

8.5 NOM NO. 16 - GLEN WAVERLEY CIVIC PRECINCT PROJECT

Submitting Councillor/s:	Cr Geoff Lake and Cr Nicky Luo
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MOTION

Having considered the public consultation feedback on the Glen Waverley Civic Precinct Project (Project) reported separately in this Agenda, Council:

1. Resolves to approve and progress the Project in line with this resolution.
2. Authorises the expenditure of the \$2.5m amount included in Council's 2023/24 budget and a further \$5.5m foreshadowed for the 2024/25 budget to complete the detailed design, construction drawings and tender documentation (Detailed Design), as a staged tender process.
3. Directs that the following matters be further considered by officers and the Glen Waverley Activity Centre Advisory Committee (Advisory Committee) during the Detailed Design stage:
 - a. Ensuring that the community events and meeting spaces to be designed are flexible and highly configurable multi-purpose spaces that can be used for a range of purposes including larger events, performances and smaller community group meetings.
 - b. Revisiting the design, form and architectural features of the building so that they are simplified and sympathetic to and sit harmoniously with the existing Harry Seidler designed Civic Centre building.
 - c. Opportunities for increased landscaping and greenery being incorporated into the design and areas immediately surrounding the site, including maximising opportunities for canopy trees and water sensitive urban design.
 - d. Any other opportunities to improve the design which are responsive to the community consultation feedback.
4. Directs that officers and the Advisory Committee identify value management opportunities within the current design with an aim of reducing the overall cost.
5. Reiterates its previous resolution that the cost of the Project will be solely funded from the proceeds of the sale of Council's land to the Suburban Rail Loop Authority and the sale of 281 Springvale Road Glen Waverley (Central Car Park).
6. Agrees to apply the Public Open Space contribution percentage rate to the sale price it achieves for the Central Car Park and allocates this amount to Council's public open space

Land Acquisition Reserve (or if such a reserve does not exist at the point of sale, to a reserve established for this purpose).

7. Agrees to allocate any surplus funds remaining from the total land sales after all Project costs (Library and Civic Precinct, delivery of the public plaza abutting the central carpark site and the widening of Railway Parade North and any other ancillary costs associated with the sale of the land or public works that are required) are to be directed to Council's open space Land Acquisition Reserve.
8. Directs the CEO or her delegate to commence the process to excise a lot of approximately 1,000sqm for retention by Council for development as a public plaza (Lot A) from the Central Car Park land comprised in certificate of title volume 11617 folio 563 (Land). For the purpose of this resolution the balance of the Land is described as Lot B.
9. Resolves to commence community engagement pursuant to section 114(2)(b) of the *Local Government Act 2020* (Vic) (the Act) for the sale of Lot B, by publishing a public notice describing the proposed sale (Proposal) as follows:
 - a. The sale will be by way of a public process;
 - b. The successful purchaser will be required to enter into a contract of sale requiring:
 - i. settlement to occur within the earlier of
90 days of the date of sale or
14 days from registration of Lot B;
 - ii. the registration on the title to Lot B of an agreement pursuant to section 173 of the *Planning and Environment Act 1987* (Vic) that includes the following obligations:
 1. to design, construct and maintain an active interface between any development of Lot B and the public plaza;
 2. to provide a footpath along the Railway Parade North frontage of the Land over which the purchaser can cantilever its development;
and
 3. the Land must remain as a public carpark managed by Council until such time as construction of any approved development on the Land is ready to commence.
10. Invites submissions on the Proposal for a period of at least 28 days from the date of publication of the public notice on Council's website in accordance with section 114(2)(a)(i) of the Act.
11. Notes Council's intention to combine approximately 500m² of Council-owned land currently used as footpath/nature strip areas along Railway Parade North, Kingsway and Coleman Parade with Lot A to create a larger public plaza area (approximately 1,500 sqm total).

