

# **WRITTEN STATEMENTS**

**18 May 2021**

**COUNCIL**

**MEETING**

**Item 10.1 Proposed Annual Budget 2021-22** (page 3)

1. Mr George Reynolds

**Item 10.4 Bayside Amendment c177bays – Heritage Precinct at Service Street, Hampton** (page 5)

1. Mrs Marianne Margin

**Item 10.6 Response to Notice of Motion – 307 – Landcox Park Lake** (page 8)

1. Ms Sally Eldridge (on behalf of Friends of Native Wildlife Inc.)

**Item 10.7 Bayside Local Recovery Program (BLERP)** (page 11)

1. Mr Stephen Edmunds
2. Mr Trevor Allright (on behalf of Concourse Traders Association)
3. Mr Erik Purcell (on behalf of Sidebar)
4. Mrs Vicki Degrenis (on behalf of Ammos Greek Tavern)
5. Mr Andrew Watson (on behalf of the Hobsons Stores)

**Item 10.1**  
**Proposed Annual Budget**  
**2021-22**

## 1. Mr George Reynolds

*(\*redacted in part in accordance with Division 14, Section 83 (1) of Council's Governance Rules).*

The 2021-22 Budget, submitted as an attachment to the report, is not fit for purpose. It contains budget financial statements based on the aggregation of income and expenditure items from four different functions and two different natures.

While the form of the document may be sanctioned by the current version of the Local Government Financial Report (LGMFR), it conflicts with the overriding requirement of Commonwealth Law, the Australian Accounting Standards.

In the guide to the LGMFR, published in 2014, there is a clear direction that the AAS must be followed in preference to the LGMFR.

The AAS, at aasb 101.29 requires that the financial statements for each management function must be presented separately.

AASB 101.29 also requires that capital statements must be separate to operating statements.

THE FINANCIAL REPORT PRESENTED, BUNDLES UP FOUR DIFFERENT FUNCTIONS, MIXES CAPITAL AND OPERATING ACTIVITIES, AND NAMES IT THE COMPREHENSIVE INCOME STATEMENT. THIS IS A [REDACTED] DOCUMENT.

Proper estimation of the General Rate requires that the budget must be prepared in the manner set out in Part 3, particularly s8 (5)(c), of Reg.117/2020

Likewise, proper estimation of the Municipal Charge must be calculated in the manner of s8 (5)(j) of the Regulation.

Proper estimation of the Waste Service Charge must be calculated in the manner initiated by s8(5)(m). Reg. 117/2020.

An important feature of rates and charges is that they are non-voluntary contributions which are to be held in trust until correctly expended and cannot be aggregated with Council income. In Sch.3 of Reg. 117/2020 Council income from its business activities is defined as Own-source Revenue. and is treated separately to rate revenue.

In February 2021 Council resolved to adopt the Community and Stakeholder Engagement Policy.

The Policy Statement, at Principle 2, shows: Participants in community engagement must have access to objective, relevant and timely information to inform their participation.

The resolution before you launches a deliberative engagement process which requires stakeholder access to correctly prepared accounting statements. The supporting documents presented are not fit for purpose. They cannot be seen to meet the policy requirement of objective information.

Councillors, a correctly prepared series of four separate financial statements must be published before a valid deliberative engagement process may be commenced.

**Item 10.4**

**Bayside Amendment c177bays  
– Heritage Precinct at  
Service Street, Hampton**

## 1. Mrs Marianne Margin

Dear Councillors and Gallery,

I didn't want to come tonight and I didn't want to speak, but I feel obliged.

I understand why you have had to abandon this Amendment C177 and cannot argue the decision, but I am compelled to say a few words in the hope that you will act collectively, decisively and as soon as possible to arrest the damage being wrought on our community by poor planning decisions of the past.

More than two years ago we learned that 4 adjacent homes in our street had been sold to one developer and that evidently, something huge was going to be proposed. Naturally we were worried but were told that Council could not discuss the question until there was an actual Planning Application to consider. What we failed to understand then, but we are painfully aware of today is that once there is an actual Planning Application, it is impossible to stop the build on heritage grounds if the buildings do not already have protections in place. We still cannot believe that it is okay to buy 4, such high-quality homes and destroy them. I can see the logic in what the Planning Minister says about not being able to change the planning scheme after a property has been bought and a developer has made their plans, because this is an unfair manipulation of the process HOWEVER...

