



SERVICES SPECIAL COMMITTEE

MINUTES

(Open to the public)

Monday 12 August 2019

Council Chamber, 8 Inglesby Road, Camberwell.

Commencement 6.36pm

Attendance

Councillor Garry Thompson (Chairperson)
Councillor Jane Addis (Mayor)
Councillor Phillip Healey
Councillor Lisa Hollingsworth
Councillor Jim Parke
Councillor Coral Ross
Councillor Felicity Sinfield
Councillor Cynthia Watson
Councillor Steve Hurd
Councillor Jack Wegman

Apologies

Nil

Officers

Phillip Storer	Chief Executive Officer
Carolyn Terry	Acting Director Environment and Infrastructure
Carolyn McClean	Director Community Development
Bruce Dobson	Director Customer Experience and Business Transformation
Shiran Wickramasinghe	Director City Planning
Gail Power	Acting Executive Manager People Culture and Development
Adam Hall	Manager Environment and Sustainable Living
Eren Cakmakkaya	Media and Advocacy Specialist
David Thompson	Manager Governance
Chris Hurley	Manager Commercial and Property Services
Charles Turner	Manager Projects and Strategy
Helen Pavlidis	Governance Projects Officer
John Lorkin	Coordinator Revenue and Property Services
Cid Mariani	Coordinator Civil Projects

Table of contents

1. Adoption and confirmation of the minutes	3
2. Declaration of conflict of interest of any councillor or council officer	3
3. Presentation of officer reports	
3.1 Proposed Sealing of Delta Street, Surrey Hills	3
3.2 Intention to Advertise Proposed Lease to Boroondara Aged Services Society	5
4. General business	
4.1 Leave of Absence - Councillor Healey and Councillor Addis	6
4.2 Meeting Procedure - Meeting Procedure Local Law	7
4.3 Delta Street, Surrey Hills - Spray Seal Overlay on Road Pavement and Impact on Flooding	7
5. Urgent business	8
6. Confidential business	8

1. Adoption and confirmation of the minutes

MOTION

Moved Councillor Hollingsworth

Seconded Councillor Sinfield

That the minutes of the Services Special Committee meeting held on 8 July 2019 be adopted and confirmed.

CARRIED

2. Declaration of conflict of interest of any councillor or council officer

Refer to Item 4.1 - General Business - Leave of Absence - Councillor Healey

Refer to Item 4.1 - General Business - Leave of Absence - Councillor Addis

3. Presentation of officer reports

3.1 Proposed Sealing of Delta Street, Surrey Hills

Delta Street is an unsealed road off Essex Road in Surrey Hills which borders parts of South Surrey Park. It is connected to Arundel Crescent by a narrow road known as York Lane which has been sealed with an asphalt surface.

In 2008, when at the time Delta Street was unconstructed, a number of events occurred and it became apparent from discussions between officers and residents that the road conditions at the time were unsatisfactory and should not continue.

In the following years, consultation was conducted and a resulting road design was presented to the Services Special Committee on 20 June 2011.

As a result, both York Lane and Delta Street were formally constructed. York Lane was sealed but Delta Street was left unsealed.

In 2018 it again became evident from resident feedback that the dust suppressant and other maintenance measures were not working satisfactorily as a long term solution.

A new letter and survey were distributed to residents in September 2018. Residents' feedback was evenly split about whether or not to seal the road and, despite subsequent on-site meetings between officers and residents, consensus was unable to be reached between opposing residents' views on this matter.

The decision has therefore been referred to Council to be considered.

*12 speakers opposed to the officers' recommendation addressed the meeting.
7 speakers in support of the officers' recommendation addressed the meeting.
1 submitter in support of the officers' recommendation chose to have their written submission read out by the Chairperson.*

MOTION

Moved Councillor Addis

Seconded Councillor Healey

That Services Special Committee resolve to:

1. Bitumen seal the road pavement the length of Delta Street to York Laneway.
2. Advise the owners of properties abutting Delta Street of the decision.

AMENDMENT

Moved Councillor Hollingsworth

Seconded Councillor Parke

That Services Special Committee resolve to:

- 1. Bitumen base with spray seal overlay on the road pavement the length of Delta Street to York Laneway.**
- 2. Advise the owners of properties abutting Delta Street of the decision.**

The Amendment was put and CARRIED on the casting vote of the Chairperson

Dissent from Chairperson's Ruling

Moved Councillor Hurd

Seconded Councillor Addis

That the Chairperson's ruling be dissented from.

Procedural motion - Adjournment**MOTION**

Moved Councillor Healey

Seconded Councillor Ross

That the Services Special Committee Meeting be adjourned.

CARRIED

The Services Special Committee Meeting adjourned at 9.26pm.

Procedural motion - Resumption

MOTION

Moved Councillor Healey

Seconded Councillor Parke

That the Services Special Committee Meeting be resumed.

CARRIED

The Services Special Committee Meeting resumed at 9.38pm with all councillors present except Councillor Ross.

