people who are otherwise disadvantaged, nor the number and nature of dwellings that will be provided on-site or off-site through the capitalisation strategy that the applicant reports that they are pursuing through the redevelopment (see for example EA p77).

Unfortunately, statements are generally vague, provide no firm commitments and do not demonstrate how the requirements of this DGR will be met through the Concept Plan. Some statements are not supported by available data, particularly those related to affordability, and are sometimes factually incorrect.

Issues related to choice and affordability are looked at in turn below.

Housing Choice for the Disadvantaged and Disabled

Potential net loss of capital stock for those with intellectual disability

The redevelopment of Crowle Home will lead to the loss of the capacity for around 90 capital bed spaces for people with an intellectual disability in the Ryde LGA and in Sydney more broadly, though there are less places currently funded. Though there are only around 30 people remaining on the site, there are reported to have been up to 90 people accommodated on site in institutional

care (depending on various figures cited by interviewees and Achieve Australia), and prior to the ongoing devolution into accommodation within the general community. Despite the existing reported condition of residential accommodation on site, this represents bed spaces that *have been* available in the locality, and may still be available had they been maintained to an appropriate standard through a proactive asset management strategy.⁶⁵

Notwithstanding government policy regarding the undesirability of institutional care (see the literature review in the body of this report), Crowle Home provides an important resource of capital stock, owned by a disability agency, providing secure accommodation for people with moderate to high support needs, for whom appropriate capital accommodation is in short supply (see also 'affordable housing' below). It is likely that much of the stock into which those being moved from Crowle Home are being relocated is not 'capital stock' owned by Achieve Australia, but is either existing stock owned by another agency (e.g. a community housing provider) or head leased on the private market (e.g. owned by a private landlord and sub-leased to a disability agency, community housing provider or similar).

As such, unless the financial arrangements of the redevelopment are highly favourable, there could well be a significant net loss of capital stock (bedspace actually owned and thus secure in tenure on the site). This will have flow on effects to the wider community (e.g. if a person is moved from Crowle Home into a community placement where there is no additional capital stock created, this means that someone else in the community will not be housed or will have to wait longer for a home). It will also have flow-on effects to the stock of secure housing or bedspaces available to people with an intellectual disability in the community more generally. Though it is understood that Achieve Australia seeks to pursue the redevelopment in order to 'unlock the capital in the site' and to use the capital to either retain units on site or to build or acquire capital stock elsewhere (see for example EA, p 77), there is no detail provided in either the EA or the SIA about the quantum or replacement of capital stock lost, or conversely, the net gain or loss of bedspaces or the form of accommodation which will be provided through 'unlocking the capital' in the site. In JSA's experience in working within PPPs on such redevelopments, there is financial risk that a community 'partner' like Achieve Australia will not realise the full extent of potential capital from the redevelopment of the site when partnering with a private sector building company (as is generally the case in such PPPs).

This is a serious omission in the EA. Without appropriate replacement of capital bedspaces lost, there is a long-term impact upon the wider community of increased pressure on existing capital stock suitable to the needs of those with moderate to high support needs. It is properly regarded

⁶⁵ The term 'capital bed spaces' should be distinguished from the similar term 'funded bed spaces'. Capital bed spaces refer to potential bed spaces for people with ID, whilst funded bed spaces refer to bed spaces that are currently funded by ADHC.

This is an important distinction to make, as whilst there are in actuality only 30 funded bed spaces currently provided on site, there have been up to 90 funded bed spaces on site previously. Unless these funded bed spaces at Crowle Home – which are also capital bed spaces (as they are owned by Achieve) – are similarly replaced with other capital bed spaces in the community (as opposed to head leased, or rented bed spaces/housing), there is a net loss of capital bed spaces for people with intellectual disability.

as an externality of the proposal. As such, the applicant should provide detail in the EA regarding the quantum of capital stock that will be provided through the redevelopment to offset the loss of up to 90 secure, community-owned bedspaces for people with an intellectual disability, as well as the nature and location of stock that will be gained by Achieve Australia through 'unlocking the capital in the site'. This includes the quantum and the nature of the stock that will be provided onsite for those existing (or recently relocated) residents who wish or need to remain in the locality due to service needs, attachment or preference.

