

# Council Meeting

Council Chamber  
Civic Centre  
Boxshall Street Brighton

Tuesday  
21 November 2023  
at 6.30pm



# Agenda

**Chair:** Cr Fiona Stitfold (Mayor)

**Councillors:** Cr Sonia Castelli  
Cr Alex del Porto (Deputy Mayor)  
Cr Hanna El Mouallem  
Cr Laurence Evans OAM  
Cr Clarke Martin  
Cr Jo Samuel-King

### **Membership and Quorum**

Bayside City Council consists of 7 Councillors. The quorum for a Council meeting is a majority of Councillors (4).

### **Notice**

**There is a limit of 10 speakers per eligible Agenda items (5 speakers ‘for’ and 5 ‘against’ the recommendation)** in accordance with Council's Governance Rules.

Members of the community may also lodge a written statement for consideration (no limits per item).

### **[Requests to be heard \(Request to Speak / Lodge a Written Statement\)](#)**

Council also allocates 15 minutes at the start of each monthly Council Meeting for response to public questions.

### **[Ask a question at a Council Meeting](#)**

*\*Requests to be Heard and Public Questions must be submitted by 9am on the business day before the meeting.*

Meetings are live-streamed via Council's website:

### **[Live-stream the Council meeting](#)**

For further information, please speak with the Governance office on 9599 4444.

**Order of Business**

- 1. Prayer
- 2. Acknowledgement of Country
- 3. Apologies
- 4. Disclosure of any Conflict of Interest of any Councillor
- 5. Adoption and Confirmation of the minutes of previous meeting
- 6. Public Question Time
- 7. Petitions to Council
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  - 10.9 CONTRACT 2020/23 - Provision of Landfill Services - Contract Extension..... 283
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- 11. Reports by Delegates
  
- 12. Urgent Business
  
- 13. Notices of Motion

## 1. Prayer

O God  
Bless this City, Bayside  
Give us courage, strength and wisdom  
So that our deliberations  
May be for the good of all  
Amen

## 2. Acknowledgement of Country

- ◆ Bayside City Council proudly acknowledges the Bunurong People of the Kulin Nation as the Traditional Owners and Custodians of this land, and we pay our respects to their Elders, past, present and emerging as well as any Aboriginal or Torres Strait Islander community members with us today.
- ◆ Council acknowledges the Bunurong's continuing relationship to the land and waterways and respects that their connection and spiritual identity is maintained through ancient ceremonies, songlines, dance, art and living culture.
- ◆ Council pays tribute to the invaluable contributions of the Bunurong and other Aboriginal and Torres Strait Island Elders who have guided and continue to guide the work we do.

## 3. Apologies

## 4. Disclosure of any Conflict of Interest of any Councillor

## 5. Adoption and Confirmation of the minutes of previous meeting

- 5.1 Confirmation of the Minutes of the Ordinary meeting of Bayside City Council held on 17 October 2023.

## 6. Public Question Time

## 7. Petitions to Council



## 8. Minutes of Advisory Committees

### 8.1 RECORDS OF MEETINGS HELD UNDER THE AUSPICES OF COUNCIL

Corporate Services - Governance  
File No: PSF/23/167 – Doc No: DOC/23/341018

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#### **Executive summary**

##### **Purpose and background**

The purpose of this report is to formally report to Council on the records of meetings held under the auspices of Council in accordance with Section 131 of the *Local Government Act 2020* and Council's Governance Rules.

##### **Key issues**

This report fulfils the requirements of reporting on the records of meetings held under the auspices of Council to the next practical Council meeting in accordance with the *Local Government Act 2020* and Council's Governance Rules.


##### **Recommendation**

That Council notes the records of meeting/s held under the auspices of Council as required by the *Local Government Act 2020* and Council's Governance Rules:

- 24 October 2023 Strategic Issue Discussion
- 31 October 2023 Councillor Briefing.

##### **Support Attachments**

1. Record of meeting held under the Auspices of Council - 24 October 2023 Strategic Issues Discussion ↓
2. Record of meeting held under the Auspices of Council - 31 October 2023 Councillor Briefing ↓




## Record of meeting held under the auspices of Council

Record in accordance with Section 131 of the *Local Government Act 2020* and  
Chapter 10 (Section 10.1) of Council's Governance Rules

<i>Meeting Information</i>		
<i>Meeting Name/Type</i>	Strategic Issues Discussion	
<i>Meeting Date</i>	24 October 2023	
<i>Start Time</i>	4.00pm	
<i>Matters discussed</i>	<ul style="list-style-type: none"> <li>• Item 3.1 Brighton Recreational Centre</li> <li>• Item 3.2 Bayside Christmas Carols in the Park 2024 to 2028</li> <li>• Item 3.3 Beaumaris Concourse Permanent Shelter and Gateway Sign</li> <li>• Item 3.4 Proposed Bicycle Route Connecting Cheltenham and Sandringham</li> <li>• Item 3.5 Car Share Trial</li> </ul>	
<i>Attendees</i>		
<i>Councillors</i>	Cr Sonia Castelli Cr Alex del Porto Cr Hanna El Moullem (Mayor) Cr Laurence Evans OAM Cr Clarke Martin Cr Jo Samuel-King (Deputy Mayor) Cr Fiona Stitfold	
<i>Staff</i>	Mick Cummins – Chief Executive Officer Tilla Buden – Director Community and Customer Experience Jill Colson – Director Environment, Recreation and Infrastructure Matthew Cripps – Director City Planning and Amenity Kathryn Tozer – A/Director Corporate Services Kelly Archibald – Manager Urban Strategy Terry Callant – Manager Governance Ros Pruden – Manager Family, Youth and Wellbeing James Roscoe – Manager Climate, Waste and Integrated Transport Tom Vercoe – Manager Open Space and Recreation	
<i>External Guests</i>	Nil	
<i>Apologies</i>		
<i>Councillors</i>	Nil	
<i>Conflict of Interest disclosures</i>		
<i>Matter No</i>	<i>Councillor making disclosure</i>	<i>Councillor left meeting</i>
	Nil	





## Record of meeting held under the auspices of Council

Record in accordance with Section 131 of the *Local Government Act 2020* and  
Chapter 10 (Section 10.1) of Council's Governance Rules

<i>Meeting Information</i>		
<i>Meeting Name/Type</i>	Councillor Briefing	
<i>Meeting Date</i>	31 October 2023	
<i>Start Time</i>	4.30pm	
<i>Matters discussed</i>	<ul style="list-style-type: none"> <li>• Item 4.1 Proposed Leases Brighton Golf Course</li> <li>• Item 4.2 Warm Water Pool - Community Engagement Outcomes</li> <li>• Item 4.3 Urban Forest Annual Report 2022–23</li> <li>• Item 4.4 Bayside Landscape Guidelines update in response to Urban Forest Strategy</li> <li>• Item 4.5 Local Law Policy Review - Management of Tree Protection on Private Property</li> <li>• Item 4.6 Domestic Animal Management Plan - Annual Progress Report</li> </ul>	
<i>Attendees</i>		
<i>Councillors</i>	Cr Sonia Castelli Cr Alex del Porto Cr Hanna El Moullem (Mayor) Cr Laurence Evans OAM Cr Clarke Martin Cr Jo Samuel-King (Deputy Mayor) Cr Fiona Stitfold	
<i>Staff</i>	Mick Cummins – Chief Executive Officer Tilla Buden – Director Community and Customer Experience Jill Colson – Director Environment, Recreation and Infrastructure Matthew Cripps – Director City Planning and Amenity Kathryn Tozer – A/Director Corporate Services Kelly Archibald – Manager Urban Strategy Terry Callant – Manager Governance Fiona Farrand – Manager Development Services Jason Stubbs – Manager Commercial Services Tom Vercoe – Manager Open Space and Recreation Con Tsekouras – Acting Manager Amenity Protection	
<i>Apologies</i>		
<i>Councillors</i>	Nil	
<i>Conflict of Interest disclosures</i>		
<i>Matter No</i>	<i>Councillor making disclosure</i>	<i>Councillor left meeting</i>
	Nil	



## 8.2 MINUTES OF THE DISABILITY ACCESS AND INCLUSION ADVISORY COMMITTEE MEETING HELD ON 25 SEPTEMBER 2023

Corporate Services - Governance  
File No: PSF/23/167 – Doc No: DOC/23/303647

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### Executive summary

#### **Purpose and background**

To present the minutes of the Disability Access and Inclusion Advisory Committee meeting held on 25 September 2023 to Council for noting.