Hampton has very few protected places and even fewer precincts. Most residents have no idea about this until they see their own street begin to fall to the developers. The Major Activity Centre boundaries have been drawn to include areas containing some of Hampton's loveliest, oldest, streets where many of our best homes and gardens are. What a disaster. Cell by cell, the streets of our neighbourhood are falling to the cancer of oversized apartment blocks which have virtually no gardens and no room for substantial trees. They dominate the suburban houses around, blocking light and overlooking, depriving existing residents of amenity, privacy and peace. The builds go on and on and on. In the case of Service Street, four classic, quality homes are falling to the bulldozer, in spite of Planning recommendations that good-quality housing stock, away from the spine, should be retained. Perhaps VCAT will rule against the current Planning Application, perhaps not, in any case, these homes are gone, something else will have to come eventually and our street is, in my view, ruined. Once one monster arrives in the street the integrity of the Neighbourhood Character is compromised and then everything else around is up for grabs as well.

The owners of new apartments will be attracted to living in my street, looking down onto my lovely Heritage home and those next to me and our carefully kept gardens. I will not enjoy looking up into their massive plate glass windows and rooftop swimming pool, barely screened by a few small, miserable trees or low hedges which will never grow big enough to screen out the bulk of the 12 meter high, 36 apartments opposite my gate.

Brighton has many precincts. It's amazing and disappointing when you compare the maps how undervalued Hampton has been and this no doubt this goes back to decisions by Councillors over the past 3-4 decades. What to do now?

When residents approach Council Planners as they have done recently, pro-actively seeking to protect homes and precincts before the developers snatch up good, viable housing stock, for goodness sake do something! Take every opportunity to save our beautiful old homes and streets before we are in a situation where there are just a few left, surrounded on all sides by three storey blocks with swimming pools on the roofs.

The Planning Minister has apparently no interest in saving the character of the suburbs of Melbourne. I have learned that in every suburb there is a veritable war going on over the same issues. We need the City of Bayside to work tirelessly to make sure we protect the best of what we have whilst also find solutions to fit new housing in.

Look back the Heritage Studies of the past, like the Andrew Ward and Associates Study of 1989, and build on this with your new studies to get protections in place. Solicit the support of residents and don't take no for an answer from the State Government when you apply for protections. Place limits on how many blocks can be consolidated in a suburban street so that the alarmingly big projects are restricted to larger properties on main roads. Set limits on the size of the building footprint for the same reason. Give residents, developers and VCAT clearer, unequivocal boundaries so that we don't all end up in disputes every time there is another proposal. These processes are expensive, exhausting, demoralising and distressing.

Many Councillors campaigned last year on a platform of protecting the amenity of residents and preventing over-development. You're here now, so get on with it. Review the areas where developments like these *can* take place, like on major roads and in specific pockets, but without destroying the soul of our neighbourhood streets. Allow smaller-scale replacement of poor quality, dilapidated housing stock to continue, resulting in steady renewal in residential streets. This way, we should achieve incremental change, not the overwhelming growth we are having to absorb at the moment. If you can't see that rate-payers have had enough, you have your eyes and ears firmly shut.

For our one campaign we gained 99 objections to the first Planning application to Council. 1649 people signed my petition to have Minister Wynne apply Interim Heritage protection to the four houses in question. Over 100 people have exhibited signs on their fences in Hampton to Stop the major development proposal in Service Street and save the existing houses. 119 people supported the C177 Amendment to protect these houses, which you are about to abort tonight. Many hundreds of people writing letters and emails, talking, worrying, donating time and money, doing whatever they can. And that is only one of many, many campaigns I know.

I didn't want to come tonight, but I am here to remind you that you work for them, and for me and what we want is for you to stop allowing people whose only interest is in making money from decimating our neighbourhood. We loved those homes, their history and what they contributed to our suburb. They have no interest in our past or our future, only in how much they can make off our streets in the next year, and then they are gone. And so, by the way, is our home.

**Item 10.6**

**Response to Notice of Motion – 307 –  
Landcox Park Lake**



## 1. Ms Sally Eldridge (on behalf of Friends of Native Wildlife Inc.)

Bayside City Council

Dear Councillors,

### **RE: WRITTEN STATEMENT TO ORDINARY MEETING 18TH MAY 2021 - AGENDA ITEM 10.6 RESPONSE TO NOTICE OF MOTION - 307 - LANDCOX PARK LAKE**

Friends of Native Wildlife Inc. (FoNW) welcome Council giving attention to the healthy functioning of Bayside's waterbodies. FoNW generally supports the recommendations of the report at Item 10.6 with some minor refinements.

#### **Specific Comments on the Officer Report's Recommendations**

##### Re: Recommendation No.3

Tulip Street pond is currently the most important water body for frogs in Bayside. The recent introduction of some Carp in the pond has devastated the frog population. Therefore, Carp should be "removed" from Tulip Street Pond rather than "reduced" so that frogs can re-colonise this usually high-quality habitat. It only takes one or two Carp to have devastating effects in this pond.