It is significant in this regard that the applicant's SIA cites a positive impact of the proposal as to 'Address an identified need for accommodation and support services for people with (sic) disability currently significantly under-supplied throughout Sydney region'. The lack of detail or evidence on the extent to which the loss of existing capital bedspaces from Crowle Home (currently operating and potential) will be replaced through the redevelopment process is thus of serious concern.

Lack of choice for existing residents of Crowle Home evident in Concept Plan

In terms of housing to replace the capital bedspaces lost, and specifically for the 30 people still residing at Crowle Home in funded places, there is again no detail regarding the number and type of units that will be provided on site, the staging or timing of such units, nor their configuration on the site in the EA or SIA. Likewise, there is no detail provided on the level of support needed by the remaining residents and hence the type of accommodation and support that would be suitable for them in the future.

As noted, a range of accommodation models are possible and considered appropriate in terms of government policy, and in the literature on good practice in meeting the needs of those with an intellectual disability. Likewise, provision of a number of accommodation options in the Concept Plan would have provided for genuine housing choice for residents currently on-site (and possibly those recently relocated who may wish to move back to the site or to be housed with their friends), and would have provided some comfort to the relatives, guardians and friends of existing residents. These options should be developed in close consultation with residents, their families and other interested parties in accordance with their needs and preferences.

However, no such choice or range of options is provided for or even considered in the EA or the SIA. Rather, the documents state that 'a number of dwellings', of an unstated number and type, would be provided on site, whilst other residents would be relocated to housing in the general community, with the required level of support (see for example EA, p 77, SIA, p 12). Further, it is evident from the Concept Plan that the diversity of housing options that may be required by people with an intellectual disability would be difficult to provide within the broad urban design and housing proposed, and again do not even appear to be considered. For example, there is no provision for larger dwelling (e.g. 4-5 bedroom units) that would be appropriate for a group home model of accommodation favoured in government policy for those with higher support needs, no provision for low or medium density development that could suit some form of cluster housing or for those whose more challenging behaviours may make high rise /high density living problematic, and no provision for some form of intentional community accommodation, such as a component of SEPP (Housing for Seniors and Those with Disability) on which could integrate the needs and living arrangements of older people and those with physical disability with a

proportion of units for people with an intellectual disability in a physically and socially integrated way, or for village style accommodation or cluster housing.

It is noted in this regard that the majority of those remaining on the site are reported to have moderate to high support needs, are aging, and have lived at Crowle Home for most of their lives. As such, accommodation options including village style accommodation, some form of cluster housing, groups homes on site with 24 hour care, a small cluster of groups homes integrated into a conventional residential street, and/or some units reserved for Crowle Home existing or past residents in a SEPP Senior Living style development are likely to be appropriate housing options for these residents. They would combine objectives related to physical integration within the community as well as providing the level of support and housing type that is likely to be needed by remaining residents. A further benefit of such cluster or group home accommodation provided on site is that this would maintain residents' emotional connection with the area, their existing service arrangements, and contact with their friends and networks, including those with whom they have strong attachments currently living with them on the site. A SEPP Senior Living, village or cluster housing development and/or small cluster of group homes could also provide access to a community room, community garden or similar where residents could maintain contact with existing friendship networks, and potentially foster 'social integration' with the wider community rather than just the 'physical integration' which the literature notes is generally the extent of integration achieved when people with an intellectual disability are moved into general community living arrangements (see literature review).

Some small individual living units could also be provided on-site as one housing option, with drop-in support for those with lower support needs. However, our interviews also indicated that some residents who have been rehoused into such accommodation have become quite socially isolated, despite living 'in the community'. The literature also notes that, whilst genuine social integration is a commendable aim of devolution, such moves have rarely resulted in genuine 'social integration' of people with an intellectual disability, and have generally been limited to 'physical integration'. Again, this highlights the need to ensure that a range of accommodation options are provided for those with diverse needs and preferences to ensure that there is genuine housing choice provided, and the importance of developing these options in close consultation with those most affected.