The Disability Access and Inclusion Advisory Committee was established in 2020 and was constituted for the purpose of providing advice and supporting Council in the development and implementation of the Municipal Public Health and Wellbeing Plan 2021–25 (MPHWP) and to consider other strategic and infrastructure issues that may impact people with a disability.

The functions of the Committee are to provide advice and recommendations to Council on the following matters:

- identifying issues of access to the built, social and natural environments
- identifying barriers to inclusion in community and economic life in Bayside
- discussing potential solutions (actions) to identified issues
- providing input and comment on the development of projects and programs for implementation of the Disability Action Plan 2021-25.

In addition, the Disability Access and Inclusion Advisory Committee provides specific advice on nominated Council strategies, masterplans, programs and infrastructure priorities.

The Disability Access and Inclusion Advisory Committee membership comprises 2 Councillors appointed by Council and 10 community members appointed through a public expression of interest process.

#### **Key issues**

A meeting of the Disability Access and Inclusion Advisory Committee was held on 25 September 2023 to consider the following matters:

- Public Toilet Strategy Review
- Draft Urban Forest Precinct Plans - Community Engagement Update.

A copy of the 25 September 2023 minutes of the Disability Access and Inclusion Advisory Committee meeting is attached for Council's information.

#### **Recommendation**

That Council:

1. notes the minutes of the Disability Access and Inclusion Advisory Committee meeting held on 25 September 2023

2. adopts the following recommendations of the Disability Access and Inclusion Advisory Committee meeting held on 25 September 2023

Item 6.1 - Public Toilet Strategy Review

*That the Disability Access and Inclusion Advisory Committee recommends to Council that the criteria used to assess and prioritise proposals for a new public toilets or Changing Places facility be updated as follows:*

*New Facilities*

*The following criteria shall be used to assess and prioritise proposals for new public toilets or Changing Places facility:*

- *A new facility will support the use of a nearby major activity centre, Council service, or open space and recreational reserve.*
- *Where there are no other public toilets within 400m, there is no other Changing Places facility within 2km, or in a major activity centre.*
- *Constructability/maintainability – the facility can be reasonably constructed and maintained by Council’s contractors.*

## **Support Attachments**

1. Minutes - 25 September 2023 - Disability Access and Inclusion Advisory Committee ↓

Bayside City Council

Disability Access and Inclusion Advisory Committee  
Meeting - 25 September 2023



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**Minutes of the  
Disability Access and Inclusion Advisory Committee  
Meeting**

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held in the Bayside Room  
Corporate Centre  
76 Royal Avenue  
Sandringham  
on Monday 25 September 2023

The Meeting commenced at 6.30pm

**1. Welcome and opening of the meeting**

The Chair, Cr Martin opened the meeting at 6.30pm and welcomed members of the Committee and officers.

**Acknowledgement of Country**

Ms Costello read the acknowledgement of Country:

*Bayside City Council proudly acknowledges the Bunurong People of the Kulin Nation as the Traditional Owners and Custodians of this land, and we pay our respects to their Elders, past, present and emerging as well as any Aboriginal or Torres Strait Islander community members with us today.*

Bayside City Council

Disability Access and Inclusion Advisory Committee  
Meeting - 25 September 2023**2. Present****Councillors:** Cr Clarke Martin (Chairperson)**External Members:** Ms Amanda Blohm  
Ms Emily Costello  
Mr Ade Djajamihardja  
Mr Mark Glascodine  
Mr Andrew Turner  
Ms Tara Webb

<b>Officers:</b>	Tilla Buden	A/Chief Executive Officer
	Joan Andrews	Manager Community Care
	Vanessa Bradley	A/Manager Communication, Engagement and Customer Experience
	Ros Pruden	Manager Family, Youth and Wellbeing
	Josh Connell	Community Wellbeing Coordinator
	Rachael Hudson	Strategic Planning Coordinator
	Bruce Robertson	A/Assets and Investigations Coordinator
	Vimbayi Kagonda	Inclusion Officer
	Robert Lamb	Governance Officer
	Mary Markowski	Senior Urban Forester
	Chelsea Wilby	Strategic Planner

**3. Apologies**

*It is recorded that apologies were received from The Mayor Cr El Mouallem, Ms Emma Olivier, Ms Bell Fantasia, and Mr Sam Seoud. Ms Jo Levett was also absent from the meeting.*

**Moved: Mr Djajamihardja****Seconded: Mark Glascodine**

That the apologies from The Mayor Cr El Mouallem, Ms Emma Olivier, Ms Bell Fantasia Sam Seoud, and Ms Jo Levet be noted for the 25 September 2023 Disability Access and Inclusion Advisory Committee Meeting.

**CARRIED****4. Disclosure of Conflict of Interest of any Councillor**

There were no conflicts of interest submitted to the meeting.

**Bayside City Council**

**Disability Access and Inclusion Advisory Committee  
Meeting - 25 September 2023**

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**5. Adoption and Confirmation of the minutes of previous meeting**

- 5.1 Confirmation of the Minutes of the Disability Access and Inclusion Advisory Committee Meeting held on 31 July 2023.

**Moved: Ms Costello**

**Seconded: Ms Webb**

That the minutes of the Disability Access and Inclusion Advisory Committee Meeting held on 31 July 2023, as previously circulated, be confirmed as an accurate record of proceedings.

**CARRIED**

Bayside City Council

Disability Access and Inclusion Advisory Committee  
Meeting - 25 September 2023

## 6. Reports

### 6.1 PUBLIC TOILET STRATEGY REVIEW

Environment, Recreation and Infrastructure - City Assets and Presentation  
File No: PSF/23/177 – Doc No: DOC/23/263728

*The Acting Assets and Investigations Coordinator gave a presentation on the Public Toilet Strategy Review and the Committee provided feedback in relation to Council's approach for facilities – in particular with relation to the criteria used to assess proposals for a new public toilets or Changing Places facilities.*

**Moved: Ms Costello**

**Seconded: Mr Djajamihardja**

That the Disability Access and Inclusion Advisory Committee

1. notes this report and has provided feedback to officers in relation to Council's approach for facilities
2. recommends to Council that the criteria used to assess and prioritise proposals for a new public toilets or Changing Places be updated as follows:

*New Facilities*

*The following criteria shall be used to assess and prioritise proposals for new public toilets or Changing Places facility:*

- *A new facility will support the use of a nearby major activity centre, Council service, or open space and recreational reserve.*
- ***Where there are no other public toilets within 400m, there is no other Changing Places facility within 2km, or in a major activity centre.***
- *Constructability/maintainability – the facility can be reasonably constructed and maintained by Council's contractors.*

**CARRIED**



Bayside City Council

Disability Access and Inclusion Advisory Committee  
Meeting - 25 September 2023

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**6.2 DRAFT URBAN FOREST PRECINCT PLANS - COMMUNITY  
ENGAGEMENT UPDATE**

City Planning and Amenity - Urban Strategy  
File No: PSF/23/162 – Doc No: DOC/23/268097

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*Officers from Council's Strategic Planning team gave a presentation on the Urban Forest Precinct Plans Engagement Update. The Committee provided some general comments and were encouraged to provide any formal feedback by the close of engagement.*

**Noted**

That the Disability Access and Inclusion Committee:

1. notes the community engagement period on the draft Urban Forest Precinct Plans
2. provides feedback on the draft Urban Forest Precinct Plans by the close of community engagement in October 2023.