12. **Authorises Council’s Chief Executive Officer or her delegate to undertake the administrative procedures necessary to enable Council to fulfil the requirements of section 114 of the Act and Council’s Community Engagement Policy in respect of the Proposal.**
13. **Appoints a Committee of Council comprising the Mayor and Glen Waverley Ward Councillors to hear any submitters requesting to be heard in support of their submissions, and to consider any submissions received, at a meeting to be held on a date and time to be determined by the CEO and to be held at the Monash City Council Civic Centre, 293 Springvale Road, Glen Waverley, or at such later date and time as the Chief Executive Officer may determine.**
14. **Following the meeting of the Committee, directs the Committee to provide a report to Council on its considerations, including whether any submissions were received and, if so, a summary of those submissions, and make a recommendation to Council on whether or not to proceed with the Proposal**

INTRODUCTION

The Glen Waverley Civic Precinct Project (**Project**) is a key part of Council’s transformation plan for the Glen Waverley Activity Centre (**GWAC**). The Project proposes to replace the current library and provide flexible community meeting spaces with additional office space.

The genesis of the Project was in 2013. While an earlier expression of interest process for a new library on the Central Car Park site in 2015-18 did not progress, it led to the formation in 2018 of this current proposal centred on the site of the existing library. This has culminated in a schematic design being placed before the Monash community for consultation over the past two months.

Further background about the Project is contained in the officer report and the notice of motion presented to the May Council meeting.

The purpose of this report is to provide a recommendation to Council on how to proceed with the Project following the outcome of the community consultation.

An officer report summarising the community consultation feedback received is separately provided from this notice of motion as part of this Council meeting agenda. That report should be read in conjunction with this notice of motion. The commentary included in this notice of motion attempts to discuss at a high level what we think Council should do in response to the consultation.

DISCUSSION

The first thing to note about the consultation is that it provides a strong basis for Council to proceed with the Project as proposed.

Council sent 75,000 letters to all Monash residents in July, inviting their feedback on the Proposal.

The feedback from the community was largely provided in two forms:

1. by an opt-in online survey which 612 people completed (**Opt-in Survey**); and
2. by a random telephone survey of 800 participants comprising 400 participants from Glen Waverley and 400 from the rest of the municipality (**Telephone Survey**).

Both the Opt-in Survey and the Telephone Survey resulted in most respondents supporting the Project.

While both surveys are important to consider, in our view Council should give more weight to the Telephone Survey results as this provides a statistically significant and accurate snapshot of the whole community's view of the Project. This is because the results of the Opt-in Survey have been unavoidably influenced by those who are motivated to respond to the invitation for feedback which is likely to include those who are the most supportive or most opposed to the Project. Whereas, the Telephone Survey, conducted as it was on a random basis, gives a representative picture of community sentiment across the whole of the community.

The Telephone Survey

The Telephone Survey was conducted between 20 to 26 July 2023 by JWS Research, a specialist community and market research company. The analysis of the survey results was weighted to allow for appropriate age/gender/location proportions across the municipality based on ABS data.

The maximum margin of error for the survey based on its 800 sample size and at a 95% confidence interval is +/- 3.5%.

Based on the Telephone Survey results, JWS Research reports that 'Support for the project is very high'. More than seven times the number of residents support the Project (76%) than oppose the Project (10%). This is well beyond our expectations of what we expected the support for the Project was going to be given some of the controversial aspects of the Project such as its size, the associated land sale and views beyond Glen Waverley residents. Interestingly, there was only a marginal difference in support between Glen Waverley residents (80%) and non-Glen Waverley residents (75%).

There was strong support for the community meeting spaces proposed for the Project with 85% of respondents indicating this was an important feature. Similarly, support was 'very high' for the office component (77%) with only 14% of residents opposing the office component.

The results show that most residents (65%) support the proposed funding basis for the Project (i.e. the proceeds from the SRL land and the sale of the Central Car Park) with only 19% opposed, 11% neither in support or opposed and 5% unsure.

The key issues raised in the consultation

Below is a summary of some of the key matters arising from the consultation that warrants consideration by Council in our view.

The scale and composition of the Project

Given the significant size and cost of the Project, it is logical to consider whether it should proceed as currently proposed or be scaled back.

