

3 Presentation of officer reports

3.1 Consideration of submissions and proposed sale of Serpells Lane car park to Swinburne University

Executive Summary

Purpose

The purpose of this report is to:

1. Consider submissions received regarding the proposal to sell and transfer the Council-owned Serpells Lane car park located at 399 Burwood Road, Hawthorn ("the Property") to Swinburne University of Technology ("Swinburne"); and
2. Seek a resolution from the Services Delegated Committee ("SDC") to proceed with the sale of its Property to Swinburne.

Background

The Council-owned Serpells Lane car park is approximately 2,908m² and is located at 399 Burwood Road, Hawthorn ("the Property").

At its meeting held on 25 July 2022, Council resolved to initiate the Serpells Lane Strategic Property Project, which included rezoning and exploring potential sale of the Property.

Subsequently, Council was approached by Swinburne, which led to an offer being received to purchase the Property. At its meeting on 25 September 2023, Council resolved to give notice of its intention to sell the Property to Swinburne by private treaty for \$16,000,000 (plus GST) and called for submissions on the proposed sale.

Key Issues

- Council was approached by Swinburne, which has resulted in an offer to Council of \$16,000,000 (plus GST). Council has received independent valuation advice supporting this offer as being consistent with the market value of the property.
- If the Property is sold to Swinburne there is no statutory obligation for Council to consult formally under the *Local Government Act 2020* prior to making a decision about the sale. However, consistent with the Council resolution of 25 September 2023, consultation has occurred on the basis that Council intends to sell the Property to Swinburne. 109 submissions have been received, which include support and opposition to the proposal.
- Windfall Gains Tax ("WGT") came into effect from 1 July 2023. There is no WGT obligation if a sale is made to Swinburne.
- A sale to Swinburne does not require a rezoning.
- If Council sells the Property to Swinburne, obligations relating to their proposed development, including the requirement to provide car parking, will be imposed on title through a Section 173 Agreement under the *Planning and Environment Act 1987*. This will also ensure that the development is unique as opposed to what could be achieved through a sale on the open market.
- In 1968, local traders, through a Special Charge Scheme, funded the acquisition of a small parcel of land adjacent to the Serpells Lane car park. This land forms part of a laneway providing access to the car park and is not proposed to be sold. There are no parking spaces on the land. The traders are claiming they accrue rights through their separate scheme payments which concluded in 1982. Council's legal advice confirms the traders have no proprietary interest in the land and it would be difficult for them to successfully claim such rights exist.

At most, the possibility of a public purpose trust arises which means that Council has no legal liability to traders but any risk can be mitigated by providing some additional parking in the vicinity. It is considered the offer by Swinburne to make an additional 37 spaces available for community use in its car park will mitigate any risk. Delivery of this outcome is best achieved by including the offer of the additional 37 car parking spaces in the proposed Section 173 Agreement.

- Council is entitled to sell land by private treaty, rather than through a public process, where the private treaty is sufficiently unique to justify the decision. In selling Serpells Lane car park to Swinburne, Council is ensuring a price equivalent to or greater than market value, securing an additional 37 car spaces above and beyond the requirements of the planning scheme, as well as controlling the development outcome to an extent that is unlikely to be achieved by a sale through a public process.

Confidentiality

Confidential information is contained in **Attachment 4 and 5**, as circulated in the confidential section of the agenda attachments. The information in this attachment is deemed to be confidential in accordance with Section 66(2)(a) and the definition of 'confidential information' in Section 3(1) of the *Local Government Act 2020*. The information relates to Council business information, being information that would prejudice the Council's position in commercial negotiations if prematurely released.

If discussion of the confidential information in the attachments to this report is required for Council to make a decision, Council may resolve to discuss the matter in a confidential session or to defer the matter to the confidential section of the agenda.

Officers' recommendation

That the Services Delegated Committee resolve that Council, having undertaken a community engagement process in accordance with section 114 of the *Local Government Act 2020* which involved giving notice of its intention to sell the land described in Volume 03362 Folio 247, Volume 04042 Folio 269, Volume 06261 Folio 119 and Volume 02475 Folio 947, known as (part of) Serpells Lane carpark located at 399 Burwood Road, Hawthorn ("the Property") to Swinburne University of Technology ("Swinburne") and considering submissions received in respect of such notice, resolves to:

1. Sell the Property to Swinburne by private treaty for \$16,000,000 (plus GST).
2. Secure the Swinburne development vision by registering on the title to the Property a Section 173 Agreement under the *Planning and Environment Act 1987* and include provisions for the following;
 - a. Details Swinburne's vision for the use of the site.
 - b. Retention of the additional 37 community car parking spaces beyond that required under the Boroondara Planning Scheme for redevelopment of the Serpells Lane site, such spaces to be provided by Swinburne at the Serpells Lane site or at a different location as agreed by Council. Where this parking obligation is provided at another location, any existing parking available for community use at that location must not be reduced in number and the parking fee charged for use of these spaces should be within 15% of the fee adopted by Council for similar parking in the locality.
 - c. Provide car parking for all new uses in accordance with the provisions of the Boroondara Planning Scheme.

- d. Be consistent with the Glenferrie Structure Plan, Glenferrie Place Plan and any other endorsed Council Plan or Strategy which applies to the site and surrounding area.
 - e. Be generally in accordance with a concept plan submitted to Council prior to commencement of development of the land which demonstrates compliance with the requirements of the Section 173 Agreement.
- 3. Authorise the Chief Executive Officer, or such other person as the Chief Executive Officer authorises, to finalise negotiations and sign all necessary documentation for the sale of the Property.
 - 4. Write to all submitters advising of Council's decision.

Responsible director: **Phillip Storer, Chief Executive Officer**

1. Purpose

The purpose of this report is to:

1. Consider submissions received regarding the proposal to sell and transfer the Council-owned Serpells Lane car park located at 399 Burwood Road, Hawthorn ("the Property") to Swinburne University of Technology ("Swinburne"); and
2. Seek a resolution from the Services Delegated Committee ("SDC") to proceed with the sale of its Property to Swinburne.

2. Policy implications and relevance to community plan and council plan

The Boroondara Community Plan 2021-31 sets out the 10-year vision for Boroondara's future based on values, aspirations and priorities important to the community.

This report relates to Theme 7 of the Boroondara Community Plan with the strategic objective of: *"Ensure decisions are financially and socially responsible through transparent and ethical processes"*.

It specifically relates to the following strategies of the Boroondara Community Plan:

- **Strategy 7.1:** Decision-making is transparent and accountable through open governance processes with timely communication and reporting.
- **Strategy 7.2:** Resources are responsibly allocated and used through sound financial and asset planning, procurement and risk management principles.
- **Strategy 7.4:** The voices of our community are heard through engagement strategies to allow effective representation on current and long-term community needs.

Relevant Financial Strategy Principles include:

Creating Community Assets Principle

Council will ensure that the community has access to required community infrastructure, located to meet community needs and city wide priorities and designed with regard to current and future needs.

Construction and acquisition of new community assets must respond to existing needs, new identified needs or adopted strategies. Such facilities must remain within the limitations of Council's financial and resource capacity and provide clear and tangible benefits. Opportunities for community partnerships to develop assets will be pursued.

In reviewing any proposal, Council will consider the financial mechanisms available to assign the capital costs to current and future generations. Asset substitution can be a source of finance where a newly-created asset consolidates services and the vacated asset becomes available for sale.

Analysis of the creation of new assets will also consider contributions to the public realm, environmental and social benefits. The financial analysis will have regard to consequent operational maintenance and renewal costs.

Property Holdings Principle

Council will manage, acquire and dispose of property in the best interest of the Boroondara community. Council recognises the importance of property holdings over the long term to community wellbeing.

Assets will only be considered for disposal where there is no clear Council or community need for that asset in the foreseeable future. All property considered for disposal will undergo a thorough evaluation based on both financial and community benefit factors. Open space will not be sold unless replaced by areas of equal size and/or value. Any proceeds derived from property realisation will be directed towards funding land acquisition, new/upgrade capital works or debt reduction and will not be used to fund operating expenditure. Council will not necessarily hold property that has no current or future identified purpose, or if that purpose can be met more effectively in other ways.

Existing holdings or strategic acquisitions must meet existing needs, new identified needs or adopted strategies. To enhance community benefit opportunities for the alternative use of property (including asset realisation) will be investigated.

Regular reviews of asset holdings will be conducted to identify opportunities for asset realisation. Asset management plans, asset usage, land use planning documents and community benefit will be considerations in such reviews.

3. Background

At its meeting on 25 July 2022 Council resolved to commence the Serpells Lane Strategic Property Project, including the rezoning and preparation for a potential sale of the Property.

Subsequently, Council has been approached by Swinburne which has led to an offer to purchase the Property.

At its meeting on 25 September 2023, Council resolved to give notice of its intention to sell the Property to Swinburne by private treaty for \$16,000,000 (plus GST) and called for submissions on the proposed sale.

4. Outline of key issues/optionsCommunity engagement

Community engagement was formally carried out from 3 October to 17 October and included:

- Letters sent to all immediately adjacent property owners and occupiers.
- Direct email to those who registered their interest through the planning scheme amendment C385boro process that proposed to rezone the Property from Public Use Zone to Commercial Zone 1. Numerous submitters to amendment c385boro had made reference to the potential sale of the Property and Council committed to including them in any future consideration of the matter.
- Public Notice on the Council website.
- Four (4) corflute signs installed on site with information and QR codes linking to Council's webpage.

- Dedicated project webpage on Council's Engage platform providing previous reports, consultant's findings as well as inviting submissions.

At the conclusion of the exhibition period, Council received a total of 109 submissions, with the majority being received through the Engage portal. Of these submissions:

- 81 (74.1%) are opposed to the proposed sale of the Property.
- 21 (19.4%) support the proposed sale of the Property.
- 4 (3.7%) considered mixed.
- 3 (2.8%) considered neutral.

It is noted that a small number of multiple submissions were received. Any multiple submissions received from individuals have been counted as one (for example if a person has submitted via Engage and via email, it has been counted as one submission only). However, all received submissions are presented as they were received in **Attachment 1**. **Attachment 2** contains a submission from Swinburne which outlines their vision for the Property.

Key issues raised in submissions

The submissions received that supported or agreed with the proposed sale generally view it as a positive outcome that will bring benefits to the Boroondara Community.

The submissions received against the proposal raised a number of topics which have been summarised and are responded to in Table 1 below:

Table 1: Summary of topics raised

Topic raised	Response
Sale of public land	<p>Council Officers have formed the view that the Property is underutilised and divesting from it can enable investment in new projects to the benefit of the Boroondara Community.</p> <p>It is necessary for Council to transact property in order to best serve its community and deliver on its Community Plan vision. Land transactions include sales and acquisitions.</p>
Convert to open space or community space	<p>The precinct currently enjoys nearby access to open space and community space.</p> <p>It is noted that the Property is within 300m to both Central Gardens and Glenferrie Oval. Swinburne have stated that in addition to various educational uses, the Property would also include publicly accessible open space and pedestrian pathways to link to existing green corridors and active transport links.</p>

Topic raised	Response
	<p>Community use is available within 100m of the Property at the Hawthorn Arts Centre and within 300m of the Hawthorn Library and Hawthorn Community House.</p>
<p>State Government Guideline and public sale process</p>	<p>In order to comply with the <i>Local Government Best Practice Guideline for the Sale of Land</i>, (June 2009), developed by the State Government, any direct negotiation offer received from Swinburne should be more compelling than what Council could obtain through a public sale process.</p> <p>A compelling offer comprises of two elements, price and proposed development outcome. The offer from Swinburne is consistent with market value as determined by Council's independent valuer.</p> <p>By requiring Swinburne to enter a Section 173 Agreement, which will be registered on the property title following settlement, Council will be controlling the development outcome on the land to a greater extent than is possible through a public sale process.</p> <p>Council is also securing an additional 37 community car parking spaces which provide not only a community benefit but also adds to the value proposition.</p> <p>Applying a value to the 37 parking spaces offered by Swinburne equal to the purchase offer per square meter equates to an additional value of \$4,287,317 for the land alone. Council has the opportunity to replace the parking used by the public at the Serpells Lane car park and effectively acquire additional public parking without cost to Council. This takes the value proposition for the site from \$16,000,000 at least to \$20,287,317 if secured by the Section 173 Agreement as a condition of sale.</p> <p>Selling direct to Swinburne would also negate any obligation to pay Windfall Gains Tax ("WGT") as well as remove the need for marketing and agency costs.</p>

Topic raised	Response
Valuation process and proposed sale price	A current market valuation report has been completed by independent consultant valuer, Charter Keck Cramer. The assessed value is not published as the decision Council intends to make is unknown and, depending upon the decision, publication could compromise Council's commercial interests.
Swinburne has enough land	<p>Swinburne have highlighted that as their student population grows, it will need more spaces for various educational, research, and associated purposes.</p> <p>By requiring Swinburne to enter a Section 173 Agreement, Council is ensuring Swinburne's proposal to develop the Property for educational, research, and associated purposes is unique and only something the university can deliver. This development will support broader economic benefit to the Glenferrie retail precinct through increased interaction from students and staff with local traders.</p>
Pedestrian access connecting Burwood Road, Glenferrie Station and Railway Walk	Pedestrian access connecting Burwood Road, through Serpells Lane to Railway Walk, Royal Arcade and the station precinct will remain.
Loss of car parking for visitors to Glenferrie shopping precinct	<p>To understand the impact on parking in the precinct, should the Property be sold, Council completed two traffic analysis reports on the usage of Serpells Lane car park.</p> <p>The December 2022 report indicates that car parking demand could be accommodated within existing car parking areas in the Glenferrie precinct. Not including the Serpells Lane car park, there are 1551 off-street public car parks in the Glenferrie precinct.</p> <p>At the Glenferrie precinct's most busy period, which is between 11am to 2pm, typically up to 80% of the precinct's entire car parking capacity is filled. That leaves just over 200 spaces available across the precinct - which more than offsets a loss of parking from Serpells Lane car park. At non-peak times, there would be even more available spaces.</p> <p>Before the introduction of paid parking in May 2023, Swinburne University motorists made up 64% of car park users, and after the introduction of paid parking this increased to 68%.</p>

Topic raised	Response
	<p>It is noted that Swinburne have offered an additional 37 spaces within the precinct Council are seeking to secure in the proposed Section 173 Agreement.</p> <p>Council will also continue to consider future car parking as part of the implementation of the Glenferrie Place Plan.</p>
Loss of long term parking	<p>It is noted that the Serpells Lane car park is a medium term paid car park where a 3-hour limit applies and is not suitable for long term parking.</p> <p>Long term parking is available in the precinct at the following locations.</p> <ul style="list-style-type: none"> • Ticket parking in the Hilda Crescent car park on the corner of Hilda Crescent and Linda Crescent (41 spaces - fee applies). • Lynch Street (168 spaces - no fee). • Swinburne Multi Deck Car Park located in Wakefield Street and open to the public from 6am to 1am all days (564 spaces - fee applies). • Glenferrie Centre rooftop ticketed car park (56 spaces - fee applies). • Rear of the Hawthorn Town Hall ticketed car park (77 spaces - fee applies).
Loss of car parking for Swinburne students	<p>It is considered that the Swinburne multi-deck car park provides an alternative parking place for Swinburne students (fee applies), should the need arise.</p> <p>Students are also strongly encouraged to use excellent public transport services in both train and tram services to access the University.</p> <p>Short term parking is available on both Glenferrie Road and Burwood Road for pick up and drop off purposes.</p>
Loss of car parking for student accommodation visitors	<p>Visitors to the student accommodation building can access other local parking options, including the nearby rear of the Hawthorn Arts Centre ticketed car park (77 spaces - fee applies) which is unrestricted between 4pm and 8am.</p> <p>Access into the car park for 377-383 Burwood Road will be maintained.</p>
Loss of car parking for rail commuters and drop offs	<p>The provision of rail commuter parking is a State Government responsibility.</p>

Topic raised	Response
	<p>There are no short term parking bays in the Serpells Lane car park for pick up drop off purposes.</p> <p>Opportunities for train commuter pick up and drop off purposes exist within the precinct, including the short term parking bays on Glenferrie Road and the one hour spaces along Burwood Road.</p>
Loss of accessible car parking to the station	<p>The provision of rail commuter parking is a State Government responsibility.</p> <p>That said, accessible parking exists in all Council car parks including the Hawthorn Arts Centre car park directly opposite the Serpells Lane car park and the Wakefield Street car park.</p> <p>The existing two accessible bays in the Serpells Lane car park are restricted to a 4 hour limit which were not suitable for all day commuter trips to and from the Central Business District.</p>
Reducing the car park time limits would make the Serpells Lane car park more accessible to the community	<p>It is noted that the Serpells Lane car park is a medium term paid car park where a 3-hour limit applies. Changing the times allowed may simply result in the car park becoming less attractive to use.</p> <p>Council will also continue to consider future car parking as part of the implementation of the Glenferrie Place Plan.</p>
Trader contribution towards ownership of laneway access land adjoining car park	<p>The land comprising the Serpells Lane carpark was purchased by Council over time, with all but the laneway access to the site being acquired by Council between 1905-1938. The laneway access land was purchased in 1968 using separate funding provided by traders and is not proposed to be sold. The car park comprises a total of 2,908m² of which the adjoining laneway totals 286m² or 8.9% of the total site. Additionally, there are no parking spaces on the land acquired using trader funds. The traders are claiming they accrue rights through their separate scheme payments which concluded in 1982. A plan showing the laneway land is shown in Attachment 3.</p> <p>Council's legal advice confirms the traders have no proprietary interest in the land and it would be difficult for them to successfully claim such rights exist.</p>

Topic raised	Response
	<p>At most, the possibility of a public purpose trust arises which means that Council has no legal liability to traders but any risk can be mitigated by providing some additional parking in the vicinity. It is considered the offer by Swinburne to make an additional 37 spaces available for community use in its car park will mitigate any risk. Delivery of this outcome is best achieved by including the offer made by Swinburne in the proposed Section 173 Agreement.</p>
Future development	<p>It is proposed to secure the Swinburne development vision by registering on the title to the Property a Section 173 Agreement under the <i>Planning and Environment Act 1987</i>. Notably, the Key Conditions proposed provides that the development outcome must include one or both of the following:</p> <ol style="list-style-type: none"> 1. State-of-the-art classrooms, laboratories, and technology-based research facilities for undergraduate and higher degree students and local visiting researchers; 2. Fit-for-purpose spaces for industry partners to work and collaborate with students and academics on campus. <p>and may include:</p> <ol style="list-style-type: none"> 3. Student residences to cater for the growing demand for on-campus accommodation, including for students from regional areas and interstate; 4. Retail offerings for students, staff, and visitors. <p>It is also proposed that the Section 173 agreement require the additional 37 public parking spaces proposed by Swinburne be retained and available to the public either at the site or another site as agreed by Council.</p> <p>The 37 spaces proposed is in excess of the 29 parking spaces in the Serpells Lane car park which our surveys reveal are not used in connection with Swinburne University.</p> <p>The above Key Conditions would also require that any development must provide car parking in accordance with the provisions of the Boroondara Planning Scheme.</p>

Topic raised	Response
	<p>Swinburne would also be required to submit a concept plan to Council prior to commencement of development which demonstrates compliance with the requirements of the Section 173 Agreement.</p> <p>In addition to various educational uses, Swinburne have submitted that the Property would also include public open space and have a range of facilities such as car parking, end-of-trip facilities, publicly accessible open space and pedestrian pathways to link to existing green corridors and active transport links.</p>
Concerns of overlooking from future development	Issues such as any potential overlooking are matters to be considered through the development process and will be addressed at the appropriate time. As part of the proposed sale, a Section 173 Agreement requires Swinburne to submit a concept plan to Council prior to commencement of development which demonstrates compliance with its requirements.
Use of revenue generated from proposed sale	Any revenue received as a result of a sale will add to Council's surplus. How these funds are used would be determined through the development of future budgets, noting that one of the objectives of the Serpells Lane strategic property project is to achieve an optimal commercial return for the Property to enable investment in new projects to the benefit of the Boroondara Community.
Pedestrian access and movement	Pedestrian access connecting Burwood Road, through Serpells Lane to Railway Walk, Royal Arcade and the station precinct will remain.
Loss of local amenity	<p>The Glenferrie Place Plan will guide the future revitalising of the Glenferrie precinct through improvements to the public realm, street greenery and community facilities.</p> <p>To enable streetscape upgrades to Glenferrie Road and associated new street tree planting, some on-street parking will be relocated to a new parking facility on Park Street. This facility provides options for additional public carparking in stages should Council decide that this car parking is required for the activity centre in the future.</p>

Glenferrie Place Plan

The Glenferrie Place Plan has been informed by extensive research and 4 stages of community engagement, with over 80% support for the Place Vision.

The Place Plan will guide the future revitalising of the Glenferrie precinct with 9 key initiatives to improve the public realm, support a diverse local economy, enhance arts and cultural activity, and promote a greener, more sustainable precinct.

To enable streetscape upgrades to Glenferrie Road, some on-street parking will need to be relocated to a new parking facility on Park Street. This facility provides options for additional public carparking in stages should Council decide that this car parking is required for the activity centre in the future. A Traffic and Carparking Assessment undertaken on the Serpells Lane property concludes that there is sufficient capacity in public car parking within Glenferrie to absorb the loss of the Serpells Lane car park and its replacement is not necessary, particularly having regard to the offer made by Swinburne to create an extra 37 public parking spaces and is therefore a matter for Council.

The Glenferrie Place Plan is being presented to the Urban Planning Delegated Committee on 13 November 2023 for final adoption.

Current car parking usage

The Serpells Lane car park comprises of 90 spaces. Paid car parking was introduced in the Serpells Lane car park on Friday 12 May 2023 in line with the resolution of the Services Delegated Committee of 20 March 2023.

The following table highlights the revenue from parking and infringements since commencement of paid parking until 30 September 2023.