The provision of SEPP Senior Living style accommodation would also benefit the wider community. The SIA notes that the immediate locality has a higher than average concentration of older people aged people (p 38). The SIA also states that a high proportion of those attracted to live in the new units created will be aged 55+ years (p 48-49). As such, it would be prudent to consider the longer-term needs generated by the development for a proportion of independent living units and serviced apartments and community facilities as part of such a development. Again, a small number of older people with an intellectual disability could be integrated within such a development, depending on their particular needs and compatibility with the general residential community.

As such, it would be preferable for the EA to consider and make provision for appropriate accommodation and service options for remaining and recently relocated Crowle Home residents. Detail of the number, type, configuration, staging, timing, support arrangements

etc is also required to ensure adverse impacts are considered and mitigated. To address this, we recommend the following principles underpin the Concept Plan, noting that such principles would appear to be supported in government policy and research of good practice:

- That all residents who wish or need to be accommodated on site as part of the redevelopment be provided with the choice to do so in accommodation and support arrangements that meets their individual care, health and social needs;
- That the applicant detail replacement accommodation options that will be developed to rehouse those residents who wish or need to be relocated on site as part of the Concept Plan;
- That appropriate accommodation options be developed by the applicant in close consultation with Crowle Home residents, those recently relocated from Crowle Home, their families and/or other interested parties to ensure the best immediate and long-term outcomes for residents and their families;
- That onsite accommodation be constructed in Stage 1 of the redevelopment so that existing and recently relocated residents can be rehoused with a minimum of disruption, dislocation and stress so as to minimise adverse social, emotional and health impacts;
- That detailed plans and protocols be developed and documented by the applicant in close consultation with Crowle Home residents, those recently relocated from Crowle Home, their families and/or other interested parties in relation to onsite and offsite service arrangements, consultation and community engagement, timing and staging of redevelopment, rehousing and transition arrangements for residents who remain on site and those to be relocated as part of the process, and OH&S during the redevelopment process, and that these plans and protocols be provided as part of the Concept Plan.

Housing Affordability for the Disadvantaged and Disabled

The EA, referencing the SIA, relies upon a market response to the provision of affordable housing, and maintains that housing will automatically be affordable without specific market intervention by virtue of an increase in the supply of high density units in this locality (see for example p 77 of the EA). This assertion is not supported by data or research in either the SIA or the EA. In fact, as noted in the body of our report, it is likely that such units will not be 'affordable' in accordance with relevant criteria for low to moderate income earners in the locality, and is likely to contribute to ongoing gentrification and upward pressure on housing prices in the locality in a cumulative sense.

Further, the EA and SIA state at a number of points that the units are expected to be 'of a high quality and modest price point, improving affordability to the wider community' (EA, p 77), but again provide no data or information about the anticipated price point of the units, nor any analysis of the groups for whom the units created would be 'affordable'. Likewise, there is no housing market analysis of the locality contained the EA or SIA regarding, for example, the price points at which units are currently selling, how this has changed with progressive redevelopment and gentrification of Ryde LGA and Meadowbank over time, nor the impact on affordability that this redevelopment is likely to have in a cumulative sense. There is also no analysis regarding the

groups who need affordable housing in the locality currently, how this is changing over time nor the groups that could be accommodated in this development. Finally, there is no presentation of options for the active creation of affordable housing on the site through the range of mechanisms available to applicant. **As such, the EA would appear to be entirely non-compliant with this aspect of the DGRs.**

JSA has undertaken extensive research and strategic planning conducted for City of Ryde Council during 2008 and 2009, and subsequent work for several local community housing providers as part of their planning and growth strategies. The former documents are publicly available and could have been considered as part of the preparation of the SIA. We have also undertaken a brief review of more recent housing trends, though a detailed analysis of the latter is beyond the scope of this report.