In our view, if the Project were to be scaled back, this would be achieved by either removing the office component, the meeting spaces component or both components. We do not recommend such changes are made as the consultation results demonstrate strong support for these components.

In particular, the qualitative feedback provided to Question 3 in the Opt-in Survey is worth scanning. This question asked whether the Project could address any current community needs or gaps. Many responses to this question refer to the need for community meeting and performance spaces ranging from large to small spaces. In our view, this is a critical component of the Project. In line with this feedback, we think the focus must be on creating flexible and highly configurable spaces that can be used for various purposes and where these uses can change daily (or perhaps even during the day).

We have recommended that the proposed community meeting spaces be further considered during the detailed design phase, focusing on creating flexible meeting spaces rather than an auditorium. However, we think it continues to be important for the flexible spaces to provide for a performing arts space to be possible of at least a 300-person capacity and note that many respondents identified this as an important gap within Monash that needs to be addressed.

Consistent with the survey results, we also consider that the inclusion of the office component also makes logical sense. With the savings of over \$400,000 per annum in rent from the Council officers currently based in the IBIS building, this component will soon pay for itself.

The building design

Comments on the design in the Opt-in Survey ranged from being very supportive of the design to being strongly critical of it. Criticisms related to the appearance of the building, the treatment of the facade, its integration with the existing Civic Centre and its circular design being inefficient.

We are not surprised by the diversity of comment on the design. Building design is highly subjective and, like an artwork, opinions can be expected to strongly diverge.

The Project architects, ARM Architecture, are one of Australia's leading architecture firms. They were the architects for the Geelong Library, celebrated as a landmark Victorian public building.

In our view, the design of the proposed building is striking and will be a significant addition to Melbourne's eastern and south-eastern suburbs. We do not share the views of some respondents who labelled it grandiose or ill-conceived.

However, we are proposing in item 3(b) of the recommendation that as part of the detailed design process that will follow, further consideration is given by the architects to the design, form and architectural features of the building so that they are simplified and sympathetic to, and sit harmoniously with, the existing Civic Centre.

Landscaping and greenery

Several respondents to the Opt-in Survey raised concerns about insufficient landscaping and greenery associated with the building and in the area between the building and the Civic Centre.

We think these observations are well made, and we are proposing in item 3(c) that further opportunities for landscaping and greening of the building be considered during the detailed design stage.

Funding for the Project

While not everyone supported the proposed funding sources, most did. Those who opposed the funding sources did so mainly because (particularly residents in other parts of Monash from Glen Waverley) they believed that the proceeds from the Suburban Rail Loop's (SRL) acquisition of Council land should be spent across the whole municipality.

However, a strong feature of the survey responses was that people did not want to fund the project from rates (that is, from general Council funds) or from borrowings. Indeed, many respondents commented specifically on these funding sources being appropriate or ideal and that they should be spent on a significant major project rather than spread across general Council asset management projects.

The results of the Telephone Survey demonstrate that most residents (65%) support the proposed funding for the Project.

In line with the community feedback, we propose at item 5 of the recommendation that Council reiterate its previous commitment that the Project must not exceed the funds that Council will receive from the SRL and from the sale of the Central Car Park.

Based on confidential valuations obtained by Council, there can be confidence at this point that the estimated cost of the Project will be covered by these two funding sources and, indeed, there will be a significant surplus remaining that could be considered for other purposes in the future.

Additionally, since the cost estimates for the Project were made, Council's quantity surveyors have advised that the construction market has softened and if their estimates were done today, they would expect a reduction in the estimated costs of about 3 to 3.5%.

While we have confidence that the full scope of the Project can be realised well within the footprint provided by the SRL acquisition and the sale of the Central Car Park, we are proposing at item 4 of the recommendation that officers and the Advisory Committee identify further value management opportunities within the current design with an aim of reducing the overall cost further.

Central Car Park

As noted, one of the two key funding sources for the Project is the sale of the Central Car Park. Some respondents to the Opt-in Survey indicated that they did not want this land sold. Reasons for this included that people wanted it retained as a car park while some others wished for it to be converted to green open space in the future with the parking relocated to below ground.