Table 2: Car parking revenue

Item	Revenue
Ticket machine income	\$34,882.96
Pay Stay application	\$20,412.57
X961 infringements issued	\$111,868.00
Total	\$167,163.53

Prior to the introduction of paid car parking, the car park was at capacity, typically 8am to 9pm with little turnover and high levels of overstaying. With the paid car parking, site inspections on a number of occasions at different times of the day have confirmed that parking is readily available. A follow up study of car park attendees has been undertaken by a traffic consultant and a comparison summary is presented as follows:

Table 3: Car park usage comparison

Prior to Ticket Parking	After Ticket Parking
30% of motorists overstayed the 3-hour limit	27% of motorists overstay the 3-hour limit
28 motorists parked for 5 hours plus	17 motorists parked for 5 hours plus

Approximately 64% of all motorists parking in the Serpells Lane car park are associated with Swinburne University	Approximately 68% of all motorists parking in the Serpells Lane car park are associated with Swinburne University
Parking utilisation very high throughout the day	Parking readily available at all times

It is concluded that the majority of car park users continue to be associated with Swinburne. If the current weekly return from the site were to be maintained, it would take 35 years to achieve the total return represented by the proposed sale price. With consistent enforcement it is unlikely these returns will be maintained.

Rezoning process

Amendment C385boro proposes the rezoning of the car park from Public Use Zone 6 (PUZ6) to Commercial 1 Zone (C1Z). An independent planning panel held earlier this year to consider submissions to the amendment has supported Council's proposal and recommended that the amendment be adopted by Council without changes.

A report was considered by the Urban Planning Delegated Committee on 15 May 2023. The Committee resolved to:

- 1. Receive and acknowledge the Panel's report and recommendations, as shown at Attachment 1, in accordance with Section 27 (1) of the Planning and Environment Act 1987.*
- 2. Refer Amendment C385boro to a Meeting of Council to be adopted in accordance with Section 29(1) of the Planning and Environment Act 1987. A decision on whether to adopt will be made following a formal decision to proceed with a sale of the land.*
- 3. Authorise the Director Urban Living to undertake administrative changes to the amendment and associated planning controls that do not change the intent of the controls.*

Should the sale to Swinburne proceed then the rezoning to Commercial 1 Zone will not be necessary or appropriate and instead the Public Use Zone designation should change from Local Government to Education. This will require a separate, but straight forward planning scheme amendment. Future decisions regarding the zoning of the land will be needed once the sale of the land is confirmed.

5. Consultation/communication

In considering a sale to Swinburne, there is no statutory requirement for Council to advertise a public notice and invite submissions consistent with section 114 of the *Local Government Act 2020*. This as a sale to Swinburne would be exempt under section of 116 of the *Local Government Act 2020*.

However, given the way that the proposed sale process was described in the decision to commence the project in July 2022, as well as during the planning scheme amendment C385boro rezoning process, there is an expectation in the community that there would be an opportunity to lodge submissions with Council for consideration before a decision is made to sell the Property.

As discussed previously in this report, owners and occupiers of surrounding properties were sent written notice of this proposal and were invited to lodge a submission with Council.

Submitters were also sent a written invitation to attend this SDC meeting and to address the SDC should they wish.

6. Financial and resource implications

Offer from Swinburne

Swinburne submitted an offer to Council in August 2023 of \$16,000,000 (plus GST) (refer **Confidential Attachment 4**) which includes a unique development vision that integrates the Property into the existing campus footprint.

In addition to the offer, Swinburne has committed to:

1. Transform the parking mix in its multi deck car park on Wakefield Street (total 685 car parks) to reduce 'reserved parking' and increase 'casual parking' by 37 parking spaces, taking the total number of casual car parks available to the public to 564 spaces.
2. Continue to provide Henry Street casual car park spaces to members of the public (65 bays).
3. Retain car park pricing at modest levels, broadly aligned to nearby Council car parks with the structure set as:
 - a. 0-2 hours: \$4
 - b. 2-3 hours: \$5
 - c. Full day: \$10

Proposed development outcome

It is proposed to secure the development vision by registering on the title to the Property a Section 173 Agreement under the *Planning and Environment Act 1987*. Notably, the Key Conditions proposed provides that the development outcome must include one or both of the following:

1. State-of-the-art classrooms, laboratories, and technology-based research facilities for undergraduate and higher degree students and local visiting researchers;
2. Fit-for-purpose spaces for industry partners to work and collaborate with students and academics on campus.

and may include:

3. Student residences to cater for the growing demand for on-campus accommodation, including for students from regional areas and interstate;
4. Retail offerings for students, staff, and visitors.

It is also proposed a Section 173 agreement requiring the additional 37 public parking spaces proposed by Swinburne be retained and available to the public either at the site or another site as agreed by Council.

The 37 spaces proposed is in excess of the number of parking spaces in the Serpells Lane car park which our surveys reveal are not used in connection with Swinburne University.

The above Key Conditions would also require that any development must provide car parking in accordance with the provisions of the Boroondara Planning Scheme.

The above development proposals would require Swinburne to achieve a planning permit for building and works, as well as for any use other than education.

Swinburne would also be required to submit a concept plan to Council prior to commencement of development which demonstrates compliance with the requirements of the Section 173 Agreement.

As indicated earlier, Swinburne have provided a submission which discusses their proposal that has been included as **Attachment 2**.

Windfall Gains Tax ("WGT")

WGT came into effect 1 July 2023. A "WGT event" is a rezoning (other than an excluded rezoning) that triggers an assessment and imposition of WGT on the owner.

If the Property is sold to Swinburne, there will be no need to rezone the land as Swinburne's use would be permitted as of right by the PUZ (PUZ2 – Education), and so there would be no "WGT event".

If Council sells on the open market, the contract of sale would need to allocate liability for WGT.

Independent valuation assessment

A current market valuation report has been completed by Charter Keck Cramer. The assessed value is set out in **Confidential Attachment 5**. The assessed value is not published in the public section of this report as the decision Council intends to make is unknown and, depending upon the decision, publication could compromise Council's commercial interests.

See **Confidential Attachment 5** for a copy of the valuation report.

Funds generated from proposed sale

Funds realised as a result of a sale would add to Council's surplus as this revenue is not currently provided for in Council's Long Term Financial Strategy (LTFS). Should the recommendation of a sale to Swinburne be supported this could add \$16,000,000 to Council's 2023/24 budget surplus of \$5,049,000 bringing the total 2023/24 surplus to \$21,049,000.

If we were to apply a value to the 37 parking spaces offered by Swinburne equal to the purchase offer per square meter this equates to \$4,287,317 for the land alone. We have the opportunity to replace the parking used by the public at the Serpells Lane car park, respond to the concerns raised by traders about having funded the access lane and effectively acquire additional public parking without cost to Council. This takes the value proposition for the site from \$16,000,000 to \$20,287,317 if secured by the Section 173 Agreement as a condition of sale.

7. Governance issues

No officers involved in the preparation of this report have a general or material conflict of interest requiring disclosure under chapter 5 of the Governance Rules of Boroondara City Council.

The recommendation contained in this report is compatible with the Charter of Human Rights and Responsibilities 2006 as it does not raise any human rights issues.

8. Social and environmental issues

Officers consider that the Serpells Lane Strategic Property Project will allow Council to realise a positive social and environmental outcome, through the use of the sale proceeds to deliver other community outcomes consistent with Council's Creating Community Assets principle which states: *Asset substitution can be a source of finance where a newly-created asset consolidates services and the vacated asset becomes available for sale. Analysis of the creation of new assets will also consider contributions to the public realm, environmental and social benefits.*

9. Conclusion

Selling to Swinburne at the offer of \$16,000,000 along with securing a development outcome through a Section 173 Agreement represents a compelling proposition for Council having regard to the valuation and terms of the Section 173 Agreement. It is therefore recommended that Council accept the offer. Research demonstrates the car park is mainly used by Swinburne staff and students. The asset is not required for another Council purpose and the funds derived from its sale create capacity to build new community assets which will enhance the wellbeing of our community. If the Property is sold to Swinburne the uncertainty around application of WGT does not arise. Finally, Swinburne plays an important role in our municipality and arguably offers community benefit beyond that which a private development may create.

Manager: Amy Montalti, Chief Financial Officer

Report officer: Michael Hutchison, Head Strategic Property and Revenue

Copy of received submissions (unedited) and Council officer response

Submission	Copy of submission text	Officer comment
	Support proposal	
1	I think it's a great idea. Swinburne can develop the land into useful space. The carpark is an eyesore and there are plenty of other parking spaces.	Comments noted.
2	The proposed land sale should go ahead on condition the funds created go directly to a similarly large project in the City of Boroondara. If Swinburne is sold the land then they should have a condition added that pedestrian/cycle/wheelchair access from Serpells Lane to Hawthorn Station must be both maintained and improved to provide wider more accessible paths.	Comments noted. Divesting from the Property can enable investment in new projects to the benefit of the Boroondara Community. Pedestrian access connecting Burwood Road, through Serpells Lane to Railway Walk, Royal Arcade and the station precinct will remain.
3	I support the sale of Serpells Lane provided the conditions outlined in the proposal. Also the income generated from the sale should be directed to provision of services to address homelessness or other socioeconomic disadvantage in Boroondara	Comments noted. Divesting from the Property can enable investment in new projects to the benefit of the Boroondara Community. It is noted Council has recently adopted its Housing Strategy which seeks to address social and affordable housing.
4	Good Idea, Swinburne should build 3/4 label carpark and labs for the University which serves both academia and public.	Comments noted.
5	Good idea	Comment noted.
6	Great idea! Excellent plan - good for university, good financial return, good for community.	Comments noted.
7	Should be sold to Swinburne, would be beneficial for students.	Comments noted.

Submission	Copy of submission text	Officer comment
8	We support it, but want to make sure green space is provided in other ways / and or the trees along the rail line are kept	<p>Comments noted.</p> <p>Swinburne have stated that in addition to various educational uses, the Property would also include public open space and have a range of facilities such as car parking, end-of-trip facilities, publicly accessible open space and pedestrian pathways to link to existing green corridors and active transport links.</p> <p>Many of existing trees along Railway Walk are outside the Property boundary.</p>
9	I support subject to Council's commitment on what the revenue would be spent on	<p>Comment noted.</p> <p>Any revenue received as a result of a sale will add to Council's surplus. How these funds are used would be determined through the development of future budgets, noting that one of the objectives of the Serpells Lane strategic property project is to achieve an optimal commercial return for the Property to enable investment in new projects to the benefit of the Boroondara Community.</p>
10	I agree with the decision to sell the land to Swinburne University.	Comment noted.
11	It's good	Comment noted.
12	It is a sensible economic decision to sell it.	Comment noted.
13	I strongly support Council's proposal to sell Serpells Lane car park and convert the land to more productive urban uses such as affordable housing.	<p>Comment noted.</p> <p>Divesting from the Property can enable investment in new projects to the benefit of the Boroondara Community.</p> <p>Council has recently adopted its Housing Strategy which seeks to address social and affordable housing.</p>

Submission	Copy of submission text	Officer comment
14	<p>I generally support the proposed sale of Serpells Lane. Subject to risk mitigation of potential trader claims regarding the original council acquisition.</p> <p>Further information should be provided regarding external independent valuation of the property to ensure rate payer returns are maximised.</p> <p>Otherwise the sale to Swinburne seems appropriate</p>	<p>The land comprising the Serpells Lane carpark was purchased by Council over time, with all but the laneway access to the site being acquired by Council between 1905-1938. The laneway was purchased in 1968 using separate funding provided by traders. The car park comprises a total of 2,908m² of which the laneway totals 286m² or 8.9% of the total site. Additionally, there are no parking spaces on the land acquired using trader funds. The traders are claiming they accrue rights through their separate scheme payments which concluded in 1982.</p> <p>Council's legal advice confirms the traders have no proprietary interest in the land and it would be difficult for them to successfully claim such rights exist. At most, the possibility of a public purpose trust arises which means that Council has no legal liability to traders but any risk can be mitigated by providing some additional parking in the vicinity. It is considered the offer by Swinburne to make an additional 37 spaces available for community use in its car park will mitigate any risk. Delivery of this outcome is best achieved by including the offer made by Swinburne in the proposed Section 173 Agreement.</p> <p>A current market valuation report has been completed by independent consultant valuer, Charter Keck Cramer. The assessed value is not published as the decision Council intends to make is unknown and, depending upon the decision, publication could compromise Council's commercial interests.</p> <p>In addition, applying the square metre value of the Property to the 37 parking spaces offered by Swinburne this equates to \$4,287,317 for the land alone. Council has the opportunity to replace the parking used by the public at the Serpells Lane car park, respond to the concerns raised by traders about having funded the access lane and effectively acquire additional public parking without cost to Council. This takes the value proposition for the site from</p>

Submission	Copy of submission text	Officer comment
		\$16,000,000 to \$20,287,317 if secured by the Section 173 Agreement as a condition of sale. Selling direct to Swinburne would also negate any obligation to pay Windfall Gains Tax (“WGT”) as well as remove the need for marketing and agency costs.
15	I think it's fine. Car park in that location doesn't make sense anyway.	Noted.
16	A good initiative I am supportive of	Comment noted.
17	I have no objection to the sale of the land but it would be good to reinstate laneways access from Burwood RD to the station	Pedestrian access connecting Burwood Road, through Serpells Lane to Railway Walk, Royal Arcade and the station precinct will remain.
18	Good idea for the Council to sell this under-utilised asset	Comment noted.
19	Agree with the sale	Comment noted.
20	Good morning, following the letter sent to us on 3.10.2023 my wife and I agree fully with the councils proposal to sell land to Swinburne University so it benefits the community.	Comment noted.
21	Refer attachment 2, submission from Swinburne University	Comments noted.
	Neutral	
22	Businesses in Railway Walk should be encouraged to remain and Railway Walk between the present carpark and the train tracks, presently an eyesore, should be upgraded and ideally covered.	This is outside the scope of the proposed sale. That said, it is noted that the Glenferrie Place Plan will guide the future revitalising of the Glenferrie precinct through improvements to the public realm, street greenery and community facilities.
23	Beautiful location and great carpark ! I love parking here	Comment noted. Council Officers have formed the view that the Property is underutilised and divesting from it can enable investment in new projects to the benefit of the Boroondara Community.

Submission	Copy of submission text	Officer comment
		It is necessary for Council to transact property in order to best serve its community and deliver on its Community Plan vision.
24	If it is sold, the \$16M should be used to part fund the Hawthorn to Box Hill bike route. Boroondara holds substantial cash reserves and the windfall from selling this land should be used to address climate change.	Comment noted. Any revenue received as a result of a sale will add to Council's surplus. How these funds are used would be determined through the development of future budgets, noting that one of the objectives of the Serpells Lane strategic property project is to achieve an optimal commercial return for the Property to enable investment in new projects to the benefit of the Boroondara Community.
	Mixed	
25	Whilst I have no problem with the sale of the land to be used more productively. I do worry what it will be used for. I live in the apartments at 377 Burwood Road, so look directly over the carpark. If the new use includes building a structure more than four stories tall, the apartments on the North and East side of the building could be walled in. Swinburne has previously been given permission to exceed the height limits for the area, hopefully some compromise can be made so all involved parties can be pleased with the outcome.	It is proposed to secure the Swinburne development vision by registering on the title to the Property a Section 173 Agreement under the <i>Planning and Environment Act 1987</i> . Notably, the Key Conditions proposed provides that the development outcome must include one or both of the following: <ol style="list-style-type: none"> 1. State-of-the-art classrooms, laboratories, and technology-based research facilities for undergraduate and higher degree students and local visiting researchers; 2. Fit-for-purpose spaces for industry partners to work and collaborate with students and academics on campus. and may include: <ol style="list-style-type: none"> 3. Student residences to cater for the growing demand for on-campus accommodation, including for students from regional areas and interstate;

Submission	Copy of submission text	Officer comment
		<p>4. Retail offerings for students, staff, and visitors.</p> <p>The Section 173 Agreement would also require that any development must provide car parking in accordance with the provisions of the Boroondara Planning Scheme.</p> <p>Swinburne would also be required to submit a concept plan to Council prior to commencement of development which demonstrates compliance with the requirements of the Section 173 Agreement.</p>
26	<p>The sale to the university needs careful consideration. This is a complex issue with legitimate and competing interests. My personal experience is that that parking area is routinely fully occupied from around 8am each weekday morning until early afternoon. There are often cars waiting to fill a space as someone leaves.</p> <p>As Swinburne now offers course online - now around 25% of student attend only online, the case for further physical growth of this campus needs to be tested relative to community needs.</p> <p>I would urge the Council to not see this only as a 'proceed with the sale' or 'not proceed with the sale' issue.</p> <p>If the university wants this land and offered to build a significant structure which includes carparking (operated under Council guidelines) of a sufficient scale and build further university facilities above this carpark, this would likely suit both residents of the area and the needs to the university.</p>	<p>Swinburne have highlighted that as their student population grows, it will need more spaces for various educational, research, and associated purposes.</p> <p>Swinburne's proposal to develop the Property for educational, research, and associated purposes is unique and only something the university can deliver. This development will support broader economic benefit to the Glenferrie retail precinct through increased interaction from students and staff with local traders.</p> <p>It is proposed to secure the Swinburne development vision by registering on the title to the Property a Section 173 Agreement under the <i>Planning and Environment Act 1987</i>. Notably, the Key Conditions proposed provides that the development outcome must include one or both of the following:</p> <ol style="list-style-type: none"> 1. State-of-the-art classrooms, laboratories, and technology-based research facilities for undergraduate and higher degree students and local visiting researchers;

Submission	Copy of submission text	Officer comment
		<p>2. Fit-for-purpose spaces for industry partners to work and collaborate with students and academics on campus.</p> <p>and may include:</p> <p>3. Student residences to cater for the growing demand for on-campus accommodation, including for students from regional areas and interstate;</p> <p>4. Retail offerings for students, staff, and visitors.</p> <p>It is also proposed that the Section 173 agreement require the additional 37 public parking spaces proposed by Swinburne be retained and available to the public either at the site or another site as agreed by Council.</p> <p>The 37 spaces proposed is in excess of the 29 parking spaces in the Serpells Lane car park which our surveys reveal are not used in connection with Swinburne University.</p> <p>The above Key Conditions would also require that any development must provide car parking in accordance with the provisions of the Boroondara Planning Scheme.</p> <p>Swinburne would also be required to submit a concept plan to Council prior to commencement of development which demonstrates compliance with the requirements of the Section 173 Agreement.</p>
27	As long as the conditions are imposed and met, I'm comfortable that it will be classrooms. It should not be for accommodation and there should be an eight limit as well and ensure no degradation of light for the residents next door. Providing car parking is also important	It is proposed to secure the Swinburne development vision by registering on the title to the Property a Section 173 Agreement under the <i>Planning and Environment Act 1987</i> . Notably, the Key

Submission	Copy of submission text	Officer comment
		<p>Conditions proposed provides that the development outcome must include one or both of the following:</p> <ol style="list-style-type: none"> 1. State-of-the-art classrooms, laboratories, and technology-based research facilities for undergraduate and higher degree students and local visiting researchers; 2. Fit-for-purpose spaces for industry partners to work and collaborate with students and academics on campus. <p>and may include:</p> <ol style="list-style-type: none"> 3. Student residences to cater for the growing demand for on-campus accommodation, including for students from regional areas and interstate; 4. Retail offerings for students, staff, and visitors. <p>It is also proposed that the Section 173 agreement require the additional 37 public parking spaces proposed by Swinburne be retained and available to the public either at the site or another site as agreed by Council.</p> <p>The 37 spaces proposed is in excess of the 29 parking spaces in the Serpells Lane car park which our surveys reveal are not used in connection with Swinburne University.</p> <p>The above Key Conditions would also require that any development must provide car parking in accordance with the provisions of the Boroondara Planning Scheme.</p> <p>Swinburne would also be required to submit a concept plan to Council prior to commencement of development which</p>

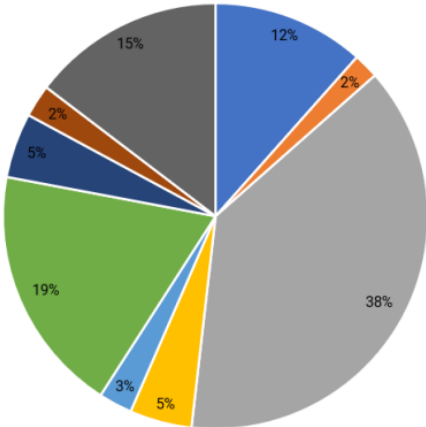
Submission	Copy of submission text	Officer comment
		demonstrates compliance with the requirements of the Section 173 Agreement.
28	I'd prefer the sale was for social and affordable housing	Comment noted. Council has recently adopted its Housing Strategy which seeks to address social and affordable housing.
	Oppose proposal	
29	This should remain public land and the council should promote use of it	<p>Council Officers have formed the view that the Property is underutilised and divesting from it can enable investment in new projects to the benefit of the Boroondara Community.</p> <p>It is necessary for Council to transact property in order to best serve its community and deliver on its Community Plan vision.</p>
30	Students park on this side of campus because it is easier to get to classrooms. My classes this semester are ALL on this side of campus so parking on the other side of campus is super out of the way and just pointless. This car park is essential for some students too if the other car parks were full.	<p>It is considered that the Swinburne multi-deck car park provides an alternative parking place for Swinburne students (fee applies), should the need arise.</p> <p>Students are also strongly encouraged to use excellent public transport services in both train and tram services to access the University.</p> <p>Short term parking is available on both Glenferrie Road and Burwood Road for pick up drop off purposes.</p>
31	<p>Engage submission</p> <p>Please see separate submission - poor and rushed process, complete blindness to active and public transport and misleading statements to the community. It's all very sad.</p> <p>Email submission</p>	<p>Objection noted.</p> <p>1. In considering a sale to Swinburne, there is no statutory requirement for Council to advertise a public notice and invite submissions consistent with section 114 of the Local Government Act 2020. This as a sale to Swinburne would be exempt under section of 116 of the <i>Local Government Act 2020</i>. However, given the way that the proposed sale process has been described in the decision to commence the project in July 2022, as well as during the planning scheme amendment</p>