**6.3 ACTIONS ARISING**

Community and Customer Experience - Family, Youth and Wellbeing  
File No: FOL/23/58 – Doc No: DOC/23/237762

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**Noted**

That the Disability Access and Inclusion Advisory Committee notes this report.

Bayside City Council

Disability Access and Inclusion Advisory Committee  
Meeting - 25 September 2023

## 7. General Business

### Pedestrian Crossings

Ms Webb raised the matter of a need for more pedestrian crossings in Hampton Street, noting safety concerns. The speed at which traffic lights change was also raised as a concern for pedestrians with limited mobility. Officers noted that a response would be provided in the Actions Arising report at the next meeting.

### Disability Action Plan Progress

Mr Glascodine asked a question in relation to the progress of the Disability Action Plan. The Manager Family Youth and Wellbeing noted that significant work is underway to ensure the tracking and implementation of actions and that this is a high priority. A progress report will be presented at the next meeting.

### Accessible Sport and recreation Initiatives

Ms Blohm gave a view that there is a need for more events throughout the year that celebrate inclusive and accessible sports and recreation initiatives in addition to International Day of People with Disability across Bayside.

## 8. Confirmation of date of future meetings

The next meeting will be held on Monday 27 November 2023

*The Chairperson declared the meeting closed at 7.41pm.*

### 8.3 MINUTES OF THE BAYSIDE ARTS AND GALLERY ADVISORY COMMITTEE MEETING HELD ON 27 SEPTEMBER 2023

Corporate Services - Governance  
File No: PSF/23/167 – Doc No: DOC/23/303658

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#### Executive summary

##### **Purpose and background**

To present the minutes of the Bayside Arts and Gallery Advisory Committee meeting held on 27 September 2023 to Council for noting.

The Bayside Arts and Gallery Advisory Committee was established in 2020.

The Bayside Arts and Gallery Advisory Committee is constituted for the purpose of providing advice and supporting Council in the development and presentation of an innovative and creative arts program for the City of Bayside including exhibitions and programs at the Bayside Gallery.

The functions of the Committee are to provide advice and recommendations to Council on the following matters:

- the annual exhibition program for the Bayside Gallery
- the annual arts program of public events and activities
- the proposed artists for the annual Studio Artists program at Billilla
- the public art and wall/mural art program across the municipality
- the acquisition and de-accession to the Bayside Council Art and Heritage Collection in accordance with the Bayside Arts and Heritage Collection Policy
- provide advice on the care and preservation of the Bayside Council Art and Heritage collection for future generations
- provide input and guidance into Council's Strategic Plan for the Arts
- contribute, to and support the establishment of mutual beneficial partnerships
- provide advice and evaluate the marketing strategy for arts programming including the Bayside Gallery.

The Arts and Gallery Advisory Committee membership comprises 2 Councillors appointed by Council and up to 10 community members appointed through a public expression of interest process.

##### **Key issues**

A meeting of the Bayside Arts and Gallery Advisory Committee was held on 27 September 2023 to consider the following matters:

- Quarterly Report July - September 2023
- Proposed 2024 Exhibition and Public Programs and events
- Billilla Artists Studio Program
- Sponsorship Policy
- Policy Review: Bayside Art and Heritage Collection Policy

A copy of the 27 September 2023 minutes of the Bayside Arts and Gallery Advisory Committee meeting is attached for Council's information.

### **Recommendation**

That Council:

1. notes the minutes of the Bayside Arts and Gallery Advisory Committee meeting held on 27 September 2023 (Attachment 1)
2. adopts the following recommendations of the Bayside Arts and Gallery Advisory Committee meeting held on 27 September 2023:

#### Item 6.2 – Quarterly Report July to September 2023

1. *That the Bayside Arts and Gallery Advisory Committee notes this report and recommends to Council that it removes the following items from the Art and Heritage Collection Database and that they be maintained as a part of Council's asset register:*
  - *Sea Wall (0000-810) Maker unknown*
  - *Pier (0000-811) Maker unknown*
  - *Ship – Cerberus HMVS (0000-695) Maker Palmer Shipbuilding & Iron Co, Jarrow-on-Tyne, England*
  - *Rotunda (0000-813) Maker under the direction of W.T.Sunderland, City Engineer*
  - *Wall (0000-805) Maker W.T.Sunderland, City Engineer*
  - *Clock Tower (0000-918) Maker unknown*
  - *Well (0000-952) Maker unknown*
  - *Sea wall structure (0000-951) Maker unknown*
  - *Tramway Structure (0000-808) Maker unknown*
  - *Tramway Shelter (0000-809) Maker unknown*
  - *Mural (0000-938) Artist unknown.*
2. *That Council's Finance Department be made aware of the transfer of assets from the Art and Heritage Collection Database to Council's asset register.*

#### Item 6.4 – Billilla Artists Studio Program

*That the Bayside Arts and Gallery Advisory Committee notes this report and recommends to Council that*

1. *the 2023 Billilla Artists continue to occupy the Studios as per the lease arrangements currently in place until 31 December 2023*
2. *the outbuildings at Billilla be made compliant and fit for purpose as Artists Studios as part of the scope of works to be carried out at Billilla Mansion in 2024–25*

3. *upon completion of the works on the Outbuildings at Billilla, Council reinstates the Billilla Artists Studio Program*
4. *it investigates alternative venues, including the Sandringham Masonic Hall, to continue the Artist in Residents program in some form in 2024.*

#### Item 6.5 – Sponsorship Program

##### Part A

1. *That the Bayside Arts and Gallery Advisory Committee notes the report on the previous Sponsorship Policy.*
2. *That officers select an exhibition or public program to be sponsored, such as the proposed Yacht Projection Event 2025.*
3. *That Council officers undertake an assessment of the benefits and risks associated with seeking sponsorship for the proposed public program event, and subject to the outcome of the assessment, the Committee recommends to Council that Council officers progress with seeking sponsorship, including via considering an expression of interest process to be shared through appropriate communications channels including targeted engagement.*

##### Part B

*That the Bayside Arts and Gallery Advisory Committee recommends to Council that the Sponsorship Policy be reviewed with consideration of the range of potential sponsorship opportunities across the organisation and including consideration of philanthropic and other gifting opportunities.*

#### Item 6.6 – Policy Review: Bayside Art and Heritage Collection Policy

*That the Bayside Arts and Gallery Advisory Committee notes the report and the changes to the revised Bayside Art and Heritage Collection Policy 2018 and recommends that Council adopts the Bayside Art and Heritage Collection Policy 2023 subject to minor changes as discussed at the meeting. (Attachment 2)*

## **Support Attachments**

1. Minutes - 27 September 2023 - Bayside Arts and Gallery Advisory Committee ↓
2. Proposed Bayside Art and Heritage Collection Policy ↓

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**Bayside Arts and Gallery Advisory Committee Meeting- 27 September 2023**

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**Minutes of the  
Bayside Arts and Gallery Advisory Committee Meeting**

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held in the Mayor's Room Council Chambers  
on Wednesday 27 September 2023

The Meeting commenced at 6pm

**1. Welcome and opening of the meeting**

The Chair, Cr Sonia Castelli declared the meeting opened at 6.00pm and welcomed members of the Committee and officers to the meeting.

**Acknowledgement of Country**

The Manager Governance read the acknowledgement of Country:

*Bayside City Council proudly acknowledges the Bunurong People of the Kulin Nation as the Traditional Owners and Custodians of this land, and we pay our respects to their Elders, past, present and emerging as well as any Aboriginal or Torres Strait Islander community members with us today.*

**2. Present**

<b>Councillors</b>	Cr Sonia Castelli (Chair) Cr Alex del Porto
<b>External Members</b>	Mr Brian Hewitt Mr Brian Long Ms Lyn Stephens Mr Arvind Vasam Mr Adrian Spurr
<b>In attendance</b>	Terry Callant – Manager Governance Joanna Bosse – Acting Arts and Culture Program Coordinator

**Quorum for the meeting**

Ten members of appointed to the Committee. The quorum of a meeting is a majority of members plus one Councillor representative must be present.

