

SERVICES DELEGATED COMMITTEE

MINUTES

(Open to the public)

Monday 16 August 2021

Online - Delivered via Webex Events

Commencement 9.02pm

Attendance

- Councillor Jane Addis (Chairperson)
- Councillor Garry Thompson (Mayor)
- Councillor Jim Parke
- Councillor Felicity Sinfield
- Councillor Victor Franco
- Councillor Wes Gault
- Councillor Di Gillies
- Councillor Lisa Hollingsworth
- Councillor Cynthia Watson
- Councillor Susan Biggar
- Councillor Nick Stavrou

Apologies Nil

Officers

| | |
|-----------------|--|
| Phillip Storer | Chief Executive Officer |
| Nick Lund | Acting Director Urban Living |
| Daniel Freer | Director Places & Spaces |
| David Thompson | Manager Governance and Legal |
| Simon Mitchell | Manager Strategic and Statutory Planning |
| Seuna Byrne | Principal Planner |
| Jim Hondrakis | Manager Traffic & Transport |
| Kirstin Ritchie | Coordinator Governance |
| Elizabeth Manou | Senior Governance Officer |
| Helen Pavlidis | Senior Governance Officer |

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1. Adoption and confirmation of the minutes

Nil

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

The Mayor, Councillor Thompson - Refer to Item 3.1 - Bills Street - Homes Victoria Robinson Road Car Park Construction of a Public Car Park on Patterson Reserve.

3. Presentation of officer reports

3.1 Bills Street - Homes Victoria Robinson Road Car Park Construction of a Public Car Park on Patterson Reserve

This report analyses six options (**Attachment 1**) for replacement of the existing Robinson Road public car park, at 1-12 Bills Street, Hawthorn. All of the proposed design options occupy Council-owned land, being either Patterson Reserve or the Robinson Road reserve, or a mix of both. This report identifies a modified version of Option 2 as the preferred replacement option for Council's endorsement.

The existing car park is substantially located on land owned by the Director of Housing and is to be removed to facilitate redevelopment of the land by Homes Victoria as part of Victoria's Big Housing Build. Construction of the replacement car park would be carried out on Council's behalf by Homes Victoria's contractors, at Homes Victoria's expense.

The recommended modified version of Option 2 will result in the loss of five trees from within Patterson Reserve. This consists of one tree of "high landscape value" and four trees of "low landscape value", including two trees which meet Council's criteria for removal due to poor health.

The south-east corner of the existing car park encroaches into Patterson Reserve, occupying approximately 26sqm of Council-owned land. This report also seeks Council's authority for officers to engage with Homes Victoria regarding rehabilitation of the Council-owned land following demolition of the car park.

The key matters for Council's consideration are:

- Whether the loss of open space and associated tree removal can be supported?
- Whether the delivery of a car park with larger capacity than the one it replaces, at no financial cost to Council, provides a sufficient net community benefit to offset the loss of public open space?
- To ensure Council-owned land currently occupied by the car park is suitably rehabilitated following its decommissioning.

It is considered a modified version of Option 2 delivers the highest overall net community benefit, when considered in totality. The modified Option 2 addresses the concerns raised by the relevant Council departments in respect to the options.

The Mayor, Councillor Thompson declared a Material Conflict of Interest in Item 3.1 - Bills Street - Homes Victoria Robinson Road Car Park Construction of a Public Car Park on Patterson Reserve in accordance with section 128 of the Local Government Act 2020 and the Governance Rules. Councillor Thompson advised the nature of the interest was "I am a Director of a Company, where my Company is a Panel Consultant to Homes Victoria. The item under consideration relates to a matter where the material interest is held by Homes Victoria as one party to the outcome of the decision".

The Mayor, Councillor Thompson left the Council Chamber at 9.08pm prior to the consideration and vote on this item.

*3 speakers opposed to the officers' recommendation addressed the meeting.
3 speakers in support of the officers' recommendation addressed the meeting.*

MOTION

Moved Councillor Biggar

Seconded Councillor Franco

That the Services Delegated Committee resolve to:

- 1. Authorise Council officers to enter into an agreement with Homes Victoria whereby the authority:**
 - a) Constructs a public car park for use by Council in accordance with detailed civil engineering plans to Council's satisfaction, including:**
 - i. Not less than 40 90-degree car spaces, inclusive of at least two DDA-compliant car spaces, utilising Robinson Road, Hawthorn (including that part of Patterson Reserve to the west of Robinson Road) and extending into Patterson Reserve south of the termination of Robinson Road to the minimum extent necessary (generally adjacent to Tree No. 41);**
 - ii. Drainage;**
 - iii. Lighting;**
 - iv. Line-marking;**
 - v. Landscaping;**
 - vi. Tree removal;**
 - vii. Installation of a City of Boroondara-branded [bike repair station](#); and**
 - viii. Any necessary alterations to adjacent paths;**
 - ix. Any necessary tree protection measures to ensure the retention of Tree Nos. 37 and 41;**
 - x. Preservation of a viewing area adjacent to the velodrome, in any instance where the replacement car park is proximate;**
 - xi. A 'wombat crossing' in Robinson Road, at the intersection with Reserve Road, with adequate clearance between the crossing and the nearest car spaces;**

with all construction and delivery costs to be the responsibility of Homes Victoria.

- b) **Rehabilitates for Council that part of Patterson Reserve occupied by the Robinson Road car park by removing the existing car park that encroaches into the reserve, importing clean topsoil and undertaking landscaping of the affected area to Council's satisfaction, with all construction and delivery costs to be the responsibility of Homes Victoria.**
 - c) **Undertakes to obtain any and all necessary permissions required under the *Aboriginal Heritage Act 2006* and the *Aboriginal Heritage Regulations 2018*.**
- 2. **Note that Council would continue to own the land on which the car park is delivered.**
 - 3. **Note that Council would be responsible for future and ongoing maintenance of the car park and any associated landscaping, following completion of its construction to Council's satisfaction.**

CARRIED

The Mayor, Councillor Thompson re-entered the meeting at 10.24pm

4. General business

Nil

5. Urgent business

Nil

6. Confidential business

Nil

The meeting concluded at 10.25pm

Confirmed

Chairperson _____

Date _____