<p>The flawed plan to sell Serpells Lane</p> <p>Council's proposed sale of the Serpells Lane site to Swinburne University raises issues about council's consultation process, transparency and ability to manage Boroondara properties for the future.</p> <p>The comment process has been rushed, there has been no information on the commercial value of the land, misleading statements on use of the site and the council's obsession with car parking and selling off public land in Glenferrie continues to cloud the issues, resulting in a flawed response and poor proposal for restrictions on the site.</p> <ol style="list-style-type: none"> 1. Rushed. Council has only allowed two weeks to comment. Further, council has not provided fulsome information for this haste and its affect on the previous plan to rezone and sell the site. Many people would be unable to comment in this period, or even be aware of such a major change, when council assured ratepayers that controls could be implemented at sale. 2. Commercial value. Council has provided no information on the commercial value of the Serpells Lane site, for comparison with the Swinburne offer. The site's location make it a prime expansion site for Swinburne (which has a portfolio of highrise student accommodation already), but genuine questions to councillors were stonewalled. I am not in a position to research the value within a short time frame, but council's core business is property values so it appears to be of concern that an honest valuation was not provided for resident consideration. Swinburne appears to be a good neighbour, although with limited community outreach, but it provides enormous value to Glenferrie so it appears reasonable to accommodate its property goals where positive and possible. Thus, my concern is for the site use rather than to block Swinburne on principal. 	<p>C385boro rezoning process, there is an expectation in the community that there would be an opportunity to lodge submissions with Council for consideration before a decision is made to sell the Property. This occurred to anticipate the possibility that Council may resolve to sell the Property on the open market. That said, community engagement has now occurred over a two week period. This included:</p> <ol style="list-style-type: none"> a. Letters sent to all immediately adjacent property owners and occupiers. b. Direct email to those who registered their interest through the planning scheme amendment C385boro process. c. Public Notice on Council website. d. Four (4) corflute signs installed on site with information and QR codes linking to Council's webpage. e. Dedicated project webpage on Council's Engage platform that contained previous reports, consultant's findings as well as invited submissions. <ol style="list-style-type: none"> 2. A current market valuation report has been completed by independent consultant valuer, Charter Keck Cramer. The assessed value is not published as the decision Council intends to make is unknown and, depending upon the decision, publication could compromise Council's commercial interests. In addition, applying the square metre value of the Property to the 37 parking spaces offered by Swinburne this equates to \$4,287,317 for the land alone. Council has the opportunity to replace the parking used by the public at the Serpells Lane car park, respond to the concerns raised by traders about having funded the access lane and effectively acquire additional public parking without cost to Council. This takes the value proposition for the site from \$16,000,000 to \$20,287,317 if
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Submission	Copy of submission text	Officer comment
	<p>3. Swinburne exemptions from council planning controls. My understanding from previous Swinburne developments is that, as an educational institution, it is largely exempt from council planning instruments. A councillor largely confirmed this but I expect there is detail of which I am unaware. Council's hasty consultation on this offer has not allowed for discussion of this issue and council has not informed ratepayers of the details. This raises significant concerns about the integrity of the consultation, and should prevent council from claiming a thorough process or informed consent by ratepayers.</p> <p>4. Misleading ratepayers about site use. Council's web page for this process states the following:</p> <p style="padding-left: 40px;">“Our research has shown that the Council-owned land is underutilised, and is mostly used as a student and staff car park. It could be doing much more to benefit the Boroondara community.”</p> <p>This is patently untrue, as shown by two external ‘car parking’ reports dated December 2022 and October 2023, accessible from</p> <div style="border: 1px solid black; padding: 5px; margin: 10px 0;"> <ul style="list-style-type: none"> • The majority of pedestrian movements that were surveyed consisted of pedestrians ‘cutting through’ the car park rather than motorists parking within the car park and travelling to/from other destinations. Specifically, 66% of all recorded pedestrian movements were generated by pedestrians cutting through the car park, with the remaining 34% generated by pedestrians that parked within the car park. </div> <p>the above web page. <i>The largest group of users of the Serpells Lane site is pedestrians accessing the station and Glenferrie shops.</i> The December 2022 report states that pedestrians ‘cutting through’ the carpark – not motorists - comprise the majority of pedestrian movements. It states:</p> <p>To be clear, this council-funded survey found non-Swinburne pedestrians are almost double the Swinburne-car proportion! That</p>	<p>secured by the Section 173 Agreement as a condition of sale. Selling direct to Swinburne would also negate any obligation to pay Windfall Gains Tax (“WGT”) as well as remove the need for marketing and agency costs.</p> <p>3. It is proposed to secure the Swinburne development vision by registering on the title to the Property a Section 173 Agreement under the <i>Planning and Environment Act 1987</i>. Notably, the Key Conditions proposed provides that the development outcome must include one or both of the following:</p> <ol style="list-style-type: none"> State-of-the-art classrooms, laboratories, and technology-based research facilities for undergraduate and higher degree students and local visiting researchers; Fit-for-purpose spaces for industry partners to work and collaborate with students and academics on campus. Student residences to cater for the growing demand for on-campus accommodation, including for students from regional areas and interstate; Retail offerings for students, staff, and visitors. <p>The above Section 173 Agreement would also require that any development must provide car parking in accordance with the provisions of the Boroondara Planning Scheme. The above development proposals would require Swinburne to achieve a planning permit for building and works, as well as for any use other than education. Swinburne would also be required to submit a concept plan to Council prior to commencement of development which demonstrates compliance with the requirements of the Section 173 Agreement.</p>

Submission	Copy of submission text	Officer comment								
	<p>means local residents, public transport users and people parking south of Burwood Road are the biggest car park users – not Swinburne motorists – but people using the site as pedestrians are invisible to council. It thus beggars belief that council sheets usage to Swinburne in its haste to sell the property, raising doubt about council’s ability to manage public assets for broad community benefit. Council MUST address misleading the community before making a decision that will disenfranchise the majority of stakeholders and make active/public transport a more difficult choice, which is contrary to council and state planning objectives.</p> <p><u>The 2023 car traffic report</u> followed the introduction of ticketed parking and also included pedestrian surveys, in August and September. It showed even higher pedestrian use which makes the council contention that Swinburne motorists sponging off the</p> <div><p>Specifically, 83% of all recorded pedestrian movements were generated by pedestrians cutting through the car park, with the remaining 17% generated by pedestrians that parked within the car park.</p></div> <p>ratepayer are the biggest user of the site even worse.</p> <p>Pedestrian numbers increased 88% from 2022 to 2023!</p> <div><p>Table 5: Overall Pedestrian Movements</p><table><tr><th>User</th><th>September 2022 Surveys</th><th>August 2023 Surveys</th><th>% Change</th></tr><tr><td>All Pedestrians</td><td>1,938 movements</td><td>3,638 movements</td><td>+88%</td></tr></table><p>Clearly there is a substantial increase in the total number of pedestrians who travelled through the car park. Having reviewed this data in further detail this increase is associated with pedestrians who are not associated with parked vehicles.</p></div> <p>The 2023 report also shows more vehicle drop-offs and better utilisation. This is not to argue that such prime land is not underutilised. But it does underscore the absence of logic leading to a very poor set of conditions for sale and distinct travel mode blindness.</p>	User	September 2022 Surveys	August 2023 Surveys	% Change	All Pedestrians	1,938 movements	3,638 movements	+88%	<p>4. Pedestrian access connecting Burwood Road, through Serpells Lane to Railway Walk, Royal Arcade and the station precinct will remain.</p> <p>5. There are no plans to block Serpells Lane or restrict access from the south at Burwood Road. Council will also continue to consider future car parking as part of the implementation of the Glenferrie Place Plan.</p>
User	September 2022 Surveys	August 2023 Surveys	% Change							
All Pedestrians	1,938 movements	3,638 movements	+88%							

Submission	Copy of submission text	Officer comment
	<p>The report goes on:</p> <p>“Given the number of pedestrians who were recorded to ‘cut through’ the car park, being roughly double the number of motorists using the car park (1,324 cut through pedestrians compared to 614 pedestrians travelling to/from parked cars within the site), we would strongly recommend that a pedestrian link between Burwood Road and Railway Arcade be maintained [emphasis added] either partially or fully through or adjacent to (east of) the subject site.”</p> <p>So, the report recommended retaining pedestrian access but council ignored this advice. It also addressed the loss of and need for bike/delivery/carshare parking and loading zones if the current site was to be repurposed from car parking. But council’s site-sale conditions don’t address any of these things that reduce emissions, improve public health and make an activity centre work.</p>	

Submission	Copy of submission text	Officer comment																		
	<div><p>Pedestrian Movement Summary - All Pedestrians</p><table><tbody><tr><td>1 - Swinburne University</td><td>12%</td></tr><tr><td>2 - Railway Arcade (towards Swinburne University)</td><td>2%</td></tr><tr><td>3 - Railway Arcade (towards Glenferrie Railway Station)</td><td>2%</td></tr><tr><td>4 - Railway Arcade (towards Glenferrie Road)</td><td>5%</td></tr><tr><td>5 - Swinburne University (towards Railway Arcade)</td><td>5%</td></tr><tr><td>6 - Burwood Road (east)</td><td>19%</td></tr><tr><td>7 - Burwood Road (west)</td><td>3%</td></tr><tr><td>8 - Burwood Road (towards Kent Street)</td><td>5%</td></tr><tr><td>9 - Pedestrian Access for 377 Burwood Road</td><td>38%</td></tr></tbody></table></div> <p>Figure 16: Pedestrian Movement Summary (All Pedestrians)</p> <p>The pie chart below, from the 2023 report after ticketed parking began, shows just 12% of pedestrians in Serpells Lane were going to Swinburne. Most were heading to the station, adjacent buildings and shops. Retailers would be better off demanding footfall counts than car parks, and protecting pedestrian activity rather than their own parking space.</p> <p>Clearly, pedestrians are the most important users of this access route, and the council has completely missed them. As a result of this travel mode blindness, council has completely ignored the largest user group in its proposed sale conditions, which thus fail to protect and enhance active transport access to the station and shops. This will likely lead to impeding easy pedestrian access. The report indicates that blocking pedestrian access through Serpells Lane would increase pedestrian travel distances – the precise opposite of making walking the easy choice. For people from the south, riding along Glenferrie Road and trying to cross to the station is virtually</p>	1 - Swinburne University	12%	2 - Railway Arcade (towards Swinburne University)	2%	3 - Railway Arcade (towards Glenferrie Railway Station)	2%	4 - Railway Arcade (towards Glenferrie Road)	5%	5 - Swinburne University (towards Railway Arcade)	5%	6 - Burwood Road (east)	19%	7 - Burwood Road (west)	3%	8 - Burwood Road (towards Kent Street)	5%	9 - Pedestrian Access for 377 Burwood Road	38%	
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9 - Pedestrian Access for 377 Burwood Road	38%																			

Submission	Copy of submission text	Officer comment
	<p>impossible. Instead of making active travel desirable, poor site design will send customers elsewhere, possibly by car. Welcome to gridlock.</p> <p>5. Council's parking obsession. Blocking Serpells Lane to pedestrian traffic from the south also works against improved utilisation of the Swinburne Avenue car park, where people could park and walk to Glenferrie Road. Note that council deliberately omitted the Swinburne Avenue carpark from its Glenferrie Placemaking Plan, which also understated active travel to Glenferrie by around 50%. This supports council's stated plan to sell the Liddiard Street site for a ratepayer-funded car park, estimated to cost up to \$15 million, that is not supported by its own planning instruments or research in Australia or overseas.</p> <p>Council is required by its own planning instruments and state planning controls to reduce car use and transition to active/public transport; the hasty and vague conditions proposed will do the opposite and encourage cars while making active/public transport less accessible. This is acknowledged in the 2022 car traffic report which indicates that car parking induces car parking demands: 'build it and they will come'. Thus, in its haste to sell public land in Glenferrie, council's newest plan will increase car traffic and congestion rather than reduce it and facilitate shoppers and visitors. The urban planning adage 'you get the traffic you plan for' is evident in council's approach, but failing to encourage mode shifting to active and public transport – making those modes the easy choice – will result in complete gridlock. Every trip by active/public transport takes a car off the road, allowing traffic to flow more easily for those who need cars and trucks.</p> <p>Next steps</p> <p>Council must:</p> <ul style="list-style-type: none"> - Extend the comment period on the sale to Swinburne and correct its public statement about users. 	

Submission	Copy of submission text	Officer comment
	<ul style="list-style-type: none"> - Advise the community as to the precise planning controls it has through its proposed mechanism, given that Swinburne as an educational institution does not require the usual council approvals for development. Many residents are unaware of this. - Amend its proposed site-sale conditions to reflect reality, planning schemes and climate: reduce car use by prioritising active/public transport. The site must provide for improved pedestrian and bike/delivery access with secure parking, plus safe drop-offs and feeder streets and loading zones. This site is the logical alternative to council's deadly kiss-and-ride plan for Glenferrie Road. - In making walking the easy choice, the site should provide more cover for pedestrians, as well as lighting and safe design. - Probably subdivide the land to maintain access and encourage active/public transport, then sell the balance to Swinburne if desired. 	
32	<p>I fundamentally disagree with Council's consultation procedures, the re-zoning of this valuable piece of land and now wishing to sell it to Swinburne University.</p> <p>I believe this parcel of land to be the closest car park to Glenferrie Station and therefore of very great value for Council to retain, especially considering previous Commonwealth offers and the vocal support of nearby traders.</p> <p>Once lost (sold), the potential uses of land such as this are lost forever. If not used for car parking, this land could become valuable open space for the local community, particularly those living in multi-storey flats and apartments nearby.</p>	<p>Objection noted.</p> <p>Swinburne has presented a unique and compelling offer to Council. In considering a sale to Swinburne, there is no statutory requirement for Council to advertise a public notice and invite submissions consistent with section 114 of the Local Government Act 2020. This as a sale to Swinburne would be exempt under section of 116 of the <i>Local Government Act 2020</i>. However, given the way that the proposed sale process has been described in the decision to commence the project in July 2022, as well as during the planning scheme amendment C385boro rezoning process, there is an expectation in the community that there would be an opportunity to lodge submissions with Council for consideration before a decision is made to sell the Property. This occurred to anticipate the possibility that Council may resolve to sell the</p>

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		<p>Property on the open market. That said, community engagement has now occurred over a two week period. This included:</p> <ul style="list-style-type: none"> a. Letters sent to all immediately adjacent property owners and occupiers. b. Direct email to those who registered their interest through the planning scheme amendment C385boro process. c. Public Notice on Council website. d. Four (4) corflute signs installed on site with information and QR codes linking to Council's webpage. e. Dedicated project webpage on Council's Engage platform that contained previous reports, consultant's findings as well as invited submissions. <p>The provision of rail commuter parking is a State Government responsibility.</p> <p>The precinct currently enjoys nearby access to open space. It is noted that the Property is within 300m to both Central Gardens and Glenferrie Oval. That said, Swinburne have stated that in addition to various educational uses, the Property would also include publicly accessible open space and pedestrian pathways to link to existing green corridors and active transport links.</p>
33	Do not sell Council-owned land. Council is the custodian and steward of public land. Land owned by Council should be held onto by Council, especially given land in Hawthorn and the space it provides is so hard to come by. The land is in prime position adjacent to Glenferrie Station and can offer so much utility to the community, especially with predicted increases in the population. The Council has simply let this land become underutilised over time.	<p>Council Officers have formed the view that the Property is underutilised and divesting from it can enable investment in new projects to the benefit of the Boroondara Community.</p> <p>It is necessary for Council to transact property in order to best serve its community and deliver on its Community Plan vision.</p>
34	As a resident of Hawthorn, I oppose the sale of this council-owned land. The last thing we need is another tall building, ruining the	Objection is noted.

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	<p>landscape and views of local residents. We should be utilising this land to add more to nature, more trees, parks and nature rather than more tall buildings. If this was to go ahead, it should be kept to the same size as local buildings to one or two stories maximum. Then keeping nature, walkways, happy.</p>	<p>It is necessary for Council to transact property in order to best serve its community and deliver on its Community Plan vision. Land transactions include sales and acquisitions.</p> <p>The precinct currently enjoys nearby access to open space and community space. It is noted that the Property is within 300m to both Central Gardens and Glenferrie Oval. Community use is available within 100m of the Property at the Hawthorn Arts Centre and within 300m of the Hawthorn Library and Hawthorn Community House. Swinburne have stated that in addition to various educational uses, the Property would also include publicly accessible open space and pedestrian pathways to link to existing green corridors and active transport links.</p> <p>Regarding local building heights, it is noted that many of the adjoining neighbours are greater than one or two stories. That said, Swinburne would also be required to submit a concept plan to Council prior to commencement of development which demonstrates compliance with the requirements of the proposed Section 173 Agreement.</p>
35	<p>i don't believe this community carpark should be sold. My parents and myself use this carpark almost daily as a safe pick up and drop off location for catching the train at glenferrie station. I think it's a dumb idea to sell land that is a safe and secure area for all ages.</p>	<p>The provision of rail commuter parking is a State Government responsibility.</p> <p>There are no short term parking bays in the Serpells Lane car park for pick up drop off purposes.</p> <p>Opportunities for train commuter pick up and drop off purposes exist within the precinct, including the short term parking bays on Glenferrie Road and the one hour spaces along Burwood Road.</p>
36	<p>Council should never privatised public lands. Especially that Boroondara Council is a wealthy council not particularly in need !</p>	<p>Council Officers have formed the view that the Property is underutilised and divesting from it can enable investment in new projects to the benefit of the Boroondara Community.</p>

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		<p>It is necessary for Council to transact property in order to best serve its community and deliver on its Community Plan vision.</p>
37	<p>Council must provide parking for railway customers and also this park gives parking for nearby workers for shops in the area. It is essential open space for all adjacent high rise buildings</p>	<p>The provision of rail commuter parking is a State Government responsibility.</p> <p>To understand the impact on parking in the precinct, should the Property be sold, Council completed two traffic analysis reports on the usage of Serpells Lane car park.</p> <p>The December 2022 report indicates that car parking demand could be accommodated within existing car parking areas in the Glenferrie precinct. Not including the Serpells Lane car park, there are 1551 off-street public car parks in the Glenferrie precinct.</p> <p>At the Glenferrie precinct's most busy period, which is between 11am to 2pm, typically up to 80% of the precinct's entire car parking capacity is filled. That leaves just over 200 spaces available across the precinct - which more than offsets a loss of parking from Serpells Lane car park. At non-peak times, there would be even more available spaces. Before the introduction of paid parking in May 2023, Swinburne University motorists made up 64% of car park users, and after the introduction of paid parking this increased to 68%.</p> <p>It is noted that Swinburne have offered an additional 37 spaces within the precinct Council are seeking to secure in the proposed Section 173 Agreement.</p> <p>Council will also consider future car parking as part of the implementation of the Glenferrie Place Plan.</p> <p>The precinct currently enjoys nearby access to open space. It is noted that the Property is within 300m to both Central Gardens and Glenferrie Oval. That said, Swinburne have stated that in</p>

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		<p>addition to various educational uses, the Property would also include publicly accessible open space and pedestrian pathways to link to existing green corridors and active transport links.</p>
38	<p>Please don't take our car park and trees. This will ruin the "hawthorn feel".</p>	<p>The Glenferrie Place Plan will guide the future revitalising of the Glenferrie precinct through improvements to the public realm, street greenery and community facilities. That said, Swinburne have stated that in addition to various educational uses, the Property would also include publicly accessible open space and pedestrian pathways to link to existing green corridors and active transport links.</p> <p>To enable streetscape upgrades to Glenferrie Road and associated new street tree planting, some on-street parking will be relocated to a new parking facility on Park Street. This facility provides options for additional public carparking in stages should Council decide that this car parking is required for the activity centre in the future.</p> <p>A Traffic and Carparking Assessment undertaken on the Serpells Lane property concludes that there is sufficient capacity in public car parking within Glenferrie to absorb the loss of the Serpells Lane car park and its replacement is not necessary.</p>
39	<p>I object to this proposal of selling the Serpells Lane Carpark for development. We need to persevere the area for the trees and birds and don't need another development in Hawthorn. I shop in the local area and the additional parking is always needed.</p>	<p>Objection has been noted.</p> <p>The precinct currently enjoys nearby access to treed open space. It is noted that the Property is within 300m to both Central Gardens and Glenferrie Oval. That said, Swinburne have stated that in addition to various educational uses, the Property would also include publicly accessible open space and pedestrian pathways to link to existing green corridors and active transport links.</p>

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		<p>To understand the impact on parking in the precinct, should the Property be sold, Council completed two traffic analysis reports on the usage of Serpells Lane car park.</p> <p>The December 2022 report indicates that car parking demand could be accommodated within existing car parking areas in the Glenferrie precinct. Not including the Serpells Lane car park, there are 1551 off-street public car parks in the Glenferrie precinct.</p> <p>At the Glenferrie precinct's most busy period, which is between 11am to 2pm, typically up to 80% of the precinct's entire car parking capacity is filled. That leaves just over 200 spaces available across the precinct - which more than offsets a loss of parking from Serpells Lane car park. At non-peak times, there would be even more available spaces.</p> <p>Before the introduction of paid parking in May 2023, Swinburne University motorists made up 64% of car park users, and after the introduction of paid parking this increased to 68%.</p> <p>It is noted that Swinburne have offered an additional 37 spaces within the precinct Council are seeking to secure in the proposed Section 173 Agreement.</p> <p>Council will also continue to consider future car parking as part of the implementation of the Glenferrie Place Plan.</p>
40	The land is owned by the council for the benefit of the community and should remain so.	<p>Council Officers have formed the view that the Property is underutilised and divesting from it can enable investment in new projects to the benefit of the Boroondara Community.</p> <p>It is necessary for Council to transact property in order to best serve its community and deliver on its Community Plan vision.</p>
41	I wish to submit my objection to the proposed sale of the council-owned Serpells Lane car park which should be retained, improved and	Objection has been noted.