In summary, there is serious need for the creation of affordable housing in the LGA, with around 70% of low income renters living in housing stress, and a significant local housing affordability gap of around 4,600 low- to moderate-income renting households. The LGA has been recognised as a 'high' housing need, and is among the 25 least affordable LGAs in NSW for rental housing out of around 160 LGAs.

Redevelopment in the area has been contributing to upward pressure on housing prices, and more recent data reviewed by JSA indicates that newer units in redeveloping areas like the subject locality are among the more expensive strata dwelling stock in the LGA. Even 1-bedroom unit stock currently for sale in the immediate locality would be 'affordable' to only the top 10% of households on 'moderate incomes' and certainly not to most low and moderate income households in the locality, whilst larger or higher amenity small units would not meet accepted affordability criteria for any relevant target groups. This trend is supported in the work of researchers like Gurrin (2007, 2008) who notes that redevelopment in urban areas almost always results in housing price inflation.

There is also a high proportion of those aged 70 and older compared with Sydney SD. Although there was an oversupply of independent living units in SEPP Senior Living developments in 2008, a shortfall was predicated by 2021. Importantly, JSA found that there was a shortfall in **low and high care places in residential aged care facilities** (e.g. serviced apartments and accommodation options with higher levels of support), so that the development of more high and low care facilities and an adequate amount of higher density development close to services and transport that is adaptable and accessible per relevant Australian standards were noted as strategic planning priorities.

Key target groups for affordable housing were identified as key workers, seniors and people with special needs including those with a physical, intellectual and psychiatric disability in the local community.

The Crowle Home site would be appropriate for both Affordable Housing for a range of target groups including older people and those with a disability, as well as for the development of a development under State Environmental Planning Policy (Housing for Seniors or People with a Disability). The latter could be developed on a portion of the site and including multi-level care including independent living units, low care (e.g. serviced apartments) and high care (e.g.

serviced apartments with Extended Aged Care Packages if this were preferable to nursing home style accommodation.

The subject site is well-located and suitable for the creation of affordable housing, including for high needs target groups including older people, frail aged, and those with physical, intellectual and psychiatric disabilities. Its location close to transport and services also makes it suitable for other groups in the Ryde LGA that currently need affordable housing, including key workers, students and low to moderate income families who are increasingly being displaced from Ryde LGA through increased housing costs relative to income and ongoing redevelopment and gentrification which has been contributing to local housing price inflation in recent years.

As a community owned redevelopment site, it provides an important opportunity for adding to the stock of such accommodation in the LGA, and the development of a proportion of stock as 'Affordable Housing' that meets the requirements and price points for such accommodation, as well as for more affordable SEPP Senior Living accommodation for the general community as well as for existing and recently relocated Crowle Home residents. This would also assist in mitigating the impact that this redevelopment is likely to have on contributing to upward pressure on housing prices in the locality, as well as providing for the needs of incoming residents (and those currently on the site as they age).

Unfortunately, the EA and SIA do not consider the need for and provision of affordable housing in any meaningful way, including the need for affordable housing for particular target groups likely to arise as a result of this redevelopment. This is an important omission, both in terms of providing a potential benefit from a suitable, community-owned site, as well as mitigating likely cumulative impacts on affordability in the locality. The suitability of the site for affordable housing, including for older people and those with a disability, is particularly noted in this respect.

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APPENDIX 1: JSA ASSESSMENT AGAINST RELEVANT CRITERIA OF SEPPSL AND AS1428.1

SEPPSL (2004)

Access ways surrounding the site conformed to seven of the eight SEPPSL (2004) accessibility criteria tested for during the site visit.

The only criteria to which the access ways did not conform was that specified under:

- Clause 26(3)(iii) - Gradient of no more than 1:8 for a maximum of 1.5 metres at a time
- *The kerb ramps providing access to the traffic light pedestrian crossing at the intersection of Belmore Street and Constitution Road were deemed to be in conflict with this criteria.*



Figure A1-1: Kerb ramp at Belmore St -
Constitution Road intersection

Source: JSA Site Visit 28/07/2011

With respect to service access, each shopping centre was found generally to comply with the requirements of Clause 26: Location and Access to Facilities. The complete range of facilities were accessible across both sites, though each site were deficient in a number of services.