It is impossible to entirely fund the Project (even in a scaled-down form) without including the sale of the Central Car Park to supplement the proceeds Council will receive from the sale of the land being acquired by the SRL. Therefore, we see this as a threshold question. If the Central Car Park is not included, the Project cannot proceed unless it is to be funded by borrowings or rates.

In our view, the sale of the Central Car Park is well justified. This land is an at-grade car park which Council acquired from the State Government in the mid-2000s with an express view to developing it for a community benefit. The Project presents that opportunity, and we cannot think of a better justification for selling the land to realise that community benefit.

In response to the preference of some respondents for the Central Car Park to be converted into a green space, unfortunately this is just not financially feasible. Not only would Council be unable to proceed with this Project, but it would incur costs in the tens of millions of dollars to replace the current car parking at basement level and then to create a park at ground level. In our view, this would not be an appropriate use for prime land in the activity centre. This land can add significantly to the Glen Waverley Activity Centre and its future should be as a developed parcel of land – not as an at-grade car park or as green space. It is also notable that the JWS Research report on the Telephone Survey records that residents of Glen Waverley ‘are significantly *less likely* to mention concerns about overdevelopment, preference for open space or choice of location, compared to other residents (4% and 17% respectively)’.

While we can understand that many people would have a general preference for retaining public land in Council ownership, as we do, we equally think that when a land sale is expressly tied to creating a significant community outcome, this is when a sale can be justified. In our view, the Project represents a significant net community benefit that justifies the sale of the Central Car Park.

Accordingly, if Council supports the Project proceeding, we have included items 6-12 of the recommendation to commence the sale process for the Central Car Park. As part of this, we recommend that a portion of the land (approximately 1,000 m²) be retained by Council to establish a new public plaza in the heart of Kingsway of at least 1,500 m². This is the same size as the public plaza that Council was considering as part of the expression of interest process which culminated in 2018.

We have no hesitation in recommending that Council proceed with the sale of the Central Car Park. It enables the Project and, in turn, the Project justifies its sale. Significant net community benefit will accrue. Based on a recent car parking study prepared by Traffix Group in September for the Glen Waverley Activity Centre, we feel further fortified in that view. Traffix advises that the removal of the Central Car Park ‘is entirely consistent with good planning practice and the Glen Waverley Structure Plan’ and there are several options available to Council to effectively manage parking demand in the activity centre in the future. Traffix highlights in its report that the centre is too car-focused and lacks pedestrian space, pedestrian priority and pedestrian amenity within the Glen Waverley Activity Centre.

Car parking

Many of the respondents to the Opt-in Survey raised concerns about car parking in Glen Waverley and the potential loss of spaces because of the Project.

To allay those concerns, it is important to make clear that Council's plans for car parking in the activity centre will provide for a significant net increase of spaces in the activity centre from the situation existing immediately prior to the recent closure of the Bogong Avenue multideck car park (to begin construction on its expansion).

Based on the extra car parking now under construction at Bogong and discussions between SRL and Council for a car park of a further 390 car spaces to be built, there will be a net gain of 241 car spaces in the activity centre from what previously existed even after allowing for the loss of the 257 spaces at the Central Car Park and 99 kerbside parks along to be removed as part of Council's long term plans to widen the Kingsway footpaths as part of the Kingsway transformation project.

Other suggestions and feedback

Significant detail is provided in the community feedback, and this broad report cannot possibly respond to all that feedback.

We have included item 3(d) in our recommendation to Council that further opportunities are considered during the detailed design stage to improve the design in ways that are responsive to the community consultation feedback.

We expect the architects and others to carefully review all the community consultation and consider further design enhancements that are responsive to some of the feedback provided.

CONCLUSION

The consultation conducted by Council in respect of the Project was comprehensive. All residents received a letter and information pack asking for their feedback about the Project. We appreciate the efforts of each person who responded with their feedback.

In addition, the random Telephone Survey provides a statistically relevant snapshot of community opinion about the Proposal.