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	<p>preserved for the benefit of local traders, residents, visitors to the area, shoppers, including me and my family members, and the local community generally.</p>	<p>Council Officers have formed the view that the Property is underutilised and divesting from it can enable investment in new projects to the benefit of the Boroondara Community.</p> <p>The proposed development vision from Swinburne seeks to enhance the Property</p> <p>The Glenferrie Place Plan will guide the future revitalising of the Glenferrie precinct through improvements to the public realm, street greenery and community facilities.</p> <p>To enable streetscape upgrades to Glenferrie Road and associated new street tree planting, some on-street parking will be relocated to a new parking facility on Park Street. This facility provides options for additional public carparking in stages should Council decide that this car parking is required for the activity centre in the future.</p>
42	<p>This will cause issues for the people who park the car at glenferrie station and travel.</p>	<p>The provision of rail commuter parking is a State Government responsibility.</p>
43	<p>Site does not require development - already over developed. Car parking is already very difficult and this will make it worse.</p>	<p>Council Officers have formed the view that the Property is underutilised and divesting from it can enable investment in new projects to the benefit of the Boroondara Community.</p> <p>To understand the impact on parking in the precinct, should the Property be sold, Council completed two traffic analysis reports on the usage of Serpells Lane car park.</p> <p>The December 2022 report indicates that car parking demand could be accommodated within existing car parking areas in the Glenferrie precinct. Not including the Serpells Lane car park, there are 1551 off-street public car parks in the Glenferrie precinct.</p>

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		<p>At the Glenferrie precinct's most busy period, which is between 11am to 2pm, typically up to 80% of the precinct's entire car parking capacity is filled. That leaves just over 200 spaces available across the precinct - which more than offsets a loss of parking from Serpells Lane car park. At non-peak times, there would be even more available spaces.</p> <p>Before the introduction of paid parking in May 2023, Swinburne University motorists made up 64% of car park users, and after the introduction of paid parking this increased to 68%.</p> <p>It is noted that Swinburne have offered an additional 37 spaces within the precinct Council are seeking to secure in the proposed Section 173 Agreement.</p> <p>Council will also continue to consider future car parking as part of the implementation of the Glenferrie Place Plan.</p>
44	<p>This is a community carpark that should stay a community carpark. It's hard to find a parking space in the area so a loss of this carpark would be a blow to local businesses</p>	<p>Council Officers have formed the view that the Property is underutilised and divesting from it can enable investment in new projects to the benefit of the Boroondara Community.</p> <p>To understand the impact on parking in the precinct, should the Property be sold, Council completed two traffic analysis reports on the usage of Serpells Lane car park.</p> <p>The December 2022 report indicates that car parking demand could be accommodated within existing car parking areas in the Glenferrie precinct. Not including the Serpells Lane car park, there are 1551 off-street public car parks in the Glenferrie precinct.</p> <p>At the Glenferrie precinct's most busy period, which is between 11am to 2pm, typically up to 80% of the precinct's entire car parking capacity is filled. That leaves just over 200 spaces available across the precinct - which more than offsets a loss of parking from Serpells Lane car park. At non-peak times, there would be even more available spaces.</p>

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		<p>Before the introduction of paid parking in May 2023, Swinburne University motorists made up 64% of car park users, and after the introduction of paid parking this increased to 68%.</p> <p>It is noted that Swinburne have offered an additional 37 spaces within the precinct Council are seeking to secure in the proposed Section 173 Agreement.</p> <p>Council will also continue to consider future car parking as part of the implementation of the Glenferrie Place Plan.</p>
45	I oppose the sale of this land to Swinburne University and would prefer that the site be retained as either car parking or as a new open space	<p>To understand the impact on parking in the precinct, should the Property be sold, Council completed two traffic analysis reports on the usage of Serpells Lane car park.</p> <p>The December 2022 report indicates that car parking demand could be accommodated within existing car parking areas in the Glenferrie precinct. Not including the Serpells Lane car park, there are 1551 off-street public car parks in the Glenferrie precinct. At the Glenferrie precinct's most busy period, which is between 11am to 2pm, typically up to 80% of the precinct's entire car parking capacity is filled. That leaves just over 200 spaces available across the precinct - which more than offsets a loss of parking from Serpells Lane car park. At non-peak times, there would be even more available spaces.</p> <p>Before the introduction of paid parking in May 2023, Swinburne University motorists made up 64% of car park users, and after the introduction of paid parking this increased to 68%.</p> <p>It is noted that Swinburne have offered an additional 37 spaces within the precinct Council are seeking to secure in the proposed Section 173 Agreement.</p> <p>Council will also consider future car parking as part of the implementation of the Glenferrie Place Plan.</p>

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		<p>The precinct currently enjoys nearby access to open space. It is noted that the Property is within 300m to both Central Gardens and Glenferrie Oval. That said, Swinburne have stated that in addition to various educational uses, the Property would also include publicly accessible open space and pedestrian pathways to link to existing green corridors and active transport links.</p>
46	<p>I am a local business owner. The sale of this land will affect parking up and down Glenferrie. This will have an affect on parking everywhere. My patients already have issues parking for their time dependent appointments.</p>	<p>To understand the impact on parking in the precinct, should the Property be sold, Council completed two traffic analysis reports on the usage of Serpells Lane car park.</p> <p>The December 2022 report indicates that car parking demand could be accommodated within existing car parking areas in the Glenferrie precinct. Not including the Serpells Lane car park, there are 1551 off-street public car parks in the Glenferrie precinct. At the Glenferrie precinct's most busy period, which is between 11am to 2pm, typically up to 80% of the precinct's entire car parking capacity is filled. That leaves just over 200 spaces available across the precinct - which more than offsets a loss of parking from Serpells Lane car park. At non-peak times, there would be even more available spaces.</p> <p>Before the introduction of paid parking in May 2023, Swinburne University motorists made up 64% of car park users, and after the introduction of paid parking this increased to 68%. It is noted that Swinburne have offered an additional 37 spaces within the precinct Council are seeking to secure in the proposed Section 173 Agreement.</p> <p>Council will also continue to consider future car parking as part of the implementation of the Glenferrie Place Plan.</p>

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47	Do not sell the carpark. The university already has more than enough land and space	<p>Swinburne have highlighted that as their student population grows, it will need more spaces for various educational, research, and associated purposes.</p> <p>By requiring Swinburne to enter into a Section 173 Agreement, Council is ensuring Swinburne's proposal to develop the Property for educational, research, and associated purposes is unique and only something the university can deliver. This development will support broader economic benefit to the Glenferrie retail precinct through increased interaction from students and staff with local traders.</p>
48	<p>Outrageous deal and totally opposed to it.</p> <p>Regardless of current use, those 89 car parks ALL currently belong to the community - why should Swinburne be gifted 58 spaces by 'adverse possession' and only have to restore 37'?</p> <p>Why are such favourable terms being proposed for Swinburne?</p>	<p>Objection has been noted.</p> <p>Council Officers have formed the view that the Property is underutilised and divesting from it can enable investment in new projects to the benefit of the Boroondara Community.</p> <p>A current market valuation report has been completed by independent consultant valuer, Charter Keck Cramer. The assessed value is not published as the decision Council intends to make is unknown and, depending upon the decision, publication could compromise Council's commercial interests. In addition, applying the square metre value of the Property to the 37 parking spaces offered by Swinburne this equates to \$4,287,317 for the land alone. Council has the opportunity to replace the parking used by the public at the Serpells Lane car park, respond to the concerns raised by traders about having funded the access lane and effectively acquire additional public parking without cost to Council. This takes the value proposition for the site from \$16,000,000 to \$20,287,317 if secured by the Section 173 Agreement as a condition of sale. Selling direct to Swinburne would</p>

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		also negate any obligation to pay Windfall Gains Tax (“WGT”) as well as remove the need for marketing and agency costs.
49	This land should NOT be sold!!	Council Officers have formed the view that the Property is underutilised and divesting from it can enable investment in new and much needed projects to the benefit of the Boroondara Community.
50	I don't think it should be sold. The car park should be removed, and it should be used for open green space to counter global warming and to improve on physical wellbeing of the area. Most developments occurring in Boroondara lack any open green space and what green space we have is quickly being chipped away by each new development. Burwood Rd is a classical example - wall to wall buildings	<p>The precinct currently enjoys nearby access to open space and community space.</p> <p>It is noted that the Property is within 300m to both Central Gardens and Glenferrie Oval.</p> <p>In addition, Swinburne have stated that in addition to various educational uses, the Property would also include publicly accessible open space and pedestrian pathways to link to existing green corridors and active transport links.</p>
51	I am oposed to the sale of this Council land. I would prefer the council retained the land as it is an asset being close to the station that will increase in value over time. Once its lots, Its lost.	Council Officers have formed the view that the Property is underutilised and divesting from it can enable investment in new projects to the benefit of the Boroondara Community.
52	I just cannot believe, this not going to an Auction or for sale, as we haven't noticed around any who inform the public , we just get told to give our views, when sims clearly the council and Swinburne have been working on this for a while and not the public interest and also to mention that's 16 millions is rubbish, can get way more for that land , any real state will tell you.	<p>In order to comply with the <i>Local Government Best Practice Guideline for the Sale of Land</i>, dated June 2009 (developed by the State Government) any direct negotiation offer received from Swinburne should be more compelling than what Council could obtain through a public sale process.</p> <p>A compelling offer comprises of two elements, price and proposed development outcome.</p>

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		<p>The offer from Swinburne is consistent with market value as determined by Council's independent valuer.</p> <p>By requiring Swinburne to enter a Section 173 Agreement, which will be registered on the property title following settlement, Council will be controlling the development outcome on the land to a greater extent than is possible through a public sale process.</p> <p>Council is also securing an additional 37 community car parking spaces which provide not only a community benefit but also adds to the value proposition.</p> <p>Applying a value to the 37 parking spaces offered by Swinburne equal to the purchase offer per square meter equates to an additional value of \$4,287,317 for the land alone. Council has the opportunity to replace the parking used by the public at the Serpells Lane car park and effectively acquire additional public parking without cost to Council. This takes the value proposition for the site from \$16,000,000 at least to \$20,287,317 if secured by the Section 173 Agreement as a condition of sale.</p> <p>Selling direct to Swinburne would also negate any obligation to pay Windfall Gains Tax ("WGT") as well as remove the need for marketing and agency costs.</p>
53	There is already a great shortage of parking in the area and there are many vacant buildings Swinburne could expand into	<p>To understand the impact on parking in the precinct, should the Property be sold, Council completed two traffic analysis reports on the usage of Serpells Lane car park.</p> <p>The December 2022 report indicates that car parking demand could be accommodated within existing car parking areas in the</p>

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		<p>Glenferrie precinct. Not including the Serpells Lane car park, there are 1551 off-street public car parks in the Glenferrie precinct. At the Glenferrie precinct's most busy period, which is between 11am to 2pm, typically up to 80% of the precinct's entire car parking capacity is filled. That leaves just over 200 spaces available across the precinct - which more than offsets a loss of parking from Serpells Lane car park. At non-peak times, there would be even more available spaces.</p> <p>Before the introduction of paid parking in May 2023, Swinburne University motorists made up 64% of car park users, and after the introduction of paid parking this increased to 68%. It is noted that Swinburne have offered an additional 37 spaces within the precinct Council are seeking to secure in the proposed Section 173 Agreement.</p> <p>Council will also consider future car parking as part of the implementation of the Glenferrie Place Plan.</p> <p>Swinburne have highlighted that as their student population grows, it will need more spaces for various educational, research, and associated purposes.</p>
54	<p>This is an incredibly shortsighted proposal that will remove a valuable asset from the Boroondara community.</p> <p>A double story car park with paid parking and a community space up top for markets, arts, engagement will pay for itself and future proof Boroondaras commitment to community. This would enable the potential reduction of on-street parking on Glenferrie road to improve tram access/egress and possibly provide sidewalk dining and enhance the Glenferrie road traders potential.</p> <p>The so-called traffic reports this is based on are a farce I am</p>	<p>If the current weekly return from the site were to be maintained, it would take 35 years to achieve the total return represented by the proposed sale price. With consistent enforcement it is unlikely these returns will be maintained.</p> <p>The precinct already enjoys nearby access to open space and community space. It is noted that the Property is within 300m to both Central Gardens and Glenferrie Oval. Community use is available within 100m of the Property at the Hawthorn Arts Centre and within 300m of the Hawthorn Library and Hawthorn</p>

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	<p>astonished that councilors have not placed a higher bar for evidence to support removal of a valuable community asset.</p> <p>Please do not sell off the Serpells Lane car park. There are much better options which could provide revenue and enhancement benefits across the local area.</p>	<p>Community House. That said, Swinburne have stated that in addition to various educational uses, the Property would also include publicly accessible open space and pedestrian pathways to link to existing green corridors and active transport links.</p> <p>To understand the impact on parking in the precinct, should the Property be sold, Council completed two traffic analysis reports on the usage of Serpells Lane car park.</p> <p>The December 2022 report indicates that car parking demand could be accommodated within existing car parking areas in the Glenferrie precinct. Not including the Serpells Lane car park, there are 1551 off-street public car parks in the Glenferrie precinct. At the Glenferrie precinct's most busy period, which is between 11am to 2pm, typically up to 80% of the precinct's entire car parking capacity is filled. That leaves just over 200 spaces available across the precinct - which more than offsets a loss of parking from Serpells Lane car park. At non-peak times, there would be even more available spaces.</p> <p>Before the introduction of paid parking in May 2023, Swinburne University motorists made up 64% of car park users, and after the introduction of paid parking this increased to 68%.</p> <p>It is noted that Swinburne have offered an additional 37 spaces within the precinct Council are seeking to secure in the proposed Section 173 Agreement.</p> <p>Council will also continue to consider future car parking as part of the implementation of the Glenferrie Place Plan.</p>

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55	I am opposed to any sale of the Serpells Lane carpark , especially if it results in a push to build a multi-storey carpark in the Liddiard St/Park St Carpark .	Opposition to the sale of Serpells Lane car park site is noted. The Glenferrie Place Plan includes a proposal for a multi-level parking facility accessed from Park Street. This facility is proposed to replace on-street parking on Glenferrie Road that may be displaced to enable streetscape upgrades in future. The facility on Park Street is not directly related to the Serpells Lane car park site.
56	This parking is essential for the students. As there are not enough parking spots around the university.	It is considered that the Swinburne multi-deck car park provides an alternative parking place for Swinburne students (fee applies), should the need arise. Students are also strongly encouraged to use excellent public transport services in both train and tram services to access the University. Short term parking is available on both Glenferrie Road and Burwood Road for pick up drop off purposes.
57	Absolutely not, the car park is so beneficial to students attending classes on campus it would be so ridiculous to get rid of it	It is considered that the Swinburne multi-deck car park provides an alternative parking place for Swinburne students (fee applies), should the need arise. Students are also strongly encouraged to use excellent public transport services in both train and tram services to access the University. Short term parking is available on both Glenferrie Road and Burwood Road for pick up drop off purposes.
58	No way do i want this car park gone. I park here twice a week for uni and it's the most convenient car park to get to all my classes.	It is considered that the Swinburne multi-deck car park provides an alternative parking place for Swinburne students (fee applies), should the need arise. Students are also strongly encouraged to use excellent public transport services in both train and tram services to access the University.

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		Short term parking is available on both Glenferrie Road and Burwood Road for pick up drop off purposes.
59	<p>I do not support this idea at all. I do not know where councils research into carparking in this area is done, but vast majority of the carparking is 1 or 2 hour parking on the streets or parking areas. The limited places that are long enough for workers in the area, who often do not have time to come out and move their cars every 1 to 2 hours are limited to where they can park already. As a person who works at the community center for a childcare center, and struggles to deal with finding parking that is long enough and pay almost \$7 per day for parking which is ludicrously expensive for a childcare worker, or risk a parking fine all the time because the workers in my center have been told that we need to leave the carpark to avoid a parking fine, which means leaving children inadequately supervised to adhere to a ridiculous parking rule, in a zone that only gives a large childcare center 10 parking permits for over 50 staff, or park in a car park consistently at capacity. Removing more parking will force those cars to compete with the limited space my colleagues and I face on a day to day basis. Council should be finding a way to increase parking in the Glenferrie area, or changing parking rules within the area to allow for more longer term parking, not reducing availability to make a quick bit of cash.</p>	<p>It is noted that the Serpells Lane car park is a medium term paid car park where a 3 hour limit applies and is not suitable for long term parking.</p> <p>Long term parking is available in the precinct at the following locations.</p> <ul style="list-style-type: none"> • Ticket parking in the Hilda Crescent car park on the corner of Hilda Crescent and Linda Crescent (41 spaces - fee applies). • Lynch Street (168 spaces - no fee). • Swinburne Multi Deck Car Park located in Wakefield Street and open to the public from 6am to 1am all days (564 spaces - fee applies). • Glenferrie Centre rooftop ticketed car park (56 spaces - fee applies). • Rear of the Hawthorn Town Hall ticketed car park (77 spaces - fee applies). <p>Council will also continue to consider future car parking as part of the implementation of the Glenferrie Place Plan.</p>
60	<p>I strongly object to the proposed sale of the Serpells Lane, Hawthorn. My opposition stems from several impacts this sale will likely have - on the surrounding property and the Hawthorn community as a whole.</p> <p>Firstly, I am concerned about the potential loss of open space. Parking lots, while not generally perceived as green or public spaces, often become temporary arenas for community happenings or children's outdoor activities. The absence of this space could limit these</p>	<p>The precinct already enjoys nearby access to open space and community space. It is noted that the Property is within 300m to both Central Gardens and Glenferrie Oval. Community use is available within 100m of the Property at the Hawthorn Arts Centre and within 300m of the Hawthorn Library and Hawthorn Community House. That said, Swinburne have stated that in addition to various educational uses, the Property would also</p>

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	<p>opportunities.</p> <p>Secondly, I fear an increase in parking issues. As a local resident, I know our area's ongoing parking strain. This lot has provided relief for visiting shoppers, commuters and locals alike. Selling it off will only exacerbate this issue, leading to congestion on nearby residential streets and making life harder for existing residents.</p> <p>Additionally, another primary concern is the effect on property values and the living environment of the surrounding properties. Depending on the proposed use of the land post-sale, it could bring about problems like overshadowing or overlooking that detract from my property's value and reduce privacy. For instance, if the land is sold off for high-density development, it could lead to increased noise, traffic and reduced feeling of spaciousness, all of which would inevitably negatively impact the comfort of my life and others in the community.</p> <p>From the perspective of the wider Hawthorn community, selling a public asset may set an alarming precedent. Once sold, this public land is gone forever and relinquishes community control over a share of local land resource. This could lead to a gradual erosion of public spaces, critical for community well-being and fostering social cohesion in Hawthorn.</p> <p>The environmental impact, albeit indirect, cannot be discounted either. If the sold land is developed into a built space, the urban heat island effect increases, exacerbating our local microclimate. Furthermore, parks and open spaces are crucial in supporting urban biodiversity. This sale might compromise the ecological harmony of our neighborhood.</p> <p>Lastly, the concession of public lands to private interests raises</p>	<p>include publicly accessible open space and pedestrian pathways to link to existing green corridors and active transport links.</p> <p>To understand the impact on parking in the precinct, should the Property be sold, Council completed two traffic analysis reports on the usage of Serpells Lane car park.</p> <p>The December 2022 report indicates that car parking demand could be accommodated within existing car parking areas in the Glenferrie precinct. Not including the Serpells Lane car park, there are 1551 off-street public car parks in the Glenferrie precinct. At the Glenferrie precinct's most busy period, which is between 11am to 2pm, typically up to 80% of the precinct's entire car parking capacity is filled. That leaves just over 200 spaces available across the precinct - which more than offsets a loss of parking from Serpells Lane car park. At non-peak times, there would be even more available spaces.</p> <p>Before the introduction of paid parking in May 2023, Swinburne University motorists made up 64% of car park users, and after the introduction of paid parking this increased to 68%.</p> <p>It is noted that Swinburne have offered an additional 37 spaces within the precinct Council are seeking to secure in the proposed Section 173 Agreement.</p> <p>Council will also consider future car parking as part of the implementation of the Glenferrie Place Plan.</p> <p>Issues such as any potential overlooking are matters to be considered through the development process and will be addressed at the appropriate time. As part of the proposed sale, a Section173 Agreement requires Swinburne to submit a concept plan to Council prior to commencement of development which demonstrates compliance with its requirements.</p>