The Top Ryde Shopping Centre containing 11 of the 13 required facilities (Top Ryde City did not provide a licensed hotel or a community/senior citizens centre), whilst West Ryde Marketplace contained 12 of the 13 required facilities (deficient only in the provision of a cinema).

AS1428.1

The access ways surrounding the site were found to be compliant with 11 of the 19 criteria set out by the guidelines under AS1428.1. It is noted in this regard that the standards set out in AS1428.1 are generally more stringent than those in the SEPP, and that compliance with the SEPP is the relevant standard for assessment. Nonetheless, an assessment against the AS has been undertaken for the sake of completeness.

A number of criteria, namely those pertaining to ramps [5.3 (e) – (g)], did not apply to the access ways surveyed during the site visit.

The access ways did not comply to four criteria under the standard. They are set out below;

- Clause 5.2(d) – Ground abutting side of walkway follows grade of walkway and extends horizontally for 600mm or more
 - *Generally OK, except for a section of ground between site fence and footpath on Belmore Street.*



Figure A1-2: Belmore Street footpath, looking North (site fence on right)

Source: JSA Site Visit 28/07/2011

- Clause 5.3(c)(ii) - Landings at change of direction in path
 - *No landings present*
- Clause 5.8 - Kerb ramps and step ramps no steeper than 1:8
 - *Kerb ramps providing access to the traffic light pedestrian crossing at the intersection of Belmore Street and Constitution Road were deemed to be in conflict with this criteria. (see figure 3.1)*
- Clause 5.8.1 – Kerb ramps and step ramps graded in direction of travel
 - *Does not comply*

Table A1-1: SEPPSL 2004 Access Analysis

SEPP SL (2004)			
Origin: Site		Destination: Nearest Bus Stop (Constitution Road, Meadowbank)	
Clause	Criteria	Complies? (✓/✗)	Comments
cl.26(2)(b)(i)	Distance ≤ 400m (measured along pathway)	✓	
cl.26(2)(b)(i)	Pathway is sealed footpath or similar, suitable for electric wheelchair or similar	✓	Generally OK, but some abutting joints have slight lip.
cl.26(2)(b)(iii)	Public transport is available both to and from destination at least once between 8am and 12pm and at least once between 12pm and 6pm each day from Monday to Friday	✓	
N/A	Available public transport caters for disabled persons	✓	
cl.26(3)	Overall average gradient along pathway is no more than 1:14	✓	
cl.26(3)(i)	Gradient of no more than 1:12 for a maximum of 15 metres at a time	✓	
cl.26(3)(ii)	Gradient of no more than 1:10 for a maximum of 5 metres at a time	✓	
cl.26(3)(iii)	Gradient of no more than 1:8 for a maximum of 1.5 metres at a time	✗	Kerb ramps > 1:8

Source: JSA Site Visit 28/07/2011

Table A1-2: AS1428.1 Accessibility Analysis

AS1428.1			
Origin: Site		Destination: Nearest Bus Stop (Constitution Road, Meadowbank)	
Clause	Criteria	Complies (✓/✗)	Comments
5.1.1(a)	Pathway has unobstructed horizontal clearance of $\geq 1000\text{mm}$	✓	
5.1.1(b)	Pathway has unobstructed vertical clearance of $\geq 2000\text{mm}$	✓	Some branches overhanging fence on Belmore Street
5.1.2	Continuous path of travel	✓	
5.1.2	Pathway has no lip or step at joints between abutting surfaces (5mm lip acceptable for rounded or bevelled edges)	✓	
5.2(a)	For walkway gradients of 1:33, landings at 25m intervals For walkway gradients of 1:20, landings at 15m intervals For gradients between 1:33 and 1:20, interpolate	✓	No landings required Path 1:33
5.2(b)	Gradient of path between landings constant	✓	
5.3(d)			
5.2(d)	Ground abutting side of walkway follows grade of walkway and extends horizontally for $\geq 600\text{mm}$	✓	Generally OK, except along the fence at Belmore Street
5.3(a)	Max grade of ramp $> 1520\text{mm}$ in length is 1:14	✓	
5.3(b)	For ramp gradients of 1:14, landings at 9m intervals For ramp gradients of 1:20, landings at 15m intervals For gradients between 1:14 and 1:20, interpolate	✓	No landing required