Withdrawal of Dissent from Chairperson's Ruling

With the leave of the meeting, Councillor Hurd withdrew his motion.

Councillor Ross entered the Chamber at 9.40pm and resumed her seat.

Division

Councillor Healey called for a division

Affirmative

Councillor Wegman
Councillor Sinfield
Councillor Hollingsworth
Councillor Parke
Councillor Healey
Councillor Thompson

Negative

Councillor Addis
Councillor Watson
Councillor Ross
Councillor Hurd

The Chairperson declared the Amendment **CARRIED**.

The Amendment became the Substantive Motion.

The Substantive Motion was put and CARRIED.

3.2 Intention to Advertise Proposed Lease to Boroondara Aged Services Society

This report is presented in the context of Council meeting its obligations under section 190 of the *Local Government Act 1989* (the Act) in relation to lease terms for an aged support services lease agreement. The aged support services facility is located at 9 Marwal Avenue, Balwyn North and is operated by Boroondara Aged Services Society. Boroondara Aged Services Society provides services and social connectedness, including meals on wheels and planned activities, to seniors.

Section 190 of the Act requires where new leases have a term of more than one year and the rent or market rent for any period of the lease term exceeds \$50,000 per annum, Council must give public notice of its intention to enter into such a lease and consider any submissions received in accordance with section 223 of the Act prior to entering into the lease. The estimated market value rental for this property exceeds this threshold and thus it is necessary for Council to follow the process outlined in this section of the legislation.

It is proposed a public notice be published in the Progress Leader advising of Council's intention to lease as described above, advising any person can make a submission. If any submissions are received a further report will be presented to a future Council meeting to enable consideration of any submissions received.

There were no speakers wishing to make submissions to Council for this item.

MOTION

Moved Councillor Parke

Seconded Councillor Addis

That Services Special Committee of Council resolve to:

- 1. Commence the statutory procedures under section 190 of the Local Government Act 1989 (the Act), advising of its intention to lease the Council owned facility for aged support services for the period ending 30 June 2020.**
- 2. If no submissions are received pursuant to the provisions of Section 223 of the Act, following the publication of the Public Notice, authorise the Chief Executive Officer or such other person as the Chief Executive Officer approves, to undertake the necessary procedural steps to complete the formal procedures to lease the land including the execution of all relevant documentation.**
- 3. In the event submissions are received, note a further report will be presented to Council to enable consideration of the submissions.**

CARRIED

4. General business

4.1 Leave of Absence - Councillor Healey and Councillor Addis

Councillor Healey requested a leave of absence from Council for the period 13 August to 20 October 2019 (inclusive).

Councillor Healey then declared a direct conflict of interest in accordance with Section 77B of the *Local Government Act 1989*. Councillor Healey advised the nature of the interest was *"I wish to apply for a leave of absence from 13 August to 20 October 2019 (inclusive)."*

Councillor Healey left the chamber at 9.45pm before the consideration and vote on this item.

Councillor Addis requested a leave of absence from Council for the period 2 September to 7 September 2019 (inclusive).

Councillor Addis then declared a direct conflict of interest in accordance with Section 77B of the *Local Government Act 1989*. Councillor Addis advised the nature of the interest was “*I am applying for leave from 2 September to 7 September 2019*”.

Councillor Addis left the chamber at 9.45pm before the consideration and vote on this item.

MOTION

Moved Councillor Parke

Seconded Councillor Hollingsworth

That the Services Special Committee resolve to grant a leave of absence to:

- 1. Councillor Healey for the period 13 August to 20 October 2019 inclusive.**
- 2. Councillor Addis for the period 2 September to 7 September 2019 inclusive.**

CARRIED

The Mayor, Councillor Addis and Councillor Healey returned to the chamber at 9.46pm and resumed their respective seats.

4.2 Meeting Procedure - Meeting Procedure Local Law

Councillor Ross encouraged councillors to reflect upon the learnings from earlier in the meeting with respect to meeting procedure. Councillor Ross then suggested the next review of the Meeting Procedure Local Law incorporate these learnings.

4.3 Delta Street, Surrey Hills - Spray Seal Overlay on Road Pavement and Impact on Flooding

The **Mayor, Councillor Addis** referred to comments made by residents earlier in the meeting concerning flooding in Delta Street, Surrey Hills. The Mayor, Councillor Addis expressed the view she was hopeful the sealing of the road pavement would assist in reducing flooding in Delta Street, Surrey Hills.

MOTION

Moved Councillor Addis

Seconded Councillor Hollingsworth

That the Services Special Committee resolve:

- 1. A report be presented to Council six months after the bitumen base with spray seal overlay on the road pavement the length of Delta Street to York Laneway is completed.**
- 2. The report inform Council whether the sealing of the road pavement has assisted in reducing the flooding experienced by residents in Delta Street, Surrey Hills.**

CARRIED**5. Urgent business**

Nil

6. Confidential business

Nil

The meeting concluded at 9.47pm**Confirmed****Chairperson**

Date