A quorum for this meeting was reached with 5 community members, and two Councillors representative present.

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**Bayside Arts and Gallery Advisory Committee Meeting- 27 September 2023**

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**3. Apologies**

Apologies from Bo Rutecki and Louise Doyle were received and submitted to the meeting.

**Moved Cr del Porto**

**Mr Hewitt**

That the apologies of Bo Rutecki and Lousie Doyle be received and leave of absence be granted.

**CARRIED**

It was also noted that Sarah Morris was not present at the meeting.

**4. Disclosure of Conflict of Interest of any Councillor**

There were no conflicts of interest submitted to the meeting.

**5. Adoption and Confirmation of the minutes of previous meeting****5.1 Confirmation of the Minutes of the Bayside Arts and Gallery Advisory Committee Meeting held on 21 June 2023.**

**Moved: Cr del Porto**

**Seconded: Ms Stephens**

That the minutes of the Bayside Arts and Gallery Advisory Committee Meeting held on 21 June 2023, as previously circulated, be confirmed as an accurate record of proceedings.

**CARRIED**

**6. Reports****6.1 OUTSTANDING BUSINESS BROUGHT FORWARD**

Community and Customer Experience – Libraries, Customer and Cultural Services  
File No: FOL/23/255 – Doc No: DOC/23/237364

The Acting Arts and Culture Program Coordinator presented the Outstanding Business Brought Forward report to the Committee.

**NOTED**

That the Bayside Arts and Gallery Advisory Committee noted the Outstanding Business Brought Forward report.

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**Bayside Arts and Gallery Advisory Committee Meeting- 27 September 2023**

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**6.2 QUARTERLY REPORT JULY - SEPTEMBER 2023**

Community and Customer Experience - Libraries, Customer and Cultural Services  
File No: FOL/23/255 – Doc No: DOC/23/238577

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The Acting Arts and Culture Program Coordinator presented the Quarterly Report of activities for the period July to September 2023.

Some of the programs and activities that occurred during the quarter included:

Connections Art + Dementia Program – Bayside Gallery

The Gallery Staff continued to offer Connections online, working with 4 separate aged care facilities to deliver fortnightly and at times weekly sessions. A total of 157 aged care residents participated in the online programs, 78 residents participated in the onsite Connections Program at the Bayside Gallery which is facilitated by volunteers.

Arts Learning Program – Bayside Gallery

A total of 277 students attended the Arts Learning Program at the Gallery across the three months. This included 125 kinder children, with the 3-year-old kinder children from Wilson Street Kindergarten now also attending.

In partnership with Children's Services, The Gallery launched an after-school arts engagement program for the children of Dunkley Fox Estate in Highett. Each week for Term 3 and Term 4, students engaged with different art forms, including dance, music, visual arts, and theatre. Students have engaged in all areas and have visited the Bayside Gallery. The program has received very positive feedback from parents and children, with Children's Services keen to continue the partnership.

On 21 August, we launched the 2023 Upstanders program. This saw 100 Grade 5 students from Sandringham Primary, Brighton Beach Primary, Hampton Primary, Beaumaris Primary and Blackrock Primary attend the launch. Students engaged in a series of activities including Visual Thinking Strategies at the Gallery, an indigenous dance program, team building workshops and a session with this year's lead artist Noni Drew (Billilla Studio Artist).

Public Programs

A series of public programs and events were delivered both in person and online for the period.

The Black Rock Clocktower yarnbombing project was a great success and was incredibly well received by the community. Despite a number of challenges Helen Berwick, Community Engagement and Education Officer, managed to keep the project on track and along with the Glad Wrappers achieved an amazing outcome. The project received national news coverage as well as being on the cover of Let's Talk Bayside. We were unable to garner traffic statistics for the number of cars that drove past the Clocktower but we are confident that there was an enormous amount of public endorsement for the project.

Exhibition

The Bayside Acquisitive Art Prize was on exhibition until 2 July. A total of 1,644 people visited the exhibition which was deinstalled the following week with all works picked up by artists (except the acquisitive award winner *Self-portrait with strawflower* by Louise Tate which will now form part of the collection).

A major solo exhibition by Brighton-based nationally renowned artist Anne Ross was opened to the public Saturday 8 July with over 220 people attended the event.



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**Bayside Arts and Gallery Advisory Committee Meeting- 27 September 2023**

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Over the seven week display period, a total of 2,384 visitors experienced the exhibition with a record number of repeat visitors. A special event was held on Saturday 26 August during the closing weekend to celebrate International Dog Day, which saw 175 people attend the gallery for a special exhibition viewing with their dogs (over 50 dogs in attendance).

Accompanying the exhibition is a major three-part bronze sculptural installation titled *She gave me a daisy* 2003-2023 installed at Billilla Gardens as part of our activation of the Billilla Gardens site. This sculpture will remain in place until the end of the year.

Gallery Staff also installed the Billilla lightboxes project in the gardens at Billilla with the work of our first artist Mark Forbes on display during July and August. This project commissioned three photographers to create artworks in response Billilla site and will continue for the remainder of the year. The images on the lightboxes were changed on Friday 1 September, with the works of nationally acclaimed photographer Jane Burton on display until early November.

Over 200 people attended the opening *Zoonoses* (an exhibition from Logan Art Gallery, Qld, toured by Museums & Galleries Queensland) and *Jane Burton: Returning* which features recent works including a series of five new photographs staged at Billilla on Saturday 2 September.

The 21 artworks on display as part of the Ellen José Student Reconciliation Award were deinstalled at the Corporate Centre, and 85 artworks were installed for the Youth Art Award exhibition in the foyer.

Bayside Art and Heritage Collection activity

The five-yearly valuation of the 1,048 items in the collection was formally undertaken by qualified valuer Rodney James in July-August. These items hold a combined insurance valuation of \$28,483,740, however, this figure also includes items of a combined value of \$18,000,000+. The report concluded that the Collections are well documented, photographed and cared for while purchases and donations of works by State and Nationally recognised artists acquired over the last five years will continue to appreciate in value and represent a significant investment by Council.

The loan of Clarice Beckett's, *Sunset across Beaumaris Bay* c.1930-31 to Geelong Art Gallery for their major exhibition on Clarice Beckett was completed with the work returned to us in mid-August. A total of 26,967 visitors experienced the exhibition and our work was reproduced in the exhibition catalogue (3,500 print run).

The loan of Lisa Waup's *Chosen at birth* was dispatched to McClelland Gallery and Sculpture Park for their exhibition *Current: Gail Mabo, Lisa Waup, Dominic White*, 29 July – 19 November 2023. As part of this loan we commissioned specific packing and crating which will remain in use for the artwork's ongoing storage.

The Committee commended the Gallery staff on a very active and engaging quarter.

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**Bayside Arts and Gallery Advisory Committee Meeting- 27 September 2023**

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**Moved: Cr del Porto****Seconded: Mr Vasan**

1. That the Bayside Arts and Gallery Advisory Committee notes this report and recommends to Council that it removes the following items from the Art and Heritage Collection Database and that they be maintained as a part of Council's asset register:
  - Sea Wall (0000-810) Maker unknown
  - Pier (0000-811) Maker unknown
  - Ship – Cerberus HMVS (0000-695) Maker Palmer Shipbuilding & Iron Co, Jarrow-on-Tyne, England
  - Rotunda (0000-813) Maker under the direction of W.T.Sunderland, City Engineer
  - Wall (0000-805) Maker W.T.Sunderland, City Engineer
  - Clock Tower (0000-918) Maker unknown
  - Well (0000-952) Maker unknown
  - Sea wall structure (0000-951) Maker unknown
  - Tramway Structure (0000-808) Maker unknown
  - Tramway Shelter (0000-809) Maker unknown
  - Mural (0000-938) Artist unknown.
2. That Council's Finance Department be made aware of the transfer of assets from the Art and Heritage Collection Database to Council's asset register.