As discussed above, the consultation results strongly support Council proceeding with the Project in its current form and for the Project not to be scaled back.

Based on these results, we recommend that Council proceed with the Project by authorising the detailed design work over the next 18 months. We also recommend progressing the sale of the Central Car Park.

ATTACHMENT LIST

1. Officers Response to NOM [8.5.1 - 5 pages]

OFFICERS REPORT

GLEN WAVERLEY CIVIC PRECINCT PROJECT

Submitting Councillors: Cr Geoff Lake & Cr Nicky Luo

MOTION

Having considered the public consultation feedback on the Glen Waverley Civic Precinct Project (**Project**) reported separately in this Agenda, Council:

1. Resolves to approve and progress the Project in line with this resolution.
2. Authorises the expenditure of the \$2.5m amount included in Council's 2023/24 budget and a further \$5.5m foreshadowed for the 2024/25 budget to complete the detailed design, construction drawings and tender documentation (**Detailed Design**), as a staged tender process.
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 - a. Ensuring that the community events and meeting spaces to be designed are flexible and highly configurable multi-purpose spaces that can be used for a range of purposes including larger events, performances and smaller community group meetings.
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 - c. Opportunities for increased landscaping and greenery being incorporated into the design and areas immediately surrounding the site, including maximising opportunities for canopy trees and water sensitive urban design.
 - d. Any other opportunities to improve the design which are responsive to the community consultation feedback.
4. Directs that officers and the Advisory Committee identify value management opportunities within the current design with an aim of reducing the overall cost.
5. Reiterates its previous resolution that the cost of the Project will be solely funded from the proceeds of the sale of Council's land to the Suburban Rail Loop Authority and the sale of 281 Springvale Road Glen Waverley (**Central Car Park**).

6. Agrees to apply the **Public Open Space contribution percentage rate** to the sale price it achieves for the Central Car Park and allocates this amount to Council's public open space Land Acquisition Reserve (or if such a reserve does not exist at the point of sale, to a reserve established for this purpose).
7. Agrees to allocate any surplus funds remaining from the total land sales after all Project costs (Library and Civic Precinct, delivery of the public plaza abutting the central carpark_site and the widening of Railway Parade North and any other ancillary costs associated with the sale of the land or public works that are required) are to be directed to Council's open space Land Acquisition Reserve.
8. Directs the CEO or her delegate to commence the process to excise a lot of approximately 1,000sqm for retention by Council for development as a public plaza (**Lot A**) from the Central Car Park land comprised in certificate of title volume 11617 folio 563 (**Land**). For the purpose of this resolution the balance of the Land is described as **Lot B**.
9. Resolves to commence community engagement pursuant to section 114(2)(b) of the *Local Government Act 2020* (Vic) (**the Act**) for the sale of Lot B, by publishing a public notice describing the proposed sale (**Proposal**) as follows:
 - a. The sale will be by way of a public process;
 - b. The successful purchaser will be required to enter into a contract of sale requiring:
 - i. settlement to occur within the earlier of
90 days of the date of sale or
14 days from registration of Lot B;
 - ii. the registration on the title to Lot B of an agreement pursuant to section 173 of the *Planning and Environment Act 1987* (Vic) that includes the following obligations:
 1. to design, construct and maintain an active interface between any development of Lot B and the public plaza;
 2. to provide a footpath along the Railway Parade North frontage of the Land over which the purchaser can cantilever its development; and
 3. the Land must remain as a public carpark managed by Council until such time as construction of any approved development on the Land is ready to commence.
10. Invites submissions on the Proposal for a period of at least 28 days from the date of publication of the public notice on Council's website in accordance with section 114(2)(a)(i) of the Act.
11. Notes Council's intention to combine approximately 500m² of Council-owned land currently used as footpath/nature strip areas along Railway Parade North, Kingsway and Coleman Parade with Lot A to create a larger public plaza area (approximately 1,500 sqm total).
12. Authorises Council's Chief Executive Officer or her delegate to undertake the administrative procedures necessary to enable Council to fulfil the requirements of section 114 of the Act and Council's Community Engagement Policy in respect of the Proposal.