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	<p>questions about the democratic process and general inclusion. The community should be included in any decisions regarding the sale and use of public spaces. As members of the community, our voices need to be heard and considered in any decision-making process.</p> <p>In conclusion, the detrimental effects of selling Serpells Lane far outweigh any short-term financial gain. I urge the Council to reconsider its decision, considering the best interests of residents and the Hawthorn community. We should avoid any irreversible actions that might lead to the disintegration of our community fabric and erode the qualities that make Hawthorn a desirable place to live.</p> <p>To ensure long-term community well-being and sustainability, we must prioritise public space preservation, support sensible parking solutions and encourage community involvement in local government decisions. Once a public asset like the Serpells Lane parking lot is sold, it is gone for good, and so are the numerous benefits that come with it.</p> <p>I and other residents look forward to hearing the Council's reflection on our concerns. Certainly, the well-being of residents should take precedence in any decisions affecting the community. At the very least, the Council should engage in comprehensive consultation with the local community before making a final decision. The Hawthorn community does not just need more buildings; we need more spaces that foster community spirit and keep Hawthorn liveable.</p>	<p>It is necessary for Council to transact property in order to best serve its community and deliver on its Community Plan vision.</p> <p>In considering a sale to Swinburne, there is no statutory requirement for Council to advertise a public notice and invite submissions consistent with section 114 of the Local Government Act 2020. This as a sale to Swinburne would be exempt under section of 116 of the <i>Local Government Act 2020</i>. However, given the way that the proposed sale process has been described in the decision to commence the project in July 2022, as well as during the planning scheme amendment C385boro rezoning process, there is an expectation in the community that there would be an opportunity to lodge submissions with Council for consideration before a decision is made to sell the Property. This occurred to anticipate the possibility that Council may resolve to sell the Property on the open market. That said, community engagement has now occurred over a two week period. This included:</p> <ul style="list-style-type: none"> • Letters sent to all immediately adjacent property owners and occupiers. • Direct email to those who registered their interest through the planning scheme amendment C385boro process. • Public Notice on Council website. • Four (4) corflute signs installed on site with information and QR codes linking to Council's webpage. • Dedicated project webpage on Council's Engage platform that contained previous reports, consultant's findings as well as invited submissions. <p>The Glenferrie Place Plan will guide the future revitalising of the Glenferrie precinct through improvements to the public realm, street greenery and community facilities.</p>

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61	<p>I have just purchased an apartment at 377 Burwood Road, Hawthorn. My building looks directly over the proposed sale site. As a first homebuyer and a single young woman living alone, one of the major draw cards to buying this apartment was the privacy. There are no buildings that look directly into my apartment, and so I do not have to live with the fear of someone looking in on me, or tracking my movements so that they can invade my house or my person. Putting a building in where the car park is currently would compromise this, and if Swinburn conduct classes from this building, it means that people will constantly be looking in on me. I believe this is a very real threat to my safety and my ability to live independently as a young woman alone.</p> <p>In addition, the purchase price, for which I literally just bought this property, was inclusive of the unimpeded view from my apartment out up into Kew. There was no indication or suggestion from the council information included in the contract of sale that the car park was to be put up for sale. If I had of known, I would not of purchased this property as the idea of having people look in on me is distressing.</p> <p>Also, in the short time that I have lived here, I have been majorly inconvenienced by the amount of construction between Glenferrie Road and Serpells Lane. There is a huge amount of construction happening through Serpells lane currently with deep drilling, constant loud noise and difficulties getting in/out of my building's car park. The apartment building at 367 Burwood road only just finished construction on their facade, and we have been advised of Asbestos removal and construction on the old Telstra Exchange at 365 Burwood Road. To add another large scale construction project in this small block would significantly take away from the quality of life of residents in this building.</p>	<p>Issues such as any potential overlooking are matters to be considered through the development process and will be addressed at the appropriate time. As part of the proposed sale, a Section 173 Agreement requires Swinburne to submit a concept plan to Council prior to commencement of development which demonstrates compliance with its requirements.</p> <p>Council publicly reported the beginning of the Serpells Lane Strategic Property Project in July 2022. Since that time, there has been steps of engagement with the community through the related planning scheme amendment as well as the Glenferrie Place Plan.</p> <p>Development in the precinct is ongoing, notably nearby at 393-397 Burwood Road and at the operational Telstra building. Development is temporary in nature.</p> <p>The Glenferrie Place Plan will guide the future revitalising of the Glenferrie precinct through improvements to the public realm, street greenery and community facilities. To enable streetscape upgrades to Glenferrie Road and associated new street tree planting, some on-street parking will be relocated to a new parking facility on Park Street. This facility provides options for additional public carparking in stages should Council decide that this car parking is required for the activity centre in the future. A Traffic and Carparking Assessment undertaken on the Serpells Lane property concludes that there is sufficient capacity in public car parking within Glenferrie to absorb the loss of the Serpells Lane car park and its replacement is not necessary.</p> <p>The precinct currently enjoys nearby access to open space and community space. It is noted that the Property is within 300m to both Central Gardens and Glenferrie Oval. Community use is</p>

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	<p>The car park is currently full every morning, with commuters and Swinburne students. My friends and family and trade's people park there when coming to my apartment. Swinburne have a number of buildings already, with students at night being disruptive and loud as they wander around campus with no regard for the residents here. The disruption from the train line is already loud and disturbing enough, without adding in more direct construction right there.</p> <p>I am literally begging you to rethink this sale. It would distress, upset and disappoint me so much I would feel the only option is to sell and move house.</p> <p>If the council really feels that the space is under-utilised, why not transform it into a green space? It would compliment the town hall and the art gallery that are on the other side of Burwood Road. But please do not sell the land to Swinburne, or to any other developer. PLEASE!</p>	<p>available within 100m of the Property at the Hawthorn Arts Centre and within 300m of the Hawthorn Library and Hawthorn Community House. That said, Swinburne have stated that in addition to various educational uses, the Property would also include publicly accessible open space and pedestrian pathways to link to existing green corridors and active transport links.</p>
62	<p>This is an asset which should be developed by the Boroondara Council. It is a safe and essential pick-up and drop-off point for students using public transport. Once the asset is sold, it is gone for good. Based on previous experience, the revenue generated by the sale will just be squandered on non-essential developments which would otherwise not be funded. Far more detail is required on what will be done with all the revenue.</p>	<p>The provision of rail commuter parking is a State Government responsibility.</p> <p>There are no short term parking bays in the Serpells Lane car park for pick up drop off purposes.</p> <p>Opportunities for train commuter pick up and drop off purposes exist within the precinct, including the short term parking bays on Glenferrie Road and the one hour spaces along Burwood Road.</p> <p>Any revenue received as a result of a sale will add to Council's surplus. How these funds are used would be determined through the development of future budgets, noting that one of the objectives of the Serpells Lane strategic property project is to achieve an optimal commercial return for the Property to enable</p>

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		investment in new projects to the benefit of the Boroondara Community.
63	Council should not sell the land. It should be Devi to something useful for the community. Like a well shopping centre. Do not sell it the residents will oppose it. Once it's gone it's gone for ever!	<p>The Glenferrie Place Plan will guide the future revitalising of the Glenferrie precinct through improvements to the public realm, street greenery and community facilities.</p> <p>To enable streetscape upgrades to Glenferrie Road and associated new street tree planting, some on-street parking will be relocated to a new parking facility on Park Street. This facility provides options for additional public carparking in stages should Council decide that this car parking is required for the activity centre in the future.</p> <p>A Traffic and Carparking Assessment undertaken on the Serpells Lane property concludes that there is sufficient capacity in public car parking within Glenferrie to absorb the loss of the Serpells Lane car park and its replacement is not necessary.</p>
64	If we sell this space to the Swinburne University where do need us park the car during pickup and drop off . Do you think Swinburne University student will be able use this parking by paying money ?	<p>It is considered that the Swinburne multi-deck car park provides an alternative parking place for Swinburne students (fee applies), should the need arise.</p> <p>Students are also strongly encouraged to use excellent public transport services in both train and tram services to access the University.</p> <p>Short term parking is available on both Glenferrie Road and Burwood Road for pick up drop off purposes.</p>
65	i live in the unilodge building next to serpells lane, it's essential for there to be car parks as that's where my family parks when they visit. the proposed plan by swinburne may impact the private exit we have into serpells lane as well	Visitors to the student accommodation building can access other local parking options, including the nearby rear of the Hawthorn Arts Centre ticketed car park (77 spaces - fee applies) which is unrestricted between 4pm and 8am.

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		Access into the car park for 377-383 Burwood Road will be maintained.
66	Don't sell it to Swinburne.	It is necessary for Council to transact property in order to best serve its community and deliver on its Community Plan vision.
67	<p>The space should be redeveloped into a community space that includes green space. Parking could be also retained on a lower level, but with a piazza adjoining Glenferrie station. The opportunity to have such land and incorporate it into the station precinct will never come again if sold.</p> <p>Another large building will only further harden the environmental and create more wind tunnels.</p>	<p>The precinct currently enjoys nearby access to open space and community space. It is noted that the Property is within 300m to both Central Gardens and Glenferrie Oval. Community use is available within 100m of the Property at the Hawthorn Arts Centre and within 300m of the Hawthorn Library and Hawthorn Community House. That said, Swinburne have stated that in addition to various educational uses, the Property would also include publicly accessible open space and pedestrian pathways to link to existing green corridors and active transport links.</p> <p>It is necessary for Council to transact property in order to best serve its community and deliver on its Community Plan vision.</p>
68	<p>I am not in favour of the current proposal, because it does not care about the health of Glenferrie unlike the council's huge ongoing investment and care for the Camberwell shopping centre precinct:</p> <p>a) Council states its intent to withdraw the funds from the sale for other purposes not of any apparent benefit to Glenferrie - "realising a return on this underutilised asset to enable investment in new projects to the benefit of the Boroondara community"</p> <p>b) The sale proposes to replace over 80 currently available car parks with only 37 car parks available to Glenferrie users and shoppers. The 37 number is based on inadequate traffic studies, whose outcomes</p>	<p>The Glenferrie Place Plan will guide the future revitalising of the Glenferrie precinct through improvements to the public realm, street greenery and community facilities.</p> <p>To enable streetscape upgrades to Glenferrie Road and associated new street tree planting, some on-street parking will be relocated to a new parking facility on Park Street. This facility provides options for additional public carparking in stages should Council decide that this car parking is required for the activity centre in the future.</p> <p>a) Any revenue received as a result of a sale will add to Council's surplus. How these funds are used would be determined</p>

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	<p>are influenced by the council lack of action on the Glenferrie Place Plan which has held back the development of Glenferrie. So I say that the reference to only 37 parking places is a misrepresentation and does not represent thoughtful urban planning</p> <p>c) The council has been extraordinarily slow in progressing the Glenferrie place plan - with years of planning documents, but no real action 2 deal with the known challenges in the Glenferrie area retail strip, including the seedy, unsightly area around the railway bridge, lack of action in relation to improved pedestrian walkways, or creating plazas and open space, all of which are contributing to the notable increase in vacancies in Glenferrie when compared with the council-supported Burke Road Camberwell precinct</p>	<p>through the development of future budgets, noting that one of the objectives of the Serpells Lane strategic property project is to achieve an optimal commercial return for the Property to enable investment in new projects to the benefit of the Boroondara Community.</p> <p>b) To understand the impact on parking in the precinct, should the Property be sold, Council completed two traffic analysis reports on the usage of Serpells Lane car park. The December 2022 report indicates that car parking demand could be accommodated within existing car parking areas in the Glenferrie precinct. Not including the Serpells Lane car park, there are 1551 off-street public car parks in the Glenferrie precinct. At the Glenferrie precinct's most busy period, which is between 11am to 2pm, typically up to 80% of the precinct's entire car parking capacity is filled. That leaves just over 200 spaces available across the precinct - which more than offsets a loss of parking from Serpells Lane car park. At non-peak times, there would be even more available spaces. Before the introduction of paid parking in May 2023, Swinburne University motorists made up 64% of car park users, and after the introduction of paid parking this increased to 68%. It is noted that Swinburne have offered an additional 37 spaces within the precinct Council are seeking to secure in the proposed Section 173 Agreement. Council will also consider future car parking as part of the implementation of the Glenferrie Place Plan.</p> <p>c) Council has undertaken an additional round of consultation with the community on the Draft Glenferrie Place Plan in early 2023 following the withdrawal of Federal Government funding for the Commuter Parking Project and to consider additional community feedback. The final Glenferrie Place Plan is scheduled for Council adoption in November and implementation of the project will then formally commence.</p>

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		It is acknowledged that the State-owned land and properties around Glenferrie Station are in great need of renewal. Since 2020, Council has been strongly advocating to the State Government and their agencies (e.g. VicTrack) to address these issues. Although the State has been slow to respond to these issues, Council is continuing to actively work with these agencies and other precinct stakeholders to prepare for future improvements to benefit the Glenferrie precinct.
69	I am against it	It is necessary for Council to transact property in order to best serve its community and deliver on its Community Plan vision. A Traffic and Carparking Assessment undertaken on the Serpells Lane property concludes that there is sufficient capacity in public car parking within Glenferrie to absorb the loss of the Serpells Lane car park and its replacement is not necessary.
70	Stop the sale and end this madness. You are killing small business's right to survive and thrive.	The Glenferrie Place Plan will guide the future revitalising of the Glenferrie precinct through improvements to the public realm, street greenery and community facilities. To enable streetscape upgrades to Glenferrie Road and associated new street tree planting, some on-street parking will be relocated to a new parking facility on Park Street. This facility provides options for additional public carparking in stages should Council decide that this car parking is required for the activity centre in the future.
71	I object to the sale	It is necessary for Council to transact property in order to best serve its community and deliver on its Community Plan vision. A Traffic and Carparking Assessment undertaken on the Serpells Lane property concludes that there is sufficient capacity in public

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		car parking within Glenferrie to absorb the loss of the Serpells Lane car park and its replacement is not necessary.
72	No, dont sell. This is valuable parking space for the community to service the local traders. Once sold, it had gone. The Boorandara Council doesn't need the money.	<p>It is necessary for Council to transact property in order to best serve its community and deliver on its Community Plan vision.</p> <p>The Glenferrie Place Plan will guide the future revitalising of the Glenferrie precinct through improvements to the public realm, street greenery and community facilities.</p> <p>To enable streetscape upgrades to Glenferrie Road and associated new street tree planting, some on-street parking will be relocated to a new parking facility on Park Street. This facility provides options for additional public carparking in stages should Council decide that this car parking is required for the activity centre in the future.</p> <p>A Traffic and Carparking Assessment undertaken on the Serpells Lane property concludes that there is sufficient capacity in public car parking within Glenferrie to absorb the loss of the Serpells Lane car park and its replacement is not necessary.</p>
73	No more land grab from uni	<p>Swinburne have highlighted that as their student population grows, it will need more spaces for various educational, research, and associated purposes.</p> <p>Swinburne's proposal to develop the Property for educational, research, and associated purposes is unique and only something the university can deliver. This development will support broader economic benefit to the Glenferrie retail precinct through increased interaction from students and staff with local traders.</p>

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74	<p>Concerned about losing the car park as parking is already premium in Hawthorn</p>	<p>To understand the impact on parking in the precinct, should the Property be sold, Council completed two traffic analysis reports on the usage of Serpells Lane car park.</p> <p>The December 2022 report indicates that car parking demand could be accommodated within existing car parking areas in the Glenferrie precinct. Not including the Serpells Lane car park, there are 1551 off-street public car parks in the Glenferrie precinct.</p> <p>At the Glenferrie precinct's most busy period, which is between 11am to 2pm, typically up to 80% of the precinct's entire car parking capacity is filled. That leaves just over 200 spaces available across the precinct - which more than offsets a loss of parking from Serpells Lane car park. At non-peak times, there would be even more available spaces.</p> <p>Before the introduction of paid parking in May 2023, Swinburne University motorists made up 64% of car park users, and after the introduction of paid parking this increased to 68%.</p> <p>It is noted that Swinburne have offered an additional 37 spaces within the precinct Council are seeking to secure in the proposed Section 173 Agreement. Council will also consider future car parking as part of the implementation of the Glenferrie Place Plan.</p>
75	<p>I live in Hawthorn and use this car-park frequently. I have also previously studied at Swinburne.</p> <p>Glenferrie Road shopping precinct is in decline and desperately needs parking space. Please do not sell this very important facility.</p> <p>The area is overdeveloped and we do not need another high rise in the area. There is a shortage of parking places and the Council does not have proper plans to increase. Their audit says only Uni students use car park which is NOT TRUE.</p>	<p>The Glenferrie Place Plan will guide the future revitalising of the Glenferrie precinct through improvements to the public realm, street greenery and community facilities.</p> <p>To enable streetscape upgrades to Glenferrie Road and associated new street tree planting, some on-street parking will be relocated to a new parking facility on Park Street. This facility provides options for additional public carparking in stages should Council decide that this car parking is required for the activity centre in the future.</p>

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	<p>Furthermore we must preserve the trees and the wildlife that makeup Serpells Lane car park. Please do not get rid of this open space with beautiful trees. Hawthorn should not become flooded with high rise buildings. PLEASE PRESERVE FOR THE BETTER OF THE COMMUNITY THANKYOU PLEASE</p>	<p>To understand the impact on parking in the precinct, should the Property be sold, Council completed two traffic analysis reports on the usage of Serpells Lane car park.</p> <p>The December 2022 report indicates that car parking demand could be accommodated within existing car parking areas in the Glenferrie precinct. Not including the Serpells Lane car park, there are 1551 off-street public car parks in the Glenferrie precinct. At the Glenferrie precinct's most busy period, which is between 11am to 2pm, typically up to 80% of the precinct's entire car parking capacity is filled. That leaves just over 200 spaces available across the precinct - which more than offsets a loss of parking from Serpells Lane car park. At non-peak times, there would be even more available spaces.</p> <p>Before the introduction of paid parking in May 2023, Swinburne University motorists made up 64% of car park users, and after the introduction of paid parking this increased to 68%.</p> <p>It is noted that Swinburne have offered an additional 37 spaces within the precinct Council are seeking to secure in the proposed Section 173 Agreement. Council will also consider future car parking as part of the implementation of the Glenferrie Place Plan.</p> <p>The precinct currently enjoys nearby access to open space and community space. It is noted that the Property is within 300m to both Central Gardens and Glenferrie Oval. Swinburne have stated that in addition to various educational uses, the Property would also include publicly accessible open space and pedestrian pathways to link to existing green corridors and active transport links.</p>

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76	<p>Carparking is scarce in Hawthorn. Ease of parking is a key attraction. Having 100% usage does not provide ease of parking. 80% usage means that people will be able to find parking as needed quickly. Put this plan in conjunction with the plans to lose parking in Glenferrie road then impacts to local business becomes massive.</p>	<p>To understand the impact on parking in the precinct, should the Property be sold, Council completed two traffic analysis reports on the usage of Serpells Lane car park.</p> <p>The December 2022 report indicates that car parking demand could be accommodated within existing car parking areas in the Glenferrie precinct. Not including the Serpells Lane car park, there are 1551 off-street public car parks in the Glenferrie precinct. At the Glenferrie precinct's most busy period, which is between 11am to 2pm, typically up to 80% of the precinct's entire car parking capacity is filled. That leaves just over 200 spaces available across the precinct - which more than offsets a loss of parking from Serpells Lane car park. At non-peak times, there would be even more available spaces.</p> <p>Before the introduction of paid parking in May 2023, Swinburne University motorists made up 64% of car park users, and after the introduction of paid parking this increased to 68%.</p> <p>It is noted that Swinburne have offered an additional 37 spaces within the precinct Council are seeking to secure in the proposed Section 173 Agreement. Council will also consider future car parking as part of the implementation of the Glenferrie Place Plan.</p>
77	<p>Council must reject the offer by Swinburne. Residents need all the car parking spaces available serving station and Glenferrie Rd, especially when tram 'super stops' will delete 80 or so 'on street' spaces in future. Make Serpells Lane car park like nearby ones with 1st hr free. Rule of 'adverse possession' does not apply to car parking - just because Swinburne 'squatted' on most of those 89 spaces for years, (due to council non-policing of regs), crowding out residents and commuters, does not justify saying only a few public spaces would be lost : 89 will be lost.</p>	<p>To understand the impact on parking in the precinct, should the Property be sold, Council completed two traffic analysis reports on the usage of Serpells Lane car park.</p> <p>The December 2022 report indicates that car parking demand could be accommodated within existing car parking areas in the Glenferrie precinct. Not including the Serpells Lane car park, there are 1551 off-street public car parks in the Glenferrie precinct. At the Glenferrie precinct's most busy period, which is between 11am to 2pm, typically up to 80% of the precinct's entire car parking capacity is filled. That leaves just over 200 spaces available across the precinct - which more than offsets a loss of parking from</p>

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		<p>Serpells Lane car park. At non-peak times, there would be even more available spaces.</p> <p>Before the introduction of paid parking in May 2023, Swinburne University motorists made up 64% of car park users, and after the introduction of paid parking this increased to 68%.</p> <p>It is noted that Swinburne have offered an additional 37 spaces within the precinct Council are seeking to secure in the proposed Section 173 Agreement. Council will also consider future car parking as part of the implementation of the Glenferrie Place Plan.</p>
78	Please don't sell to developers, we need this parking, not more apartments	<p>Swinburne have highlighted that as their student population grows, it will need more spaces for various educational, research, and associated purposes.</p> <p>Swinburne's proposal to develop the Property for educational, research, and associated purposes is unique and only something the university can deliver. This development will support broader economic benefit to the Glenferrie retail precinct through increased interaction from students and staff with local traders.</p>
79	<p>There is so little parking available around the University and Glenferrie shopping precinct, by removing parking and replace with a high rise building is appalling. Where are people to park cars for shopping purposes. Businesses are struggling as it is ,without council removing carparking.</p> <p>It is also important not to increase building the density because of the effects on flood plains, heat sinks and the trees and birds in the area.</p>	<p>To understand the impact on parking in the precinct, should the Property be sold, Council completed two traffic analysis reports on the usage of Serpells Lane car park.</p> <p>The December 2022 report indicates that car parking demand could be accommodated within existing car parking areas in the Glenferrie precinct. Not including the Serpells Lane car park, there are 1551 off-street public car parks in the Glenferrie precinct. At the Glenferrie precinct's most busy period, which is between 11am to 2pm, typically up to 80% of the precinct's entire car parking capacity is filled. That leaves just over 200 spaces available across the precinct - which more than offsets a loss of parking from</p>

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80	I do not want another development in the area.	<p>Development is ongoing and Council plays an important role in guiding it. As a part of this, the Glenferrie Place Plan will guide the future revitalising of the Glenferrie precinct through improvements to the public realm, street greenery and community facilities. To enable streetscape upgrades to Glenferrie Road and associated new street tree planting, some on-street parking will be relocated to a new parking facility on Park Street. This facility provides options for additional public carparking in stages should Council decide that this car parking is required for the activity centre in the future.</p>