**CARRIED****6.3 PROPOSED 2024 EXHIBITION AND PUBLIC PROGRAMS AND EVENTS**

Community and Customer Experience - Libraries, Customer and Cultural Services  
File No: FOL/23/255 – Doc No: DOC/23/247182

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The Acting Arts and Program Coordinator presented the proposed 2024 Exhibition and Public Programs and events.

**Moved: Cr del Porto****Seconded: Mr Long**

That the Bayside Arts and Gallery Advisory Committee

1. approves the 2024 public events and activities program as per attachment 1 to the report
2. approves the 2024 exhibition program as per attachment 1 to the report
3. endorses the forward planning of the 2025 Exhibition and Events program
4. notes the current Classification Code as administered by the Australian Classification Board
5. notes procedures are in place for the exhibition of work that could be considered offensive by the general public.

**CARRIED**

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**Bayside Arts and Gallery Advisory Committee Meeting- 27 September 2023**

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**6.4 BILLILLA ARTISTS STUDIO PROGRAM**

Community and Customer Experience - Libraries, Customer and Cultural Services  
File No: FOL/23/255 – Doc No: DOC/23/235974

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The Acting Arts and Program Coordinator presented the report on the Billilla Artists Studio program.

**Moved: Mr Spurr**

**Seconded: Mr Long**

That the Bayside Arts and Gallery Advisory Committee notes this report and recommends to Council that

1. the 2023 Billilla Artists continue to occupy the Studios as per the lease arrangements currently in place until 31 December 2023
2. the outbuildings at Billilla be made compliant and fit for purpose as Artists Studios as part of the scope of works to be carried out at Billilla Mansion in 2024–25
3. upon completion of the works on the Outbuildings at Billilla, Council reinstates the Billilla Artists Studio Program
4. investigate alternative venues, including the Sandringham Masonic Hall, to continue the Artist in Residents program in some form in 2024.

**CARRIED**

**6.5 SPONSORSHIP POLICY**

Community and Customer Experience - Libraries, Customer and Cultural Services  
File No: FOL/23/255 – Doc No: DOC/23/219543

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The Manager Governance presented the Sponsorship Policy noting the policy was 20 years old and was in need of review.

**Moved: Cr del Porto**

**Seconded: Mr Hewitt**

**Part A**

1. That the Bayside Arts and Gallery Advisory Committee notes the report on the existing Sponsorship Policy.
2. That officers select an exhibition or public program to be sponsored, such as the proposed Yacht Projection Event 2025.
3. That Council officers undertake an assessment of the benefits and risks associated with seeking sponsorship for the proposed public program event, and subject to the outcome of the assessment, the Committee recommends to Council that Council officers (in-house) progress with seeking sponsorship, including via considering an expression of interest process to be shared through appropriate communications channels including targeted engagement.

**CARRIED**

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**Bayside Arts and Gallery Advisory Committee Meeting- 27 September 2023**

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**Moved: Mr Hewitt****Seconded: Mr Long****Part B**

That the Bayside Arts and Gallery Advisory Committee recommends to Council that the Sponsorship Policy be reviewed with consideration of the range of potential sponsorship opportunities across the organisation and including consideration of philanthropic and other gifting opportunities.

**CARRIED****6.6 POLICY REVIEW: BAYSIDE ART & HERITAGE COLLECTION POLICY**

Community and Customer Experience - Libraries, Customer and Cultural Services  
File No: FOL/23/255 – Doc No: DOC/23/259120

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The Acting Arts and Program Coordinator presented the draft policy review of the Bayside Art and Heritage Collection Policy.

**Moved: Ms Stephens****Seconded: Mr Vasan**

That the Bayside Arts and Gallery Advisory Committee notes the report and the changes to the revised Bayside Art & Heritage Collection Policy 2018 and recommends that Council adopts the Bayside Art & Heritage Collection Policy 2023 subject to minor changes as discussed at the meeting.

**CARRIED****7. General Business****7.1 Exhibition Database****Moved Cr Castelli****Seconded Cr del Porto**

That Council officers check the exhibition invitation database to ensure all former members of the Committee are invited to attend all exhibitions.

**CARRIED****7.2 Short listed for 2023 Victorian Museums and Galleries Award**

The Acting Arts and Program Coordinator advised the Committee Meeting that the Bayside Gallery's exhibition *Tai Snaith: Hierarchy of needs* has been shortlisted in the 2023 Victorian Museums and Galleries Awards in the category of Small Project of the Year (Galleries). Other shortlisted projects in this category are: Hamilton Gallery - *Luminous: John Orval, Stained Glass Artist*, RMIT Culture - *Radical Utopia: The Design Archaeology of a Creative City*, The Dax Centre – *Adopted*.

The Awards are proposed to be announced next week.

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**Bayside Arts and Gallery Advisory Committee Meeting- 27 September 2023**

**8. Confirmation of date of future meetings**

The next Meeting to be held on Wednesday 6 December 2023

*The Chair declared the meeting closed at 7.10pm*



<b>Council policy title:</b>	<b>Art and Heritage Collection</b>
<b>Council policy owner:</b>	Tilla Buden, Director Community & Customer Experience
<b>Adopted by:</b>	Bayside City Council
<b>Date adopted:</b>	TBA
<b>Scheduled review:</b>	November 2028
<b>Document Reference:</b>	DOC/23/256028

## 1. Policy intent

To guide the acquisition and de-accessioning of the Bayside City Council Art and Heritage Collection to ensure that works are acquired with a view to the collection being of cultural value and benefit to the Bayside Community and is installed in accessible locations in Council buildings or on public land. The Policy recognises the Collection as a valuable community asset and source of Bayside's cultural identity and pride.

## 2. Policy purpose

This policy presents the rationale and guidelines for the acquisition and deaccessioning of works of art and heritage objects for the permanent collection ('the Collection') of the Bayside City Council ('the Council'). The Collection is a significant cultural asset held in trust by the Council, for the people of Bayside. The Collection aims to:

- nurture a sense of community, wellbeing and shared history;
- assist in developing a sense of identity, pride and place;
- enhance and enrich public spaces;
- promote art and artists as a valuable part of the Bayside community.

This Policy outlines criteria that potential acquisitions must fulfil in order to be approved and accepted into the Bayside Art and Cultural Heritage Collection. Procedures for documenting and managing acquisitions are provided in the Acquisitions & Deaccessions Procedures Manual available to staff involved in the process.

The implications of this Policy have been assessed and are not considered likely to breach or infringe upon, the human rights contained in the Victorian Charter of Human Rights and Responsibilities Act 2006.

November 23

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### 3. Glossary - Definitions and Abbreviations

Term	Meaning
Acquisition	Means the acceptance, through donation, gift or purchase, of a work of art into a collection.
Cultural Gifts Program (CGP)	The Cultural Gifts Program (CGP) offers tax incentives to encourage people to donate cultural items to public art galleries, museums, libraries and archives in Australia. The CGP is administered by the Department of Communication and the Arts in accordance with the gift provisions of the income tax law.
Cultural Heritage	The legacy of physical artifacts and intangible attributes of a group or society that are inherited from past generations, maintained in the present and bestowed for the benefit of future generations.
De-accession	To remove an object or objects from a collection.
Emerging artist	The National Association for the Visual Arts (NAVA) defines an emerging artist as one that "will have practised as a professional artist continually for less than 5 years."
Legal title	The right to ownership of property and its subsequent transfer. This may be supported by full evidence of every transaction subsequent to the first owner's title.
Local government	Local government is the third type of government, after Federal and State in Australia. Local governments (also known as local councils) handle community needs.
Memorial	Any object designed and established specifically in memorial of an individual, organisation, place, anniversary of event; it may be a monument but can take other forms.
Monument	Is deemed to be an architectural structure or statue which has (or is expected to have) enduring significance; it may or may not have a memorial function.
Provenance	The research into the history and chain of ownership of a work of art since its creation to the present day, to determine authenticity and verify ownership and history.
Public Art	The production of artistic works or activities accessible to the public in any media that have been planned and executed with the specific intention of being sited or staged in the public domain. The work may be permanent, temporary or ephemeral in nature and includes the conceptual contribution of an artist to the design of public spaces and facilities.
Visual Arts	The visual arts are an art form that create works that are primarily visual in nature, such as ceramics, drawing, painting, sculpture, printmaking, design, crafts, photography, video, filmmaking and architecture.