13. Appoints a Committee of Council comprising the Mayor and Glen Waverley Ward Councillors to hear any submitters requesting to be heard in support of their submissions, and to consider any submissions received, at a meeting to be held on a date and time to be determined by the CEO and to be held at the Monash City Council Civic Centre, 293 Springvale Road, Glen Waverley, or at such later date and time as the Chief Executive Officer may determine.
14. Following the meeting of the Committee, directs the Committee to provide a report to Council on its considerations, including whether any submissions were received and, if so, a summary of those submissions, and make a recommendation to Council on whether or not to proceed with the Proposal

BUDGET IMPLICATIONS

A budget has been allocated towards the next stage of this Project and is pending a Council decision on whether to proceed or not.

IMPACT ON INTERNAL RESOURCES

The Project can continue to be managed with existing resources, and the use of external expertise and consultants.

COUNCIL PLAN AND COUNCIL POLICIES

The Notice of Motion relates to a number of Council plans and policies. A summary is below:

Plan / Strategy	Theme	Goals/Objectives
Community Vision 2021	Services in my neighbourhood	Prioritise assets which support community relationships, promote regeneration, are convenient, and are accessible...".
Council Plan – 2021-2025	Enhanced Places	Improve public spaces and local employment by revitalising our employment hubs, activity centres and neighbourhood shops.
Council Plan 2017-2021	Inviting Open and Urban Spaces	We want our Civic Centre to celebrate the vitality and diversity of our city by optimising the capacity for passive and active interactions between internal and external spaces.

Plan / Strategy	Theme	Goals/Objectives
Healthy & Resilient Integrated plan	Monash Engaged, confident and connected community	The Glen Waverley library is a place for enquiry, reflection, discovery and participation that fosters social connections and supports lifelong learning.
Monash public library service strategy	Libraries as community living rooms	Development of a contemporary library building will optimise community participation, allowing residents to pursue and share literacy and creative interests.
Glen Waverley Structure Plan	To provide community, civic and cultural facilities and services that cater to the needs of existing and future populations	Support the re-use of the existing library for Council administrative services and meeting rooms when a new facility is developed.

RELEVANCE TO INTERNAL WORK ALREADY UNDERTAKEN BY OFFICERS OR COMMITTEES

Council has undertaken a schematic design on this project. Consultation on the schematic design has been completed and the detailed design is the next stage of the Project should Council resolve to proceed with the Project.

FURTHER CONSIDERATIONS

Outcome of community engagement

A separate report is being presented to Council on 26 September 2023 on the outcome of the community consultation on the schematic design of the project.

The Sale Process

The excising of the land required for the plaza area makes for a cleaner land sale with less negotiation required for the final outcome of the design and construction of a plaza. It remains open to a future land owner to approach Council to explore the opportunity for any development over or under the plaza area, should that be required and Council would consider this should it arise.

The sale process will be determined at a later date, with advice from Council's lawyers and other consultants/ professionals engaged to advise Council on the best process to dispose of the land should Council resolve to do so. Typically a sale of this size and scale is completed through an EOI campaign that culminates in offers being provided (usually via an agent) with the ability for the vendor to then negotiate with shortlisted proponents.

Council would have no control over when the land is developed or the timing of any planning approvals being sought. Once sold, the land could remain undeveloped until the land owner was ready to construct on the site. However, the proposed contract of sale terms would require the Land must remain as a public carpark managed by Council until such time as construction of any approved development on the Land is ready to commence.

Opportunity also exists for Council to consider a sale conditional on planning approval (and therefore a deferred settlement) which would give time and certainty to the buyer and potentially a financial upside (resulting from any planning outcome) to Council. Even under this opportunity however, Council could do to compel any development to commence until a land owner was ready to do so.

There is no requirement for Council to set aside or pay an open space contribution on land that it sells, but it is open for Council to allocate this money in this way if it chooses, and officers recommend that any such allocation occur only after all costs are met for both the Glen Waverley Civic Precinct Project if it to proceed and surrounding the central carpark site if it to be sold.