Carp needs removal at Landcox Lake Park also, however, this would be of lower urgency and priority than Tulip Street. We note that with improved management, the Lake could possibly become frog habitat also. Such management would need to include removal of Mosquito Fish as they eat a range of native aquatic species including frogs.

##### Re: Expertise of Consultant(s) To Be Engaged

We agree that consultant expertise will be required to prepare a management plan. The final paragraph of the report (p.313) does not accurately reflect the tasks required of the consultancy, however. The paragraph simply mentions "assess the existing ecological conditions" which is insufficient.

As the key issue is water quality, it is imperative that not only is freshwater ecology expertise involved but also water quality specialist expertise to assess the water quality and with engineers, to provide workable long-term solutions.

##### Terms Used

We understand that as human-made waterbodies, these lakes and ponds are technically termed "ornamental". As these water bodies are existing or potential havens for flora and fauna and this term often implies something with simply visual qualities, we would suggest adding some wording such as "Biodiverse Ornamental Lake Management Plan" to highlight the long-term goal stated in the report "*The long-term goal for all water bodies in Bayside should be to contribute towards improving biodiversity opportunities for aquatic flora and fauna.*" (p.313).

#### **Other Comments**

We look forward to Council's further investigation and resolution of the water quality issues of Bayside's lakes and ponds. We expect that the high-quality reports undertaken for the Elsternwick

Park Nature Reserve will be of some assistance in relation to the topics of biodiversity and human interaction with nature. The Royal Park wetlands may also be a relevant case study for natural flows and planting.

We would be pleased to be involved during the management plan development process.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Sally Eldridge', written in a cursive style.

Sally Eldridge

On behalf of Friends of Native Wildlife Inc.

**Item 10.7**

**Bayside Local Recovery Program  
(BLERP)**

## 1. Mr Stephen Edmunds

### Beaumaris Concourse – The Concourse Green

One of the greatest local successes to come from COVID-19 recovery schemes has been the temporary marque structure in the Concourse Green combined with the dozen picnic tables beneath.

Since it's assembly, the temporary structure has attracted continuous use from shoppers, diners, readers, trader staff and others that proves a permanent structure was always warranted. I've not heard a bad thing said of it and it's great to now see the area's use more optimised.

In planning the Concourse redevelopment project that was completed in 2017, the original concept plans included a permanent structure, seating and paths in the Green similar to the temporary structure now in place. The permanent structure failed to materialise due to lobbying by people more interested in the grass than the local people.

I now ask that construction of a permanent structure in the Green be put back on the agenda.

On the Councils "Projects" website page I note that there are no current projects listed for the Beaumaris Concourse, frankly, every shopping precinct should always have a project of some sort running so as the shopping regions are constantly refreshed. I feel the Concourse often goes "missing in action" and I want to see that changed.

The Honourable Mr Brad Rowswell MP has stated his support for the project (and the Concourse Traders overwhelmingly support the concept. We now need the support financially and technically to get something better built.

I would be pleased to hear from you as to how and when such a project might be added to the Councils priority projects list.

Yours faithfully

A handwritten signature in black ink, appearing to read 'Stephen Edmunds', written in a cursive style.

Stephen Edmunds

## **2. Mr Trevor Allright (on behalf of Concourse Traders Association)**

Council Members,

My name is Trevor Allwright, I am a long standing Concourse member of over 15 years and the current Concourse Traders Association President. I am writing this email regarding a review of the marquee structure on the Concourse green to become a permanent structure. The current structure was a great initiative by Council for Covid safe practices and has been well used and utilized by both the general public and the staff working in the Concourse.

I have been closely watching how well the current marquee has been used over the time it has been in place, I see people using it everyday, for having a coffee or bite to eat, catching up with friends, staff having their lunch breaks, takeaway dinners in the evening, meeting place for cyclist and I have even seen it decorated with balloons with a group having a party.

After asking both customer opinions and Concourse members opinions I have not had one person give a negative comment on the structure. The structure has been so well received myself and the Traders believe that a permanent structure would be an asset to the Concourse Shopping district.

To my understanding there was originally plans to have a undercover structure of some description in the Concourse Green to be put in with the beautification works done in 2019, but they were dismissed and overturned towards the end of final decisions before work commenced. To my knowledge myself and the other traders were under the impression that everything was going as planned and the general public was happy with the original plans.