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81	I don't think as traders on glenferrie road we can afford to lose anymore parking spaces, many of our customers struggle to find parking which in turn results in loss of income for us as our customers can't park anywhere thus not coming into our establishment. Also as a student at swinburne i know first hand that the lack of 'free' parking in the area makes it harder for students please do not make it harder than it already is.	<p>The Glenferrie Place Plan will guide the future revitalising of the Glenferrie precinct through improvements to the public realm, street greenery and community facilities.</p> <p>To understand the impact on parking in the precinct, should the Property be sold, Council completed two traffic analysis reports on the usage of Serpells Lane car park.</p> <p>The December 2022 report indicates that car parking demand could be accommodated within existing car parking areas in the Glenferrie precinct. Not including the Serpells Lane car park, there are 1551 off-street public car parks in the Glenferrie precinct.</p> <p>At the Glenferrie precinct's most busy period, which is between 11am to 2pm, typically up to 80% of the precinct's entire car parking capacity is filled. That leaves just over 200 spaces available across the precinct - which more than offsets a loss of parking from Serpells Lane car park. At non-peak times, there would be even more available spaces.</p> <p>Before the introduction of paid parking in May 2023, Swinburne University motorists made up 64% of car park users, and after the introduction of paid parking this increased to 68%.</p> <p>It is noted that Swinburne have offered an additional 37 spaces within the precinct Council are seeking to secure in the proposed Section 173 Agreement. Council will also consider future car parking as part of the implementation of the Glenferrie Place Plan.</p>
82	I am not sure this is the best idea. To take more car parks away.	<p>To understand the impact on parking in the precinct, should the Property be sold, Council completed two traffic analysis reports on the usage of Serpells Lane car park.</p> <p>The December 2022 report indicates that car parking demand could be accommodated within existing car parking areas in the Glenferrie precinct. Not including the Serpells Lane car park, there are 1551 off-street public car parks in the Glenferrie precinct.</p>

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		<p>At the Glenferrie precinct's most busy period, which is between 11am to 2pm, typically up to 80% of the precinct's entire car parking capacity is filled. That leaves just over 200 spaces available across the precinct - which more than offsets a loss of parking from Serpells Lane car park. At non-peak times, there would be even more available spaces.</p> <p>Before the introduction of paid parking in May 2023, Swinburne University motorists made up 64% of car park users, and after the introduction of paid parking this increased to 68%.</p> <p>It is noted that Swinburne have offered an additional 37 spaces within the precinct Council are seeking to secure in the proposed Section 173 Agreement. Council will also consider future car parking as part of the implementation of the Glenferrie Place Plan.</p>
83	it's a terrible idea, we need to retain all the public parking spaces we currently have in the area	<p>To understand the impact on parking in the precinct, should the Property be sold, Council completed two traffic analysis reports on the usage of Serpells Lane car park.</p> <p>The December 2022 report indicates that car parking demand could be accommodated within existing car parking areas in the Glenferrie precinct. Not including the Serpells Lane car park, there are 1551 off-street public car parks in the Glenferrie precinct.</p> <p>At the Glenferrie precinct's most busy period, which is between 11am to 2pm, typically up to 80% of the precinct's entire car parking capacity is filled. That leaves just over 200 spaces available across the precinct - which more than offsets a loss of parking from Serpells Lane car park. At non-peak times, there would be even more available spaces.</p> <p>Before the introduction of paid parking in May 2023, Swinburne University motorists made up 64% of car park users, and after the introduction of paid parking this increased to 68%.</p> <p>It is noted that Swinburne have offered an additional 37 spaces within the precinct Council are seeking to secure in the proposed</p>

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		Section 173 Agreement. Council will also consider future car parking as part of the implementation of the Glenferrie Place Plan.
84	I'm against the sale of the car park	<p>It is necessary for Council to transact property in order to best serve its community and deliver on its Community Plan vision. Land transactions include sales and acquisitions.</p> <p>To understand the impact on parking in the precinct, should the Property be sold, Council completed two traffic analysis reports on the usage of Serpells Lane car park.</p> <p>The December 2022 report indicates that car parking demand could be accommodated within existing car parking areas in the Glenferrie precinct. Not including the Serpells Lane car park, there are 1551 off-street public car parks in the Glenferrie precinct. At the Glenferrie precinct's most busy period, which is between 11am to 2pm, typically up to 80% of the precinct's entire car parking capacity is filled. That leaves just over 200 spaces available across the precinct - which more than offsets a loss of parking from Serpells Lane car park. At non-peak times, there would be even more available spaces.</p> <p>Before the introduction of paid parking in May 2023, Swinburne University motorists made up 64% of car park users, and after the introduction of paid parking this increased to 68%.</p> <p>It is noted that Swinburne have offered an additional 37 spaces within the precinct Council are seeking to secure in the proposed Section 173 Agreement. Council will also consider future car parking as part of the implementation of the Glenferrie Place Plan.</p>
85	It should not be sold	It is necessary for Council to transact property in order to best serve its community and deliver on its Community Plan vision. Land transactions include sales and acquisitions.

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86	<p>I believe that this process is completely disingenuous.</p> <p>The site was tested some four years ago to test the ability of the ground to be used as a site for a 10 storey building for Swinburne University. This information was provided by the worker operating the drill at the time.</p> <p>This suggests that Council and Swinburne have long planned to do this project and that this consultation is merely serving to 'tick a box'. Whilst Swinburne has made an offer of \$16m, has the Council sought other offers for the property?</p>	<p>Council commenced the Serpells Lane strategic property project in July 2022 which included commencing the proposed rezoning of the land. During this process Council was approached by Swinburne with an offer to purchase the Property.</p> <p>In 2019, Swinburne undertook Geotechnical and soil testing on the Serpells Lane car park. This was not related to Council's strategic property project.</p> <p>In order to comply with the <i>Local Government Best Practice Guideline for the Sale of Land</i>, dated June 2009 (developed by the State Government) any direct negotiation offer received from Swinburne should be more compelling than what Council could obtain through a public sale process.</p> <p>A compelling offer comprises of two elements, price and proposed development outcome.</p> <p>The offer from Swinburne is consistent with market value as determined by Council's independent valuer.</p> <p>By requiring Swinburne to enter a Section 173 Agreement, which will be registered on the property title following settlement, Council will be controlling the development outcome on the land to a greater extent than is possible through a public sale process.</p> <p>Council is also securing an additional 37 community car parking spaces which provide not only a community benefit but also adds to the value proposition.</p> <p>Applying a value to the 37 parking spaces offered by Swinburne equal to the purchase offer per square meter equates to an additional value of \$4,287,317 for the land alone. Council has the</p>

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		<p>opportunity to replace the parking used by the public at the Serpells Lane car park and effectively acquire additional public parking without cost to Council. This takes the value proposition for the site from \$16,000,000 at least to \$20,287,317 if secured by the Section 173 Agreement as a condition of sale.</p> <p>Selling direct to Swinburne would also negate any obligation to pay Windfall Gains Tax ("WGT") as well as remove the need for marketing and agency costs.</p>
87	<p>Unsatisfactory. As an older person wishing to make short rail journeys to my doctor in Melbourne CBD, the free car parking was a necessity. It is an ordeal to walk to the railway station, especially on a hot or wet day. The parking is now too expensive so my options will be severely limited.</p>	<p>The provision of rail commuter parking is a State Government responsibility.</p> <p>It is noted that the Serpells Lane car park is a medium term paid car park where a 3-hour limit applies. Long term parking is available in the precinct at the following locations.</p> <ul style="list-style-type: none"> • Ticket parking in the Hilda Crescent car park on the corner of Hilda Crescent and Linda Crescent (41 spaces - fee applies). • Lynch Street (168 spaces - no fee). • Swinburne Multi Deck Car Park located in Wakefield Street and open to the public from 6am to 1am all days (564 spaces - fee applies). • Glenferrie Centre rooftop ticketed car park (56 spaces - fee applies). • Rear of the Hawthorn Town Hall ticketed car park (77 spaces - fee applies).
88	<p>Completely against this sale of land. The Serpells lane carpark was a big draw card for purchasing my apartment which backs onto the carpark. The selling and over-development of this land will likely lead to myself and many other residents losing our only source of natural</p>	<p>The interface with adjacent apartments are matters to be considered through the development process and will be addressed at the appropriate time. As part of the proposed sale, a Section 173 Agreement requires Swinburne to submit a concept</p>

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	<p>light. Given council had been proposing that more car parking was required in the area it is absurd that it is now selling off a car park - this is about money, not community benefit.</p>	<p>plan to Council prior to commencement of development which demonstrates compliance with its requirements.</p> <p>The December 2022 report indicates that car parking demand could be accommodated within existing car parking areas in the Glenferrie precinct. Not including the Serpells Lane car park, there are 1551 off-street public car parks in the Glenferrie precinct.</p> <p>At the Glenferrie precinct's most busy period, which is between 11am to 2pm, typically up to 80% of the precinct's entire car parking capacity is filled. That leaves just over 200 spaces available across the precinct - which more than offsets a loss of parking from Serpells Lane car park. At non-peak times, there would be even more available spaces.</p> <p>Before the introduction of paid parking in May 2023, Swinburne University motorists made up 64% of car park users, and after the introduction of paid parking this increased to 68%. It is noted that Swinburne have offered an additional 37 spaces within the precinct Council are seeking to secure in the proposed Section 173 Agreement.</p> <p>Council will continue to consider future car parking as part of the implementation of the Glenferrie Place Plan.</p>
89	<p>I am very concerned about the loss of this car park. Since the council has introduced paid parking for three hours it is not being utilised as much by I suspect students. This timeframe allows people to use it for quick trips to the city medical appointments etc, shopping in Glenferrie and also the Lido - which cannot be supported by the other car parks which are only two hours.</p>	<p>Before paid parking, Swinburne University motorists made up 64% of car park users, and after the introduction of paid parking this increased to 68%.</p> <p>It is noted that the Serpells Lane car park is a medium term paid car park where a 3-hour limit applies. Long term parking is available in the precinct at the following locations.</p>

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		<ul style="list-style-type: none"> • Ticket parking in the Hilda Crescent car park on the corner of Hilda Crescent and Linda Crescent (41 spaces - fee applies). • Lynch Street (168 spaces - no fee). • Swinburne Multi Deck Car Park located in Wakefield Street and open to the public from 6am to 1am all days (564 spaces - fee applies). • Glenferrie Centre rooftop ticketed car park (56 spaces - fee applies). • Rear of the Hawthorn Town Hall ticketed car park (77 spaces - fee applies).
90	I don't agree with selling land in Serpells Lane, Hawthorn to Swinburne University.	It is necessary for Council to transact property in order to best serve its community and deliver on its Community Plan vision. Land transactions include sales and acquisitions.
91	Car parking around the general area of Serpells Lane is ludicrous. During schooling semesters it is near impossible between 10am-2pm to find a car park within 4 blocks, let alone the limited parking time of 1 or 2 hrs making it near impossible for students and employees of adjacent businesses to work without getting fines. Which of, the council takes full advantage of knowing this. To say there are 200 available car spaces in the wider Hawthorn area is irresponsible to the immediate Serpells Lane area. 39~ additional car spaces will NOT be adequate, let alone the increased influx of students Swinburne could then enroll with a new multi-level building. Council employees do not understand the parking issue in the area as they have all day parking permits.	<p>To understand the impact on parking in the precinct, should the Property be sold, Council completed two traffic analysis reports on the usage of Serpells Lane car park.</p> <p>The December 2022 report indicates that car parking demand could be accommodated within existing car parking areas in the Glenferrie precinct. Not including the Serpells Lane car park, there are 1551 off-street public car parks in the Glenferrie precinct. At the Glenferrie precinct's most busy period, which is between 11am to 2pm, typically up to 80% of the precinct's entire car parking capacity is filled. That leaves just over 200 spaces available across the precinct - which more than offsets a loss of parking from Serpells Lane car park. At non-peak times, there would be even more available spaces.</p>

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		<p>Before the introduction of paid parking in May 2023, Swinburne University motorists made up 64% of car park users, and after the introduction of paid parking this increased to 68%.</p> <p>It is noted that the Serpells Lane car park is a medium term paid car park where a 3-hour limit applies. Long term parking is available in the precinct at the following locations.</p> <ul style="list-style-type: none"> • Ticket parking in the Hilda Crescent car park on the corner of Hilda Crescent and Linda Crescent (41 spaces - fee applies). • Lynch Street (168 spaces - no fee). • Swinburne Multi Deck Car Park located in Wakefield Street and open to the public from 6am to 1am all days (564 spaces - fee applies). • Glenferrie Centre rooftop ticketed car park (56 spaces - fee applies). • Rear of the Hawthorn Town Hall ticketed car park (77 spaces - fee applies). <p>Swinburne have offered an additional 37 spaces within the precinct Council are seeking to secure in the proposed Section 173 Agreement.</p> <p>Council will also consider future car parking as part of the implementation of the Glenferrie Place Plan.</p>
92	<p>I am opposed to the proposed sale. I am a regular user of this car park to access medical clinics and shops around Glenferrie. At peak time, off street parking can be tricky to find and the allowed time limited. This car park is easily accessible, has extended allowed time and at a great location.</p>	<p>It is noted that the Serpells Lane car park is a medium term paid car park where a 3-hour limit applies. Long term parking is available in the precinct at the following locations.</p> <ul style="list-style-type: none"> • Ticket parking in the Hilda Crescent car park on the corner of Hilda Crescent and Linda Crescent (41 spaces - fee applies). • Lynch Street (168 spaces - no fee).

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		<ul style="list-style-type: none"> • Swinburne Multi Deck Car Park located in Wakefield Street and open to the public from 6am to 1am all days (564 spaces - fee applies). • Glenferrie Centre rooftop ticketed car park (56 spaces - fee applies). • Rear of the Hawthorn Town Hall ticketed car park (77 spaces - fee applies).
93	<p>If this carpark is not here, how are you going to provide accessible parking access to the station? This is the only relatively accessible parking for those with mobility issues. The other carparks are much further away. Would there be a restriction on height and density of what Swinburne erect there? Why not something that really benefits the community like a park?</p>	<p>The provision of rail commuter parking is a State Government responsibility. That said, accessible parking exists in all Council car parks including the Hawthorn Arts Centre car park directly opposite the Serpells Lane car park and the Wakefield Street car park.</p> <p>Density and height are matters to be considered through the development process and will be addressed at the appropriate time. As part of the proposed sale, a S173 Agreement requires Swinburne to submit a concept plan to Council prior to commencement of development which demonstrates compliance with its requirements</p> <p>The precinct currently enjoys nearby access to open space and community space. Community use is available within 100m of the Property at the Hawthorn Arts Centre and within 300m of the Hawthorn Library and Hawthorn Community House. That said, Swinburne have stated that in addition to various educational uses, the Property would also include publicly accessible open space and pedestrian pathways to link to existing green corridors and active transport links.</p>

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94	Do not sell the land, leave it as a way for people to shop local. Given our PT is not yet accessible, the carpark allows those who find PT difficult to still access Glenferrie. Adjacent apartments will also suffer if the land is developed.	<p>Opportunities to park remain within the precinct. Council will also consider future car parking as part of the implementation of the Glenferrie Place Plan.</p> <p>The Glenferrie precinct is well serviced by public transport.</p> <p>The interface with adjacent apartments are matters to be considered through the development process and will be addressed at the appropriate time. As part of the proposed sale, a Section 173 Agreement requires Swinburne to submit a concept plan to Council prior to commencement of development which demonstrates compliance with its requirements.</p>
95	I don't think this will add to public amenity and will only increase congestion on our roads. It's hard enough to move around the suburb as it is, the more major developments we have the worse it gets. Things aren't being managed well enough as it is	<p>Amenity is made of a number of elements. The Glenferrie Place Plan will guide the future revitalising of the Glenferrie precinct through amenity improvements to the public realm, street greenery and community facilities.</p> <p>To enable streetscape upgrades to Glenferrie Road and associated new street tree planting, some on-street parking will be relocated to a new parking facility on Park Street. This facility provides options for additional public carparking in stages should Council decide that this car parking is required for the activity centre in the future.</p> <p>In terms of new development, Council is obliged to plan for population and employment growth in Boroondara, consistent with other Councils across Victoria. Glenferrie is a Major Activity Centre with excellent access to shops, services and public transport and is therefore a suitable location for new residential and commercial development.</p>

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96	Council are only considering this to make money. The 200 'surplus' carspots is a moment in time snapshot and does not allow for future growth. The retailers in the glenferrie shopping precinct rely on the carpark for customers, and depend on this future growth. Do not sell off the community assets. They are for community and not Swinburne University who will develop the site.	<p>It is necessary for Council to transact property in order to best serve its community and deliver on its Community Plan vision. Land transactions include sales and acquisitions.</p> <p>A Traffic and Carparking Assessment undertaken on the Serpells Lane property concludes that there is sufficient capacity in public car parking within Glenferrie to absorb the loss of the Serpells Lane car park and its replacement is not necessary.</p> <p>Council will continue to consider future car parking as part of the implementation of the Glenferrie Place Plan.</p>
97	I am a concerned local resident who understands that you have on previous occasions attempted to obtain support for an underground car park off Liddiard street on the pretext of need for the area, yet you support selling off an asset to an already dominant occupant of the Glenferrie area which will ensure Swinburne's growth and no doubt lead to their increased parking requirements. Is this a ruse to return to attempts to build multi-rise car parking which will ultimately destroy the cottage lined character of Liddiard Street and immediate surrounds?	The Glenferrie Place Plan proposes a new multi-level parking facility on Park Street. This facility will provide replacement parking to enable streetscape upgrades to Glenferrie Road streetscape to provide wider footpaths, safer pedestrian crossings, new street tree planting, public seating and outdoor dining. The Park Street parking facility is not directly related to the Serpells Lane car park.
98	<p>I strongly oppose the sale of this land to Swinburne University. My rationale is as follows:</p> <ul style="list-style-type: none"> - this is accessible to wheelchair/disabled people. There is direct access and a ramp for disabled people from the carpark in question to the railway station. This is not available at any nearby access point to the station. - The safety of our young people, the elderly, the disabled, and all other residents is paramount and has been overlooked. Parking at the station provides a level of security for the elderly, young, diverse and disabled people to park safely and transfer to the station. This in turn encourages the sustainability of public transport, support all 	<p>Objection is noted.</p> <ul style="list-style-type: none"> • The provision of rail commuter parking is a State Government responsibility. That said, accessible parking exist Council car parks including the Hawthorn Arts Centre car park directly opposite the Serpells Lane car park and the Wakefield Street car park. • Prior to the introduction of paid car parking, the car park was at capacity, typically 8am to 9pm with little turnover and high levels of overstaying. With the paid car parking, site inspections on a number of occasions at different times of the

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	<p>community to access public transport, and thereby encourages and enables the community to participate and engage in both the community and further afield - eg MCG, City, parks, etc.</p> <p>- you quote that the "majority of carparks are used by Swinburne staff / students". This is because they get there earlier than other people. This space is a Boroondara car park - not that for the staff and students of Swinburne. It is a car parking space for the residents of Boroondara to use - not the Swinburne community. Many, many more local residents would use this space for car parking if it was not monopolised by Swinburne. This space should have time limits to reduce it being used by full time staff/students; and more available to those using it for accessing the railway station.</p>	<p>day have confirmed that parking is readily available. It is noted that the Serpells Lane car park is a medium term paid car park where a 3-hour limit applies and is not suitable for long term parking.</p> <ul style="list-style-type: none"> Changing the times allowed may simply result in the car park becoming less attractive to use. Council will also continue to consider future car parking as part of the implementation of the Glenferrie Place Plan.
99	<p>Engage submission</p> <p>I am opposed to the disposal of public land and particularly in this precinct where its disposal will reduce parking options and remove potential use of the land for public purposes</p> <p>In short it should not be sold but retained for public use</p> <p>Email submission</p> <p>I wish to object to this proposed sale</p> <p>The grounds for objection include:</p> <ul style="list-style-type: none"> Public land is a scarce resource - its disposal should almost never occur and certainly not in a strategic location such as Glenferrie The loss of this site will preclude future public use options for this site of which many creative uses could be developed The money proposed to be raise for this site appears to be absorbed by Boroondara with no return whatsoever for Glenferrie - this is a lose-lose for this area 	<p>The objection is noted.</p> <ul style="list-style-type: none"> It is necessary for Council to transact property in order to best serve its community and deliver on its Community Plan vision. Land transactions include sales and acquisitions. Council Officers have formed the view that the Property is underutilised and divesting from it can enable investment in new projects to the benefit of the Boroondara Community. Any revenue received as a result of a sale will add to Council's surplus. How these funds are used would be determined through the development of future budgets, noting that one of the objectives of the Serpells Lane strategic property project is to achieve an optimal commercial return for the Property to enable investment in new projects to the benefit of the Boroondara Community. Glenferrie is a part of the Boroondara Community. The Glenferrie Place Plan proposes a new multi-level parking facility on Park Street. This facility will provide replacement parking to enable streetscape upgrades to Glenferrie Road streetscape to provide wider footpaths, safer pedestrian

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	<ul style="list-style-type: none"> The argument that there is spare parking capacity within the vicinity is disingenuous given the continual argument by Boroondara for the need for more parking capacity and its previous support for a multi deck parking facility behind Glenferrie Road - this use of the reverse argument that parking spaces are in surplus is an embarrassing Pinocchio moment for Council officers to argue this proposition 	<p>crossings, new street tree planting, public seating and outdoor dining. The Park Street parking facility is not directly related to the Serpells Lane car park.</p> <ul style="list-style-type: none"> A Traffic and Carparking Assessment undertaken on the Serpells Lane property concludes that there is sufficient capacity in public car parking within Glenferrie to absorb the loss of the Serpells Lane car park and its replacement is not necessary. In addition to this Council will also continue to consider future car parking as part of the implementation of the Glenferrie Place Plan. For example, to enable streetscape upgrades to Glenferrie Road and associated new street tree planting, some on-street parking would need to be relocated to a new parking facility on Park Street. This facility provides options for additional public carparking in stages should Council decide that this car parking is required for the activity centre in the future. The former Commuter Car Park proposal focused on long term parking for commuters as distinct to short and medium term parking for shoppers and visitors. The Serpells Lane car park is not a long term car park and is restricted to 3 hours. The parking assessment shows that there is capacity at the peak to absorb the loss of the Serpells Lane car park with at least 200 spaces available in other car parks in the centre. At other times, a greater level of parking is available.
100	Please don't reduce car parks in park st and sell off the other car park. Don't make it harder to shop in glenferrie rd	The Glenferrie Place Plan proposes a new multi-level parking facility on Park Street. This facility will provide replacement parking to enable streetscape upgrades to Glenferrie Road streetscape to provide wider footpaths, safer pedestrian crossings, new street tree planting, public seating and outdoor dining. The Park Street parking facility is not directly related to the Serpells Lane car park.