### 4. Scope

This policy is applicable to all staff who recommend the acquisition of works of art and heritage objects by Council, and should be read in conjunction with the Bayside Arts and Gallery Advisory Committee Charter and Instrument of Delegation and current Bayside Arts, Culture and Library Strategy 2023-27 and related Bayside Gallery procedural documents.



This Policy refers to the following categories which make up the Bayside Art and History Collection: Visual Arts Collection; Cultural Heritage Collection (including Memorials and Monuments); Local Government Collection and the Public Art Collection.

~~This Policy does not include the History Collection maintained by the Bayside Library Service or other private collections owned by the tenants leasing property from the Council.~~

## 5. Policy statement

This Policy supports the acquisition of work in line with the Bayside Arts, Culture and Library Strategy 2023-27 and in alignment with the Bayside City Council Plan 2021-2025 and the Bayside 2050 Community Vision that we will 'provide access to current, relevant, and vibrant collections' and 'foster a community culture that encourages active participation and personal growth'.

**5.1** In the first instance all works considered for acquisition must meet the following criteria:

**5.1.1** is an unconditional donation or purchase which has clearly verifiable legal title of ownership;

**5.1.2** has a clearly established provenance;

**5.1.3** the conservation and storage costs are within the means of Council.

**5.1.2** Works may be acquired for the **Visual Arts Collection** if one of the following criteria are met:

- is the work of an artist who lives (lived) or works (worked) in Bayside or demonstrates (demonstrated) a distinctive or evocative connection with the Bayside area and/or local issues;
- enhances the Collection as a high quality example of contemporary art practice or is an historical work that provides artistic, geographical, social or historical interpretations of Bayside;

and an additional two criteria from the following are met:

- the artist demonstrates a professional history in visual arts practice or, in the case of emerging artists, the realistic potential for establishing a long-term career in visual arts;
- has the capacity to be placed on display in a Council building or public space without hindrance to public access or safety, and without breaching the artist's moral rights;
- enhances the Collection in terms of medium (ceramics, sculpture, and contemporary painting)
- strengthens and adds to an existing series of works or makes connections between identifiable local themes within the entire Collection.

**5.1.3** Works may be acquired for the **Cultural Heritage Collection (including Memorials and Monuments)** if three or more of the following criteria is met:





- represents the social history of the City of Bayside or the former Cities of Sandringham, Brighton, Moorabbin and Mordialloc;
- are identified as items of significance based on Heritage Council Victoria guidelines;
- are relevant to Bayside; or shows a distinctive or evocative connection with Bayside and/or local issues;
- in the case of memorials for individuals he/she must have made a highly significant contribution to the shared community history of Bayside that is also significant at a state or national level and have left a tangible legacy to the community that has resonance with the broader public;
- in the case of monuments for anniversaries or events they must be unique and highly significant to the history and development of Bayside and the State of Victoria and/or Australia, and highly significant to a particular site/area within Bayside;
- in the case of both memorials and monuments demonstrates a relevance to site, bears a relationship with the public setting and be consistent with any approved master plans or conservation plans for the site.

**5.1.4** Works may be acquired for the **Local Government Collection** if the following criteria is met:

- Represents past and present local government in Bayside with items that depict the history and working life of the Council, Mayor, Councillors and staff of local governments active in Bayside together with items depicting the topography of the region in particular the history of former Cities of Brighton, Sandringham, Moorabbin and Mordialloc through to the 1994 amalgamation and to the present day.

**5.1.5** Works may be acquired for the **Public Art Collection** if all of the following criteria are met:

- provides access for the community to experience art in public spaces;
- reflects a responsive design approach to civic spaces and urban environments
- the artist demonstrates a professional history in visual arts practice or, in the case of emerging artists, the realistic potential for establishing a long-term career in visual arts.

**5.2** An item may be considered for de-accessioning from the Collection if one or more of the following applies:

- it does not comply with the current acquisition criteria;
- is in poor condition and is considered to be of insufficient merit to allocate the resources to ensure its conservation;
- cannot be displayed due to its properties and is not suitable for research;
- is a duplicate or forgery that serves no specific cultural function;
- the conservation and storage costs are beyond the means of Council;
- it lacks any supporting information to enable proper identification or to establish its relevance to the collection;
- is irreparably damaged or destroyed, or is missing or stolen without hope of return;



- in the case of public art where underlying structural footings or site use has changed significantly to the degree that the public artwork is no longer able to be structurally supported on the site; or the work becomes a public risk; or the artwork is at severe risk of damage;
- in the case of public art where there is a pre-determined life span of the work which has been met;
- is dangerous or hazardous to people or other items in the Collection;
- where inadequate documentation or absence of documentation critically reduces the cultural value or significance of the object.

**5.3** Should an item/s be deaccessioned for one or more of the reasons listed above under 5.2 and this item/s was/were donated under the Cultural Gift Program, the item/s is/are not to be returned to the donor, as the donor has received the benefit of tax deduction for the donation, as per CGP requirements.

Procedures for documenting and managing de-accessioning are provided in the Acquisitions & Deaccessions Procedures Manual, available to staff involved in the deaccessioning process.

## **6. Monitoring, evaluation & review**

The Acquisitions Policy will be reviewed and updated as required based on changes to relevant industry standards and Council plans.

~~The Bayside Arts and Gallery Advisory Committee will present an Annual Report to Council with details of all acquisitions and de-accessions listed.~~

~~An audit of works on display in Council Buildings and public land will be undertaken every two five years to ensure collection is accessible to the Community.~~

A valuation of the collection will occur every five years to record the growth of the asset.

## **7. Roles & Responsibilities**

Oversight of the implementation of the Policy is the responsibility of the Director, Community & Customer Experience.

The Curator, Bayside Gallery will be responsible for ensuring acquisition and deaccession proposals comply with Policy.

The Bayside Arts and Gallery Advisory Committee will use the Policy to make informed decisions before recommending any proposed accession and/or deaccession of objects to the Bayside Art & Heritage Collection.

The CEO and/or Director, Community & Customer Experience, are authorised to make decisions for the purchasing and/or commissioning of artwork as well as the decision to deaccession objects from the Bayside Art and Heritage Collection based on the proposal from the Curator and Bayside Arts and Gallery Advisory Committee recommendation.



The Arts & Culture Coordinator will monitor the Policy to ensure it is in line with Industry practice.

The Organisational Strategy & Business Planning Lead will ensure Policy is appropriate and functional.

#### 8. Related documents

<b>Policies</b>	Procurement Policy C/POL/COR/004 Community and Stakeholder Engagement Policy
<b>Strategies/Plans</b>	Bayside Arts, Culture and Library Strategy 2023-27
<b>Procedures/Processes</b>	Acquisitions & De-accessions Procedures Manual (to be compiled from current processes) Council Procurement Procedures Council Code of Conduct for Councillors and Officers
<b>Guidelines</b>	
<b>Other</b>	Bayside Arts and Gallery Advisory Committee Charter and Instrument of Delegation 28 July 2020

**Please note:** This policy is current as at the date of approval. Refer to Council's website ([www.bayside.vic.gov.au](http://www.bayside.vic.gov.au)) to ensure this is the latest version.