I know that there is a council briefing tonight and would love if you can address this topic during the meeting, as this has the Concourse Traders Association and Brad Rosewell's support behind it. If you would like myself and the trader are happy to gather signatures from local shoppers, general public, business owners and staff to prove to Council that a permanent outdoor structure in the Concourse Green would be a a great addition and benefit to the Concourse and the bayside area.

Sincerely

Trevor Allwright  
Concourse Traders Association President

### **3. Mr Erik Purcell (on behalf of Sidebar)**

Dear All,

Firstly, I would like to commend Bayside Council for supporting its local traders in response to COVID-19.

I would also like to thank the Economic Development Team and their efforts in assisting businesses transition to COVID safe trading.

As someone who both runs a business and lives in Sandringham Village, the transformation I have witnessed these past six months has been astounding.

The initiative to transform a number of existing car parks in Melrose Street into increased useable outdoor dining space has been paramount to the recovery of my business.

This initiative led to Sidebar being listed in the GoodFood Guide in the Age. Sidebar was listed as one of the 16 exciting places to experience outdoor Alfresco Dining in Melbourne.

<https://www.goodfood.com.au/eat-out/news/garden-state-16-exciting-places-to-eat-al-fresco-in-melbourne-20201028-h1rql1>

Further to this, the community response in Sandringham has been resoundingly positive and there is a strong desire for the “Spacelets” and the extended footpath trading to remain year round.

As people have come back to dining they feel more comfortable in an outdoor setting and this has continued even with the change to cooler weather.

The Spacelets associated with Sidebar continue to be well used by Sidebar and neighbouring businesses.

It is my position that the extended outdoor trading area and “Spacelets” has made Sandringham Village a destination for people to visit.

I also believe that businesses in the Village have experienced increased trade as a result of increased foot traffic in Sandringham Village with more people experiencing the food and beverage offerings in Sandringham Village.

I strongly support Councils proposal to:

Continue with the Spacelets in Activity Centres until 30 August 2021 to promote and encourage Alfresco Dining.

Give further consideration as to how the Spacelets can continue as seasonal or permanent structures as a part of its review of footpath trading guidelines.

Kind regards.

Erik Purcell  
Director

SIDEBAR

#### **4. Mrs Vicki Degrenis (on behalf of Ammos Greek Tavern)**

##### EXTENDED FOOTHPATHS & PARKLETS

We wish to express our views in regards to the future of the parklets situated in Melrose St, Sandringham.

We will be strongly advocating for these to become a permanent fixture and would like them to remain.

The parklets have been an outstanding success for Sandy Village in more ways than just to the immediate hospitality venues where they are situated, such as:

A: a destination point for locals, immediate surrounding suburbs as well as tourists and outer Melbourne suburbs heading to the beach in Summer.

B: increased pedestrian activity in Melrose St and attracting potential customers to nearby businesses

C: accommodate the unmet demand for public space

D: social and economic benefits for surrounding business adapting to hyperlocal needs.

Having spoken with hundreds of our patrons and local residents, they excitedly embraced and thoroughly enjoyed this new experience in the village.

All of this outweighs any concern for lost parking space and the public have adapted quite quickly.

Please keep us informed of future meetings or discussions in relation to the parklets.

Yours sincerely  
Ammos Greek Tavern

## 5. Mr Andrew Watson (on behalf of the Hobsons Stores)

Attention :Sandringham Traders Committee

I am writing to express my view in regard to the parklets in Melrose Street.

Although we have taken 3 car parks outside our premise, we have provided 5 tables with a seating capacity of 30 patrons and incorporated red line area within the perimeter.

Although our street has and always will be weather orientated the success of providing this dining area has been enormous on our recovery from COVID19.

The locals and patrons from outside Bayside have been impressed with the "feeling" of the area which has really put the village on the map as a destination to come and visit.

Many were also impressed how quickly our Council adapted in putting up this area and the rest thru the village and also around the rest of Bayside.

I have been canvassing our patrons in the last month in regard to the longevity of this change and the response had been of overwhelming support to continue with such an area, although we have a reduction in parking in our street.

I believe we should retain this concept for the Village for the next 12 months and work on solving the parking issues enabling a long-term solution for parking and a long-term continuation of "Alfresco Street dining" in our village.

I have suggested that the Bayside Council may provide a "traders park permit " (Monday - Friday) for the foreshore for traders and their staff so they have the ability to park on the foreshore area. (Some are not residents and don't have the foreshore permit)

This would in turn then free up the parking behind Melrose Street, allowing retail customers to park.

Although this is only one idea, I believe we have not exhausted opportunities to solve the parking issues.

As the area becomes more populated and our area is a main commercial activity centre, we need to look forward, the expectations of having a car spot directly outside our business has limitations.

with best regards

Andrew Watson

The Hobsons Stores