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101	<p>Engage submission No, stop the incidious expansion of Swinburn.</p> <p>Email submission I read in the Herald Sun that negotiations are underway to sell a Boroondara public asset to Swinburne University. I have also read the Council website notes. As a nearby older resident, that uses that car park considerably as my local shopping centre, there is already enough difficulty in getting a car park near where my most visited shops are. Additionally, I strongly suggest to you that such a public asset, used many times during the day by locals, be turned over to students that will have longer term usage. That alone suggests that student convenience limited to a few during the day, is valued higher than the convenience and need of short term resident parkers whilst shopping. Further, while you may well believe that you have the carriage of management and sale assets in the area, can I point out that these are the assets of resident rate payers and should not be sold especially to a university. Swinburne is a poor neighbour in this area. It has been and will continue to be a poor neighbour for years I suspect so it should be your duty to protect resident rate payers rather than compromise them. The University has for years been compromising that corner of Glenferrie with the impact of street closures, the generation of street filth by students, it's complete arrogance towards local residents concerns, insidious transformation of housing from residential to student ghettos and the transformation of shopping and streets capes. I urge you to represent rate payers not capitulate to an institution that has outgrown its site. There are other less intrusive sites in the City that could be better utilised for sale in less intense usage areas.</p>	<p>Swinburne have highlighted that as their student population grows, it will need more spaces for various educational, research, and associated purposes.</p> <p>Other car parking opportunities exist within the precinct. These include:</p> <ul style="list-style-type: none"> • Ticket parking in the Hilda Crescent car park on the corner of Hilda Crescent and Linda Crescent (41 spaces - fee applies). • Lynch Street (168 spaces - no fee). • Swinburne Multi Deck Car Park located in Wakefield Street and open to the public from 6am to 1am all days (564 spaces - fee applies). • Glenferrie Centre rooftop ticketed car park (56 spaces - fee applies). • Rear of the Hawthorn Town Hall ticketed car park (77 spaces - fee applies). • Various on street opportunities. <p>It is proposed to secure the Swinburne development vision by registering on the title to the Property a Section 173 Agreement under the <i>Planning and Environment Act 1987</i>. Notably, the Key Conditions proposed provides that the development outcome must include one or both of the following:</p> <ol style="list-style-type: none"> 1. State-of-the-art classrooms, laboratories, and technology-based research facilities for undergraduate and higher degree students and local visiting researchers; 2. Fit-for-purpose spaces for industry partners to work and collaborate with students and academics on campus.

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		<p>and may include:</p> <ul style="list-style-type: none"> 3. Student residences to cater for the growing demand for on-campus accommodation, including for students from regional areas and interstate; 4. Retail offerings for students, staff, and visitors. <p>It is also proposed that the Section 173 agreement require the additional 37 public parking spaces proposed by Swinburne be retained and available to the public either at the site or another site as agreed by Council. The 37 spaces proposed is in excess of the 29 parking spaces in the Serpells Lane car park which our surveys reveal are not used in connection with Swinburne University.</p> <p>It is necessary for Council to transact property in order to best serve its community and deliver on its Community Plan vision. Land transactions include sales and acquisitions.</p> <p>Swinburne's proposal to develop the Property for educational, research, and associated purposes is unique and only something the university can deliver. This development will support broader economic benefit to the Glenferrie retail precinct through increased interaction from students and staff with local traders.</p>
102	<p>I do not agree with the sale of this car park by council . The spin about its usage at present is a carefully structured statement to justify the sale.</p> <p>The council can change the times allowed for parking to better utilise the car park with greater turnover of the parking places .</p>	<p>The objection is noted.</p> <p>The Glenferrie Place Plan will guide the future revitalising of the Glenferrie precinct through improvements to the public realm, street greenery and community facilities. Information used to inform decisions on the Serpells Lane car park has come from reports undertaken by independent traffic consultants.</p>

Submission	Copy of submission text	Officer comment
	I ask that you vote against this proposal	It is noted that the Serpells Lane car park is a medium term paid car park where a 3-hour limit applies. Changing the times allowed may simply result in the car park becoming less attractive to use. Council will also continue to consider future car parking as part of the implementation of the Glenferrie Place Plan. For example, to enable streetscape upgrades to Glenferrie Road and associated new street tree planting, some on-street parking will be relocated to a new parking facility on Park Street. This facility provides options for additional public carparking in stages should Council decide that this car parking is required for the activity centre in the future.
103	I am bewildered that the council would sell the car park, considering there is a shortage of car parks for shoppers in the area, I own the barber shop which leads to the car park which a majority of our clients use when they come to have their hair cuts, after speaking to other traders within the vicinity they also believe this will have a negative impact on business. I understand the council's position but the council should be encouraging business growth rather than placing obstacles in the way and by selling the car park this will have a negative impact to all businesses in the close proximity. I strongly disagree with the sale of the car park.	<p>The Glenferrie Place Plan will guide the future revitalising of the Glenferrie precinct through improvements to the public realm, street greenery and community facilities.</p> <p>To enable streetscape upgrades to Glenferrie Road and associated new street tree planting, some on-street parking will be relocated to a new parking facility on Park Street. This facility provides options for additional public carparking in stages should Council decide that this car parking is required for the activity centre in the future.</p> <p>A Traffic and Carparking Assessment undertaken on the Serpells Lane property concludes that there is sufficient capacity in public car parking within Glenferrie to absorb the loss of the Serpells Lane car park and its replacement is not necessary.</p>
104	<p>Engage submission</p> <p>Public Land, no need to be sold, needed for Rate payers and traders.</p>	The Serpells Lane car park is owned by Council. This valuable asset is currently underutilised as a carpark. It is necessary for Council to transact property in order to best serve its community and deliver on its Community Plan vision.

Submission	Copy of submission text	Officer comment
	<p>Email submission</p> <p>We are writing to express our serious concerns with the proposal that Boroondara Council is currently intending to sell the Serpells Lane car park site to Swinburne University.</p> <p>The Serpells Lane car park is a valuable public asset under the management of the Boroondara Council. It provides important street level parking for the Boroondara residents and those who work, study and shop in the Glenferrie / Burwood Road precinct and to those who access the precinct through Glenferrie Station.</p> <p>The Serpells Lane car park is of vital importance to our members and their businesses.</p> <p>By the early 1960s road access to the public car park was difficult and Glenferrie/Burwood Road traders approached the Council and an arrangement was made under which the traders agreed to fund the acquisition of what is now Serpells Lane through a special rate levied on traders on Glenferrie/Burwood Road Hawthorn, to ensure ongoing road access to the site. Given that Serpells Lane was acquired at the traders' initiative, using their funds, it would appear that while the Council is the registered legal owner of the land, it is not the beneficial owner.</p> <p>Further, having entered into this arrangement with Glenferrie/Burwood Road traders under which traders provided the substantial funding needed to acquire Serpells Lane for the express purpose of ensuring ongoing vehicular access to the car park, we are bewildered that the Council now believes that is entitled unilaterally to essentially withdraw from that arrangement and to sell the car park site.</p> <p>The traders of the day that agreed to fund the acquisition of Serpells Lane entrusted the Council to maintain Serpells Lane and the attached car park for the benefit of traders and businesses and did not encumber the sites with any restrictive covenants. The proposed sale of Serpells Lane car park is a betrayal of trust.</p>	<p>Council's findings relating to the car park show that car parking demand could be accommodated within existing car parking areas in the Glenferrie precinct. Not including the Serpells Lane car park, there are 1551 off-street public car parks in the Glenferrie precinct. At the Glenferrie precinct's most busy period, which is between 11am to 2pm, typically up to 80% of the precinct's entire car parking capacity is filled. That leaves just over 200 spaces available across the precinct - which more than offsets a loss of parking from Serpells Lane car park. At non-peak times, there would be even more available spaces.</p> <p>Before the introduction of paid parking in May 2023, Swinburne University motorists made up 64% of car park users, and after the introduction of paid parking this increased to 68%.</p> <p>The land comprising the Serpells Lane carpark was purchased by Council over time, with all but the laneway access to the site being acquired by Council between 1905-1938. The laneway access land was purchased in 1968 using separate funding provided by traders and is not proposed to be sold. The car park comprises a total of 2,908m² of which the adjoining laneway totals 286m² or 8.9% of the total site. Additionally, there are no parking spaces on the land acquired using trader funds. The traders are claiming they accrue rights through their separate scheme payments which concluded in 1982.</p> <p>Council's legal advice confirms the traders have no proprietary interest in the land and it would be difficult to successfully claim such rights exist. At most, the possibility of a public purpose trust arises which means that Council has no legal liability to traders but any risk is proposed to be mitigated by providing some additional parking in the vicinity. It is considered the offer by Swinburne to make an additional 37 spaces available for community use in its car park will mitigate any risk. Delivery of this outcome is best achieved</p>

Submission	Copy of submission text	Officer comment
	<p>Additionally, in the event that Council disregards the historical commitment to Glenferrie/Burwood Road traders and businesses and pursues the proposed sale of such a valuable public asset directly to Swinburne University, the Council must consider due process. The proposal to sell directly to Swinburne University does not test the market using an open auction or tender process, which seems extraordinary and is hard to reconcile with the duties Council owes to Boroondara rate payers. The Department of Planning and Community Development Best Practice Guideline for the Sale, Exchange and Transfer of Land says (at page 7) that:</p> <p>Councils should ensure that land is offered for sale in a manner that will ensure the maximum price is achieved while protecting both the council and the public interest.</p> <p>The lack of transparency around the current process makes it difficult for rate payers to be confident that the public interest is being properly protected or that the real value of this asset will be realised. We seek your urgent intervention to ensure that the current proposal to sell does not proceed. We hope that the issues we have raised are properly and transparently addressed.</p>	<p>by including the offer made by Swinburne in the proposed Section 173 Agreement.</p> <p>Any direct negotiation offer received from Swinburne needs to be more compelling than what Council could obtain through a market-led sale process. This requirement is consistent with the <i>Local Government Best Practice Guideline for the Sale of Land</i>, dated June 2009 (developed by the State Government).</p> <p>A compelling offer comprises of two elements, price and proposed development outcome.</p> <p>In addition to obtaining the market value and ability of Council to guide the development outcome through the Section 173 is the securing of additional 37 car parking spaces.</p> <p>If we were to apply the square metre value of the Property to the 37 parking spaces offered by Swinburne this equates to \$4,287,317 for the land alone. We have the opportunity to replace the parking used by the public at the Serpells Lane car park, respond to the concerns raised by traders about having funded the access lane and effectively acquire additional public parking without cost to Council. This takes the value proposition for the site from \$16,000,000 to \$20,287,317 if secured by the Section 173 Agreement as a condition of sale.</p> <p>Selling direct to Swinburne would also negate any obligation to pay Windfall Gains Tax ("WGT") as well as remove the need for marketing and agency costs.</p> <p>Council has clearly communicated the offer from Swinburne and has sought feedback from the community to inform its decision making.</p>
105	Thank you for your letter, regarding the sale of Serpells lane car park area to Swinburne University .	Swinburne's proposal to develop the Property for educational, research, and associated purposes is unique and only something the university can deliver. This development will support broader

Submission	Copy of submission text	Officer comment
	<p>Will this car parking site at Serpells lane be developed into a building of any kind, with car parking .</p> <p>I'm an owner at 377 Burwood rd Hawthorn, with my balcony facing the Serpells lane car park . I'm hoping there will be no building developed to block me in .</p> <p>I've recently retired and I've been here for only 7 months .</p> <p>I would like your honest comment to my email .</p>	<p>economic benefit to the Glenferrie retail precinct through increased interaction from students and staff with local traders.</p> <p>It is proposed to secure the Swinburne development vision by registering on the title to the Property a Section 173 Agreement under the <i>Planning and Environment Act 1987</i>. Notably, the Key Conditions proposed provides that the development outcome must include one or both of the following:</p> <ol style="list-style-type: none"> 1. State-of-the-art classrooms, laboratories, and technology-based research facilities for undergraduate and higher degree students and local visiting researchers; 2. Fit-for-purpose spaces for industry partners to work and collaborate with students and academics on campus. <p>and may include:</p> <ol style="list-style-type: none"> 3. Student residences to cater for the growing demand for on-campus accommodation, including for students from regional areas and interstate; 4. Retail offerings for students, staff, and visitors. <p>The above Key Conditions would also require that any development must provide car parking in accordance with the provisions of the Boroondara Planning Scheme.</p> <p>The above development proposals would require Swinburne to achieve a planning permit for building and works, as well as for any use other than education.</p>

Submission	Copy of submission text	Officer comment
		<p>Swinburne would also be required to submit a concept plan to Council prior to commencement of development which demonstrates compliance with the requirements of the Section 173 Agreement.</p>
106	<p>No surprise that northern car park going to Swinburne. Council and Swinburne have been in bed together as long as I remember.</p> <p>Swinburne restricts access to the major activity centre and council goes along with this restricted access.</p> <p>Council has done nothing substantial for Glenferrie road. It is in a poor state.</p> <p>Now they are getting rid of all on road parking.</p> <p>Definite NO to sell ioff of any of the Lidiard parking area. Let's see something positive for Glenferrie Road first. Council could have taken the opportunity for better access under rail line but do nothing. They have hare brained ideas like moving the library. Total unnessary. Council just appear to have \$ signs in their eyes!</p> <p>Hopefully the traders can get thru and over ride some Council stupidity. Burwood road should be a major vehicle access to the Activity Centre however Council remains blind to such connnectivity.</p>	<p>Swinburne plays an important role in our municipality, as an employer, an educational facility and also as a landowner. Council has, and will continue to work with Swinburne towards outcomes that are consistent with our Community Plan vision.</p> <p>Traffic is not restricted to the Glenferrie Activity Centre with the exception of part of John Street which was closed to traffic and restricted to pedestrian use in 1997.</p> <p>Council continues to invest in the Glenferrie precinct. The Glenferrie Place Plan will guide the future revitalising of the Glenferrie precinct through improvements to the public realm, street greenery and community facilities.</p> <p>To enable streetscape upgrades to Glenferrie Road and associated new street tree planting, some on-street parking would be relocated to a new parking facility on Park Street. This facility provides options for additional public carparking in stages should Council decide that this car parking is required for the activity centre in the future.</p> <p>On street parking will remain within the precinct.</p> <p>It is acknowledged that the State-owned land and properties around Glenferrie Station are in great need of renewal. Since 2020, Council has been strongly advocating to the State Government and their agencies (e.g. VicTrack) to address these issues. Although the State has been slow to respond to these issues, Council is</p>

Submission	Copy of submission text	Officer comment
		<p>continuing to actively work with these agencies and other precinct stakeholders to prepare for future improvements to benefit the Glenferrie precinct.</p> <p>Burwood Road continues to provide important vehicle access to the Glenferrie precinct. The recent green right turn arrows from Burwood Road into Glenferrie Road also facilitate vehicle access and improve the level of safety.</p>
107	<p>I do not want council to sell this land. We do not want or need more building.</p> <p>I need, Hawthorn needs, Australia needs more open space with many many trees and shrubs.</p> <p>Please keep this land for our future generations.</p>	<p>The precinct currently enjoys nearby access to open space. It is noted that the Property is within 300m to both Central Gardens and Glenferrie Oval. That said, Swinburne have stated that in addition to various educational uses, the Property would also include publicly accessible open space and pedestrian pathways to link to existing green corridors and active transport links.</p> <p>It is necessary for Council to transact property in order to best serve its community and deliver on its Community Plan vision.</p>
108 Late submission	<p>I am writing to appeal to you to retain Serpells Lane car park as Boroondara Council property. I believe the site is a valuable community commodity and selling the site to Swinburne University would be detrimental to the Glenferrie precinct. Council mentioned in its report that Serpells Lane car park was “underutilised”, however, I feel that this is mainly due to its lack of proper integration with near-by Glenferrie Station and surrounding pathways and shopping arcades.</p> <p>Here is a link to a short video showing a 3-D rendered vision for exactly how the car park could be better integrated into the surrounding transport and laneway hub. This design possibility would increase awareness of the car park and encourage more use by</p>	<p>It is necessary for Council to transact property in order to best serve its community and deliver on its Community Plan vision.</p> <p>The State Government is responsible for public transport as well as the provision of commuter parking. They have not identified the Serpells Lane car park as a site for a future transport hub. There are no short term parking bays in the Serpells Lane car park for pick up drop off purposes. Opportunities for train commuter pick up and drop off purposes exist within the precinct, including the short term parking bays on Glenferrie Road and the one hour spaces along Burwood Road.</p>

Submission	Copy of submission text	Officer comment
	<p>customers, traders and visitors to Glenferrie Road, and not merely a space frequented by Swinburne students and staff.</p> <p>There are several reasons why the site should not only remain a car park, but be modified to better integrate Glenferrie Station and surrounding lanes. This car park could perform a significant role in creating a highly functional transport hub, where passengers transfer from different modes of transport. It should be noted that the majority of our state's train stations have adjacent car parks for the purpose of designated pick up and drop off points, as well as commuter parking. Therefore, by selling Serpells Lane, you are depriving Glenferrie of this state-wide adopted service and reducing the functionality of the Glenferrie precinct.</p> <p>Furthermore, the installation of a secure bicycle port would undoubtedly ensure better utilisation of the space and update the car park's function towards a more integrated transport hub. In addition, installing charge ports for electric vehicles would encourage more community engagement with the space. I also propose that the car park could be a suitable new location for the controversial Glenferrie Road toilet block that currently sits beneath the rail bridge.</p> <p>It is my belief that the solution to the car park's 'underutilisation' is through its increased exposure and adaptation into a broader transport hub, not through the sale of the site to Swinburne University or anyone else.</p> <p>Please take a couple of minutes to view a short video envisaging the revival of Serpells Lane car park, integrating the site with the railway walkway and Glenferrie Station.</p>	<p>Bicycle parking is supported throughout the precinct and remains as a consideration with as a part of the Glenferrie Place Plan. The provision of "Parkiteer" secure bicycle parking at train stations is a State Government supported initiative. It is noted that the provision of car parking spaces for emerging electric vehicle charging points is a current consideration within the municipality. Charging stations are typically installed and managed by vendors in appropriate locations.</p> <p>The location of the toilet block will be addresses as part of the broader Glenferrie Road streetscape upgrade project. The streetscape concept design in the Place Plan indicates the toilet block will be moved away from its current location to enable an upgraded tram stop, however new potential location will require negotiations with adjoining landowners, including State agencies.</p> <p>In summary, the proposals presented in this submission which are largely towards a public transport hub are a matter for the State Government.</p> <p>Swinburne's proposal to develop the Property for educational, research, and associated purposes is unique and only something the university can deliver. This development will support broader economic benefit to the Glenferrie retail precinct through increased interaction from students and staff with local traders. Swinburne plays an important role in our municipality and arguably offers community benefit beyond that which a private development may create.</p>

Submission	Copy of submission text	Officer comment
109 Late submission	<p>I write in support of the Serpells Lane car park, being reserved for the use of the traders and their customers in particular.</p> <p>I understand the site has been offered for sale to the Swinburne University.</p> <p>While this might be financially attractive to Council, I do not have to remind you of the history of the site, and the contribution to it by the Traders over the years. Suffice to say the traders decades ago financially paid for some of the land.</p> <p>Secondly, car parking is becoming increasingly difficult for customers and traders alike, not only in the Hawthorn area generally but in all areas where strip shopping still exists.</p> <p>Sometimes there are other considerations in life more important than money, in this case the opportunity for the Council to support their small traders who are already struggling under increasing costs, and different shopping trends.</p> <p>I would like to submit, that Council do not sell the land but recognize the history and need of the site. That access to it and usage should be restricted to traders and their customers.</p> <p>This could be done with the appropriate signage to ensure it is not utilized by students and staff of Swinburne, and that it is consistently enforced by Council Officers for a period of time, to ensure it is not so used by Swinburne staff and students.</p> <p>I ask Council to reject the continuing consideration to sell the Serpells Lane car park.</p>	<p>The land comprising the Serpells Lane carpark was purchased by Council over time, with all but the laneway access to the site being acquired by Council between 1905-1938. The laneway access land was purchased in 1968 using separate funding provided by traders and is not proposed to be sold. The car park comprises a total of 2,908m² of which the adjoining laneway totals 286m² or 8.9% of the total site. Additionally, there are no parking spaces on the land acquired using trader funds. The traders are claiming they accrue rights through their separate scheme payments which concluded in 1982.</p> <p>Council's legal advice confirms the traders have no proprietary interest in the land and it would be difficult to successfully claim such rights exist. At most, the possibility of a public purpose trust arises which means that Council has no legal liability to traders but any risk is proposed to be mitigated by providing some additional parking in the vicinity. It is considered the offer by Swinburne to make an additional 37 spaces available for community use in its car park will mitigate any risk. Delivery of this outcome is best achieved by including the offer made by Swinburne in the proposed Section 173 Agreement.</p> <p>Although the new 3-hour ticket parking will discourage longer term parking by students and staff of Swinburne University, it is not possible to restrict the usage of the car park to traders and their customers only. While information signage could be installed, there is simply no way for enforcement to differentiate between different user groups. Parking permits cannot be issued to customers either and as such it does not solve this.</p> <p>Council will continue to support the precinct and local traders. The Glenferrie Place Plan will guide the future revitalising of the Glenferrie precinct through improvements to the public realm,</p>

Submission	Copy of submission text	Officer comment
		street greenery and community facilities. Swinburne's proposal will support broader economic benefit to the Glenferrie retail precinct through increased interaction from students and staff with local traders.