## 8.4 MINUTES OF THE YALUKIT WILLAM NATURE RESERVE COMMITTEE OF MANAGEMENT MEETING HELD ON 11 OCTOBER 2023

Corporate Services - Governance  
File No: PSF/23/167 – Doc No: DOC/23/318068

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### Executive summary

#### **Purpose and background**

The purpose of this report is to present the minutes of the Yalukit Willam Nature Reserve Committee of Management meeting held on 11 October 2023 to Council for noting.

The Yalukit Willam Nature Reserve Committee of Management was established in 2022 and was constituted to enable community-wide oversight of the operation of Yalukit Willam Nature Reserve.

The objectives of the Committee are to support the operation and development of the Yalukit Willam Nature Reserve in accordance with the Reserve's goals. Therefore, the Committee will:

- develop a Management Plan that details maintenance levels required across the Reserve
- amend the Management Plan as and when required based on the performance of the Reserve and in consideration of relevant data and feedback
- provide guidance on what to plant and where
- provide guidance to the Plant Lab on what species to propagate
- seek advice from the Plant Lab on matters regarding planting throughout the Reserve
- support the Elsternwick Park Association to continue their recording of (flora and fauna) present within the Reserve, including pest and domestic species
- develop weed, pest and domestic animal management strategies
- develop habitat enhancement strategies
- develop activities to enhance public amenity, passive recreation and visitor experience
- work with the community to undertake data collection and record keeping to monitor Key Performance Indicators (KPIs) as appropriate
- support suitable volunteer events
- collate and provide feedback on observations of the Reserve in general
- recommend changes (operational or capital) to Council that need to be made to ensure the Reserve functions
- identify barriers that impact the Reserve's ability to achieve its goals
- discuss potential solutions (actions) to identified issues
- assist in monitoring implementation.

In addition, Committee members will also be available at mutually agreeable times to provide specific advice regarding Yalukit Willam Nature Reserve to Council and its stakeholders.

The Committee will also provide input as a stakeholder to proposed future works that are required to implement outstanding actions from the Yalukit Willam Nature Reserve Masterplan.

The Yalukit Willam Nature Reserve Committee of Management membership is appointed by Council and comprises 2 Councillors and up to 8 community-based and skills-based appointments sourced via a public expression of interest process.

### **Key issues**

A meeting of the Yalukit Willam Nature Reserve Committee of Management was held on 11 October 2023 to consider the following matters:

- Actions Arising
- Gambusia Management Summary
- Feasibility study into the introduction of growling grass frogs to the Yalukit Willam Nature reserve Chain of ponds.

### **Recommendation**

That Council:

1. notes the minutes of the Yalukit Willam Nature Reserve Committee of Management meeting held on 11 October 2023
2. adopts the following recommendations of the Yalukit Willam Nature Reserve Committee of Management meeting held on 11 October 2023:

#### *Item 6.2 – Gambusia Management Summary*

1. *That the Yalukit Willam Nature Reserve Committee of Management recommends that Council adopts a ‘suppression’ methodology for managing Gambusia into the Yalukit Willam Nature Reserve’s future management plan.*
2. *That the nature of the suppression methodology should be developed and presented back to the Committee for consideration.*

### **Support Attachments**

1. Minutes of Yalukit Willam Nature Reserve Committee of Management Meeting - Wednesday, 11 October 2023 ↓

Bayside City Council

Yalukit Willam Nature Reserve Committee of Management  
Meeting - 11 October 2023

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## Minutes of the Yalukit Willam Nature Reserve Committee of Management Meeting

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held in the Council Chamber, Boxshall Street, Brighton  
on Wednesday 11 October 2023

### 1. Welcome and opening of the meeting

The Chair, Cr del Porto opened the meeting at 6.05pm and welcomed members of the Committee and officers to the meeting.

### Acknowledgement of Country

The Governance Officer read the acknowledgement of Country.

*Bayside City Council proudly acknowledges the Bunurong People of the Kulin Nation as the Traditional Owners and Custodians of this land, and we pay our respects to their Elders, past, present and emerging as well as any Aboriginal or Torres Strait Islander community members with us today.*

### 2. Present

<b>Councillors</b>	Cr Alex del Porto (Chair) Cr Hanna El Mouallem (Mayor)
<b>Community Members</b>	Ms Stephanie Convery Mr Patrick Honan Mr Stephen le Page Ms Alison Soutar
<b>Officers</b>	James Roscoe – A/Director Environment, Recreation and Infrastructure Tom Vercoe – Manager Open Space and Recreation Paul Gibbs – Open Space Coordinator Jarrod Fleming – Yalukit Willam Nature Reserve Project Lead Robert Lamb – Governance Officer
<b>External Guests</b>	Lance Lloyd – Principal Ecologist, Lloyd Environmental Pty Ltd

Bayside City Council

Yalukit Willam Nature Reserve Committee of Management  
Meeting - 11 October 2023**Quorum for the meeting**

There are 10 members appointed to the Committee. The quorum for a meeting is a majority (6) of members including at least one Councillor representative.

A quorum for this meeting was reached with 4 community members, and 2 Councillors representatives present.

**3. Apologies**

*It is recorded that Ms Alicia Darvall, Mr Sam Murray and Ms April Seymore, and Dr Tricia Wevill were apologies.*

**Moved: Mr le Page****Seconded: Ms Convery**

That the apologies of Ms Alicia Darvall, Mr Sam Murray and Ms April Seymore, and Dr Tricia Wevill be noted for the 11 October 2023 Yalukit Willam Nature Reserve Committee of Management Meeting.

**CARRIED****4. Disclosure of Conflict of Interest of any Councillor**

There were no conflicts of interest submitted to the meeting.

**5. Adoption and Confirmation of the minutes of previous meeting**

- 5.1 Confirmation of the Minutes of the Yalukit Willam Nature Reserve Committee of Management Meeting held on 16 August 2023.

**Moved: Ms Convery****Seconded: Mr Honan**

That the minutes of the Yalukit Willam Nature Reserve Committee of Management Meeting held on 16 August 2023, as previously circulated, be confirmed as an accurate record of proceedings.

**CARRIED**



Bayside City Council

Yalukit Willam Nature Reserve Committee of Management  
Meeting - 11 October 2023

## 6. Reports

### 6.1 ACTIONS ARISING

Environment, Recreation and Infrastructure - Open Space and Recreation  
File No: PSF/23/165 – Doc No: DOC/23/291585

*The Manager Open Space and Recreation presented the Actions Arising report.*

#### NOTED

That the Yalukit Willam Nature Reserve Committee of Management notes this report.

### 6.2 GAMBUSIA MANAGEMENT SUMMARY

Environment, Recreation and Infrastructure - Open Space and Recreation  
File No: PSF/23/165 – Doc No: DOC/23/222287

*The Manager Open Space and Recreation presented the report on the Gambusia Management Summary. The Committee received a presentation on the matter from Lance Lloyd, Principal Ecologist at Lloyd Environmental Pty Ltd.*

#### Moved Mr Honan

#### Seconded Mr le Page

1. That the Yalukit Willam Nature Reserve Committee of Management recommends that Council adopts a 'suppression' methodology for managing Gambusia into the Yalukit Willam Nature Reserve's future management plan.
2. That the nature of the suppression methodology should be developed and presented back to the Committee for consideration.

**CARRIED**

Bayside City Council

Yalukit Willam Nature Reserve Committee of Management  
Meeting - 11 October 2023

**6.3 FEASIBILITY STUDY INTO THE INTRODUCTION OF GROWLING GRASS FROGS TO THE YALUKIT WILLAM NATURE RESERVE CHAIN OF PONDS**

Environment, Recreation and Infrastructure - Open Space and Recreation  
File No: PSF/23/165 – Doc No: DOC/23/222391

*The Manager Open Space and Recreation presented the report on the feasibility study into the introduction of growling grass frogs to the Yalukit Willam Nature Reserve Chain of Ponds. The Committee received a presentation on the matter from Lance Lloyd, Principal Ecologist at Lloyd Environmental Pty Ltd.*

**NOTED**

That the Committee of Management received a presentation from Lance Lloyd regarding the feasibility of introducing growling grass frogs into the Yalukit Willam Nature Reserve Chain of Ponds.