AS1428.1			
Origin: Site		Destination: Nearest Bus Stop (Constitution Road, Meadowbank)	
Clause	Criteria	Complies (✓/✗)	Comments
5.3(c)(ii)	Landings at change in direction of path	✗	
5.3(e)	Ramps provided with handrails on both sides of the ramp, between 865 and 1000mm above the path	N/A	Not required; no ramps
5.3(f)	Ramps and ramp landings to have kerbs or kerb rails on both sides that are 65-75mm high or 75-150mm high. For kerbs 75-150mm high, no longitudinal gap or slot greater than 20mm.	N/A	Not required; no ramps
5.3(g)	Ramp-side face of handrail flush with ramp-side face of kerb, or no more than 100mm away from ramp-side face of kerb	N/A	Not required; no ramps
5.4	Angle of approach from one surface to another of different gradient complies with Appendix B (max 90°)		
5.6	Camber / cross-fall of path and landings ≤ 1:40	✓	
5.7(a)	Length of landings at walkways and ramps ≥ 1200mm Length of landings at kerb ramps and step ramps ≥ 1330mm	✓	
5.8	Kerb ramps and step ramps no steeper than 1:8	✗	Kerb ramp > 1:8
5.8.1	Kerb ramps and step ramps graded in direction of travel	✗	
5.8.3	Kerb ramps and step ramps have slip-resistant surfaces	✓	

Source: JSA Site Visit 28/07/2011

Table A1-3: Services, West Ryde Marketplace

West Ryde Marketplace		
Service	Provided at Shopping Centre? (✓ / ✕)	Comments
Grocery Store or Supermarket	✓	Woolworths
Butcher	✓	As part of Woolworths
Green Grocer	✓	As part of Woolworths
Newsagent	✓	
Hairdresser	✓	Multiple
Chemist	✓	
Cinema		
Bank	✓	ANZ, Commonwealth, Westpac
Licensed Club or Hotel	✓	
Restaurant or Café	✓	
Neighbourhood Centre or Senior Citizen's Club	<i>See notes</i>	West Ryde Community Centre (Under construction)
Library	✓	
Medical Practitioner	✓	Medical Centre, Podiatrist, Denture Clinic
Total Services Provided	12/ 13	

Source: JSA Site Visit 28/07/2011

Table A1-4: Services, Top Ryde Shopping Centre

Top Ryde Shopping Centre		
Service	Provided at Shopping Centre? (✓ / ✗)	Comments
Grocery Store or Supermarket	✓	Aldi, Franklins, Woolworths
Butcher	✓	
Green Grocer	✓	
Newsagent	✓	
Hairdresser	✓	Multiple
Chemist	✓	
Cinema	✓	Event Cinemas. Access via elevator from car park level 2. Somewhat difficult to access via elevator.
Bank	✓	ANZ, Bankwest, Commonwealth, St George, Westpac
Licensed Club or Hotel	✗	Licensed restaurants only; separate TAB facility Ryde City Bowling Club and Royal Hotel Ryde both located on Blaxland Street, approximately 100m away – did not check accessibility as per SEPP SL (2004).
Restaurant or Café	✓	
Neighbourhood Centre or Senior Citizen's Club	✗	
Library	✓	
Medical Practitioner	✓	
Total Services Provided	11/ 13	

Source: JSA Site Visit, 28/07/2011; www.toprydecity.com.au (accessed 02/09/2011)