17 October 2023

City of Boroondara

via email: boroondara@boroondara.vic.gov.au

RE: Submission - Proposed Sale of Serpells Lane

Swinburne University of Technology (Swinburne) appreciates the opportunity to make a submission as part of the community engagement process to buy the Serpells Lane Car Park from Boroondara City Council (Council). Please kindly see Swinburne's submission attached.

Swinburne is committed to delivering a project that will provide a unique and compelling enhancement to the Glenferrie Precinct, enriching the local community and adding value to key stakeholders of the area. Any development of the site will ensure the property is integrated into the existing campus, providing space for valuable education, research, and associated purposes. The site will form part of a broader development of the campus that will consider enhancing continuous and enhanced pedestrian, cycling, and green links as well as improved integration within the Glenferrie business and retail precinct.

Swinburne appreciates the public concerns about parking availability in the Glenferrie Precinct. In line with the proposed Section 173 Agreement, Swinburne commits to:

- Retaining the additional 37 casual carpark spaces recently allocated in our multi deck carpark, taking the total number of casual car parks available to the public in this carpark to 593 spaces,
- Providing car parking for all new uses in accordance with the provisions of the Boroondara Planning Scheme, and
- Retaining car parking prices at modest levels, aligned to similar public car parks in the locality.

Swinburne also requests the following people attend the "Services Delegated Committee" meeting on 13 November 2023 to participate in discussions regarding community responses to the proposed sale:

- Professor Simon Ridings, Acting Vice Chancellor (sridings@swin.edu.au)
- Nancy Collins, Chief Operating Officer (ncollins@swin.edu.au)
- Peter Waite, Director Facilities, Assets and Campus Services (pwaite@swin.edu.au)
- Rhiannon Jones, Director Procurement, Sustainability & Property Services (rejonges@swin.edu.au)

We look forward to continuing to work with the Council to complete the sale process and developing the site to provide significant positive benefit to the local community, the Glenferrie business and retail precinct, and stakeholders.

Kind regards,

A handwritten signature in blue ink, appearing to read "Nancy Collins".

Nancy Collins
Chief Operating Officer
Swinburne University of Technology

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Swinburne University Submission

Compelling and unique offer to
purchase 399 Burwood Road,
Hawthorn

October 2023

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Summary

Swinburne University of Technology is excited to purchase the land at 399 Burwood Road, Hawthorn (the Property) from Boroondara City Council by private treaty.

As purchaser of the Property, Swinburne offers the Council a unique opportunity to extract optimal value for the Glenferrie precinct surrounds and stakeholders. The university plans to use the land for educational, research, and associated purposes, integrating into Swinburne's existing campus and complying with the requirements set out in the Section 173 Agreement.

Key features of the offer:

- Swinburne will realise the best use of the Property for the Council and the broader community.
- Swinburne will ensure the Property is integrated into its Hawthorn campus, allowing for continuing public access to open space and maintaining existing public pedestrian, cycling and green links.
- As a government agency, Swinburne as purchaser will ensure the Council minimises the time and cost to prepare the Property for sale while realising optimal commercial value from the Property.
- Swinburne appreciates the public concerns about parking availability in the Glenferrie Precinct. Swinburne will retain the additional 37 public casual carparks recently allocated in our multi deck carpark and provide car parking for all new uses in accordance with the provisions of the Boroondara Planning Scheme.



About Swinburne and the Hawthorn campus

Swinburne is in the top 1% of universities globally with an international reputation for quality research that connects science and technology with industry and the community. Swinburne has over 30,000 students enrolled worldwide and more than 2,800 staff. The Swinburne Alumni network is over 170,000.

As a dual-sector university of technology, Swinburne provides vocational programs (certificates & diplomas) through to undergraduate degrees and PhDs.



With a new strategic plan, Horizon 2025, Swinburne aspires to be a prototype of a new and different university – one that is truly of Technology, of Innovation and Entrepreneurship, and proud of it. The university is committed to a differentiated proposition in education and research so that: every Swinburne learner gets work experience; every Swinburne graduate gets a job; every Swinburne partner gets a tech solution; and Swinburne is the prototype of global best practice.

Swinburne was established in Hawthorn in 1908, growing and evolving to gain university status in 1992. Swinburne's Hawthorn campus is situated in the heart of the Glenferrie precinct, contained to a 370 metre by 300 metre core around Glenferrie Station bounded by Glenferrie Road, Park Street, William Street and Burwood Road. The total floor area of the Hawthorn Campus buildings is more than 180,000 m².

Swinburne is a crucial ingredient in the success of the iconic Glenferrie precinct. 20,000 students are enrolled at Hawthorn, with over 600 in residence, making it Swinburne's busiest campus. Students, staff, and visitors to the Hawthorn campus contribute to the precinct's vibrant street life, retail, and entertainment activities. The Glenferrie strip is the heart of many students' social activities and lifestyles.

Urban Design Framework

Council is already familiar with Swinburne's Urban Design Framework as the University has shared key elements of the UDF and conducted campus tours with interested Councillors and Council staff.

The UDF aims to deliver on Swinburne's Horizon 2025 vision of people and technology working together to build a better world. Key initiatives are:

- To build Swinburne as a prototype of a new and different university, one that is truly of Technology, of Innovation and of Entrepreneurship, and proud of it;
- Adoption of blended and digital learning across all levels of education supplemented by a well-designed, high-value on-campus experience;
- To respond to climate change by committing to becoming carbon neutral by 2025 while at the same time accommodating forecasted long-term population growth for the campus; and
- To further embed and strengthen reconciliation with First Nation people as detailed within Swinburne's Elevate Reconciliation Action Plan.

Urban Design Framework Principles

The guiding principles of the UDF aspire to achieve:

- 1) A diverse Precinct Experience
- 2) Integrated ESD – Green Connectivity
- 3) Connected Precinct
- 4) Strong Arrival and Entry
- 5) Active Edges to the Campus

The university has completed feasibility work in 2022 for upgrades to the public realm, a new campus heart, a late lab for students and a gateway at Glenferrie Station. Priority works continue this year on the campus heart, late lab and new indigenous learning circle in the northern square.

Discussions continue with the Council about closing Wakefield Street to through traffic so the street can be put to a higher purpose of green public open space.



A Unique offer

As Swinburne's student population grows, the university will need more spaces for various educational, research, and associated purposes. While a detailed assessment on the possible uses from any development is required, in line with the proposed S173 Agreement Swinburne commits to any development including:

- State-of-the-art classrooms, laboratories, and technology-based research facilities for undergraduate and higher degree students and local and visiting researchers, or/and
- Fit-for-purpose spaces for industry partners to work and collaborate with students and academics on campus.

And may also include:

- Student residences to cater for the growing demand for on-campus accommodation, including for students from regional areas and interstate, and/or
- Retail offerings for students, staff, and visitors.

Mixed-use buildings have worked well for Swinburne in the past. Several of Swinburne's buildings include easily accessible, high-use student spaces at lower levels and lower-use facilities such as offices and student residences above. Pictures to the right show examples of such buildings at the Hawthorn campus.

In addition to various educational uses, the Property would also include public open space and have a range of facilities such as car parking, end-of-trip facilities, publicly accessible open space and pedestrian pathways to link to existing green corridors and active transport links.

Following settlement of the property, Swinburne will undertake a detailed feasibility study guided by current opportunities for the university, Horizon 2025 and the guiding principles of the UDF. Any development will comply with the requirements of the Section 173 Agreement, including car parking and alignment with relevant Council plans and strategies. Refer next slide for carparking information.

Swinburne's proposal to develop the Property for educational, research, and associated purposes is unique and only something the university can deliver. This development will support broader economic benefit to the Glenferrie retail precinct through increased interaction from students and staff with local traders.



A better land use outcome for Council and the community

Should Swinburne not be successful with purchasing the Property, Swinburne’s research suggests that the land would likely be developed as residential apartments in private ownership only. The lack of a main road frontage limits the appeal of retail use, and there currently is ample office accommodation available in the area.

While apartments would provide much-needed accommodation, recent examples of private residential apartment developments in the area suggest the Property would only be available for private purposes with no public access to on-site parking, limited to no permeability through the Property and no public access to open space.

Swinburne would deliver a better education-focused outcome for the community than private apartments, an outcome that only Swinburne can deliver for the Property

Supporting cost-effective public car parking for the precinct

Swinburne appreciates the public concerns about parking availability in the Glenferrie Precinct.

In line with the proposed Section 173 Agreement, Swinburne commits to:

- Retaining the additional 37 casual carpark spaces recently allocated away from reserved staff carparking in our multi deck carpark, taking the total number of casual car parks available to the public in this carpark to 593 spaces.
- Providing car parking for all new uses in the Serpells Lane development in accordance with the provisions of the Boroondara Planning Scheme.
- Retaining car parking prices across campus at modest levels, aligned to similar public car parks in the locality.



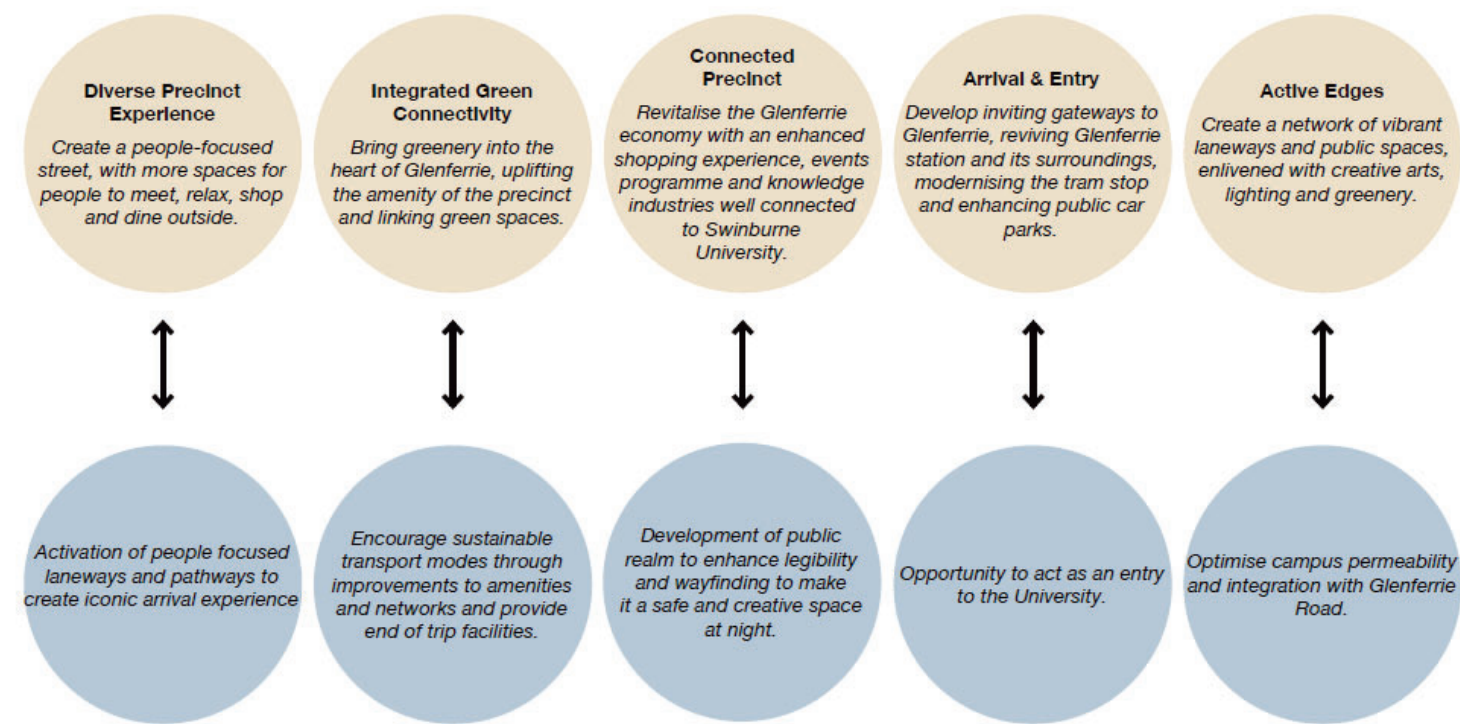
Car park price comparison:

<u>Swinburne:</u>	<u>Public:</u>
0-2 hours: \$4	1 hour: \$3.30-3.60
2-3 hours: \$5	Limit: 3 hours
Full day: \$10	Full day: \$6.50-\$12
Unlimited	

Best alignment with the vision for Glenferrie

Selling the Property for educational, research, and associated uses to Swinburne will best achieve the Council and community's vision for the Glenferrie Precinct

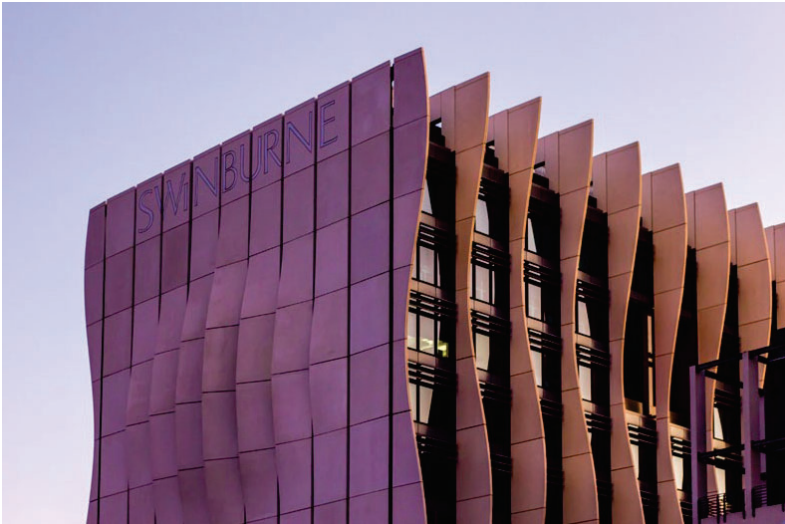
No other potential land use is more closely aligned with the 5 key principles of the Glenferrie Place Vision as illustrated in this graphic showing the alignment to the guiding principles of Swinburne's Urban Design Framework.



The high-quality integrated solution

Swinburne has a reputation for developing high-quality, integrated facilities that are site responsive. Swinburne is committed to achieving these standards for the Property. Examples of Swinburne’s high-quality, site-responsive developments include:

- The Junction: located in the Royal Arcade, the adaptive reuse of an old nightclub offers informal student and events spaces and retail offerings for the Swinburne and the broader community. It has turned an underutilised laneway adjacent to the Glenferrie Station into a lively, vibrant, safe and welcoming space.
- The iconic ATC and AMDC buildings. These architecturally significant buildings set the benchmark for the type of buildings Swinburne aspires to in the future. They speak to Swinburne’s vision of people and technology working together to build a better world. They also align with the objectives of the Innovation Spine theme of the draft Glenferrie Precinct Plan. They house a range of cutting-edge technology that students and researchers use for world-class research, along with spaces for teaching and learning.



Integrated land use

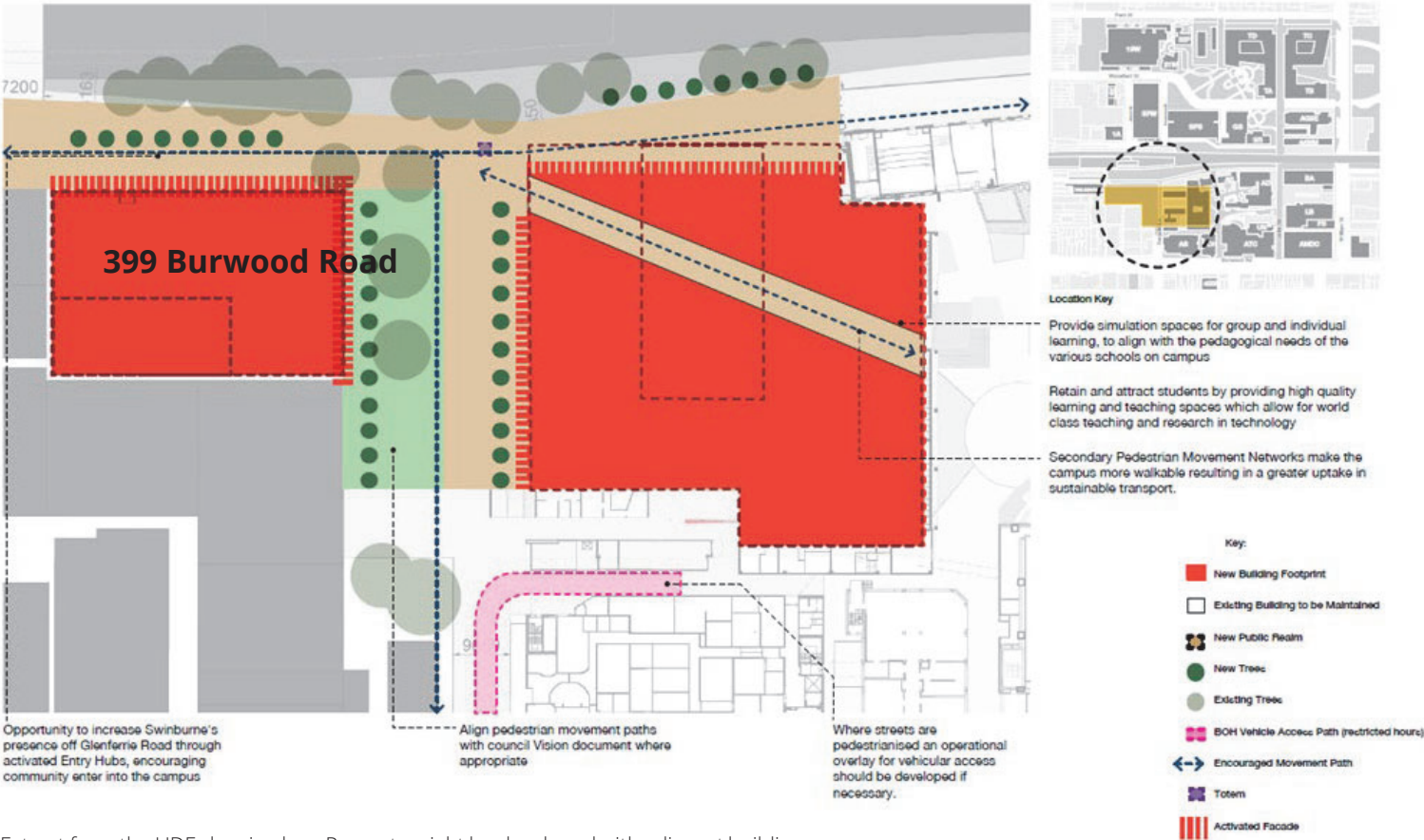
Swinburne will develop the Property with a clear objective of integration with the existing campus. The UDF prioritises purchasing land adjacent to the campus and divesting land more removed. Acquiring adjacent land and incorporating it into the campus has many benefits for the university and the broader community, including:

- It ensures the campus remains compact, keeping walking distance between Swinburne facilities, shops on Glenferrie Road and public transport nodes to a minimum.
- Helps to provide continuous and enhanced pedestrian, cycling and green links in and around the campus.
- Allows Swinburne to take a precinct approach to master planning the campus, allowing for clusters of complementary uses.

For the Property specifically, added benefits include:

- The Property will fill a missing link in the campus between the main campus, the Junction and the Glenferrie Station. The Property will allow Swinburne to achieve better campus integration and provide an active edge for the railway reserve pathway between Royal Arcade and the existing campus.
- Public access through and around the Property will be maintained.

Development Opportunities - New Developments Strategy
Building EW, SA & EN - Surrounding Public Realm

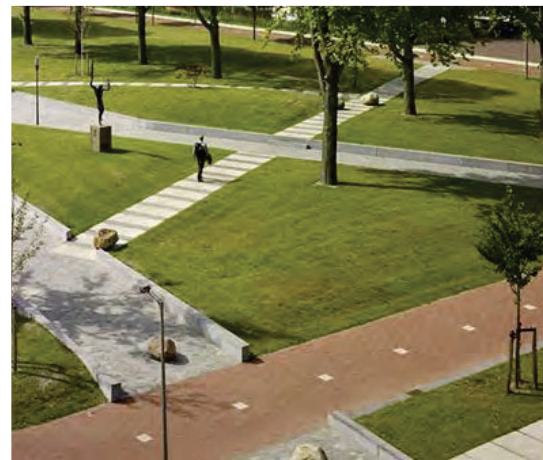


Extract from the UDF showing how Property might be developed with adjacent buildings



Reduce pressure on existing green open space

With the addition of the Property, Swinburne will be less reliant on existing open space to increase building floor area as the university population grows. Instead, Swinburne will be able to continue to enhance the existing open space for Swinburne and the broader community to enjoy.





Map Label	Title	Notes
A	1\TP377944W 6331/101	Land purchased in 1968 through trader special charge scheme
B	1/TP371183D 6262/319	
C	1/TP418986F 3362/247	Proposed to be sold to Swinburne
D	1/TP365258H 6261/119	Proposed to be sold to Swinburne
E	1/TP584361S 2475/947	Proposed to be sold to Swinburne
F	1/TP684954F 4042/269	Proposed to be sold to Swinburne
G	1/TP558676H 8962/969	Swinburne ROW
H		Carriageway Easement on Parcel C
J		Council ROW



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