## **7. General Business**

### 7.1 Roles and Responsibilities for the Reserve

Mr le Page requested an update on the establishment of an agreement regarding the Roles and Responsibilities for the Reserve. The Manager Open Space and Recreation advised that discussions with Yalukit Willam Nature Reserve Association are still ongoing although this is expected to be resolved in the near future.

## **8. Confirmation of date of future meetings**

The next meeting will be held on Thursday 7 December 2023 at 6pm in the Mayor's Room, Council Chambers.

*The Chair declared the meeting closed at 7.50pm.*

**9. Reports by Special Committees**



## 10. Reports by the Organisation

### 10.1 WARM WATER POOL - STAGE 2 COMMUNITY ENGAGEMENT OUTCOMES

Environment, Recreation and Infrastructure - Open Space and Recreation  
File No: PSF/23/165 – Doc No: DOC/23/311835

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#### Executive summary

##### **Purpose and background**

This report presents the findings of Stage 2 of Community Engagement for the development of a Warm Water Pool (WWP) at Brighton Golf Course and seek endorsement of the revised concept plan informed by community feedback to proceed to schematic design.

At the 28 June 2022 Council Meeting, it was resolved:

*That Council:*

1. *proceeds to stage two – design development for a Warm Water Pool at Brighton Golf Course*
2. *undertakes stage two – community engagement to test the draft design for the Warm Water Pool*
3. *provides landlord consent for Leisure Management Services to proceed with design development of the Wellness Centre at Brighton Golf Course*
4. *commences lease negotiations with Leisure Management Services regarding management of a Warm Water Pool and Wellbeing Centre at Brighton Golf Course*
5. *commences detailed site investigations to inform design development of a Warm Water Pool and wellness centre at Brighton Golf Course*
6. *engages, via the head consultant, the services of a physiotherapist with expertise in warm water pools to provide input into the design as part of the design development process*
7. *engages the Bayside Healthy Aging Reference Group, Bayside Seniors Action Group and Disability Access and Inclusion Advisory Committee as part of a design development workshop to inform the building design*
8. *reconfirms its commitment to providing affordable, community access to both the warm water pool and clinical pool*
9. *notes that officers will undertake detailed site investigations as outlined in the body of this report.*

##### **Key issues**

Officers in conjunction with Activate Consultants (engaged to lead the community engagement process) developed a comprehensive community engagement plan to determine the level of support for the concept design for the WWP.

To maximise community awareness the following communication tools have been utilised:

- Have Your Say page
- explainer video outlining the WWP

- Council website news stories and e-newsletter This Week in Bayside
- signage at Brighton Golf Course
- digital screens at the Corporate Centre, Libraries and Maternal Health Centres
- social media, especially 'sponsored' posts to increase audience reach
- email notification to subscribed participants
- direct emails to key stakeholder groups.

### Community Consultation Outcomes

Community engagement was conducted from 20 September to 17 October 2023 and was open to Bayside residents, ratepayers, business operators and visitors. The purpose of the engagement was to gather feedback on:

- the draft concept design, proposed layout, and external treatments
- preferred services offered by allied health professionals
- perceived benefits and challenges or concerns about each of the proposals
- proposed opening hours and cost of use
- access to changerooms
- programming of the facility.

The engagement program was designed to seek the views of key stakeholders that would be directly impacted by the proposals, including neighbouring residents and existing Brighton Golf Course members and users. It also sought to engage targeted potential user groups for the WWP including older adults and people with a disability.

Consultation activities included:

- a survey, available online through Have Your Say Bayside and in hard copy format
- an online information and Q&A sessions (neighbouring residents)
- two drop-in sessions (golfers and neighbouring residents, general community)
- meetings with the Bayside Healthy Ageing Reference Group ('BHARG') and Disability Access and Inclusion Advisory Committee ('DAIAC').

Engagement activity	Number of participants
Survey (102 responses) <ul style="list-style-type: none"> <li>• Online on the Have Your Say Bayside project page (93 responses)</li> <li>• Hard copy (9 responses)</li> </ul>	102
2 x Place-based drop-ins (33 Dot board, 13 Voting pod, and 6 Chat board participants) <ul style="list-style-type: none"> <li>• 4 October (Wednesday, 9am to 11am, Brighton Golf Course)</li> <li>• 7 October (Sunday, 10am – 2pm, Brighton Golf Course)</li> </ul>	35
1x Online information webinar <ul style="list-style-type: none"> <li>• 27 September (Wednesday, 6pm to 7pm, general community)</li> </ul>	6
Q&A forum <ul style="list-style-type: none"> <li>• Online on the Have Your Say Bayside project page</li> </ul>	1

Meetings with Council's Reference Groups and Advisory Committees	
<ul style="list-style-type: none"> <li>• 25 September (Monday, 1pm to 3.30pm, Bayside Healthy Ageing Reference Group and Bayside Seniors Action Group)</li> <li>• 25 September (Monday, 7.45pm to 8.30pm, Disability Access and Inclusion Advisory Committee)</li> </ul>	
<b>Total</b>	<b>166</b>

### Who we heard from

Not all participants provided demographic information with the summary below based on the survey participants only.

- The most represented age bracket was between 50 – 86 years (83.3%, 53 respondents).
- 71.2% (47 respondents) of respondents were female.
- 63% (62 respondents) lived in Brighton or East Brighton
- Cheltenham and Hampton East were not represented.
- Just under half of respondents identified as a Concession card holder or pensioner (31), and many as a person with chronic illness or medical condition (22).
- 48% (17) of drop in and webinar participants are golfers.
- 40% (14) of drop in or webinar participants are neighbouring residents.

Further information relating to participants is included as part of Attachment 1.

### Warm Water Pool

Feedback was sought on Council's intent to deliver a WWP that would provide opportunities for all in the community to benefit from warm water exercise for movement, rehabilitation, pain management and general wellbeing, including toddler learn to swim.

It was proposed that the public facility include:

- Warm Water program pool with moveable floor
- second warm water program pool
- allied services such as physiotherapy
- amenities including family changerooms
- a small kiosk
- accessible design and changerooms for people with high or complex needs.

Participants were asked to respond to specific questions, as noted below:

- How likely are you to use a WWP at Brighton Golf Course?
- To what extent do you like the proposed exterior concept designs?
- Please explain why you like or dislike the proposed exterior concept designs.
- Which exterior colour palette do you prefer?
- Is there anything that you think is essential to be included in the outdoor area that would help the facility meet your need?
- How much do you agree with the proposed interior floor plan will meet your needs?
- Please tell us why the proposed floorplan will or will not meet your needs?
- Is there anything missing from the proposed interior floorplan concept design that is essential to the facility to meet your needs?
- Which allied health services would you like to see available at the Warm Water Pool?
- What time(s) do you think you would visit the Warm Water facility most on weekdays?

- What time(s) do you think you would visit the Warm Water facility most on weekends?

Question	Response
<p>How likely are you to use a WWP at Brighton Golf Course?</p> <p><b>115 respondents</b></p> <p>80% indicated they were likely or very likely to use the proposed WWP.</p>	<ul style="list-style-type: none"> <li>• Very likely – 50.4%</li> <li>• Likely – 29.6%</li> <li>• Unsure – 6.1%</li> <li>• Unlikely – 5.2%</li> <li>• Very unlikely – 8.7%</li> </ul>
<p>To what extent do you like the proposed exterior concept designs?</p> <p><b>102 respondents</b></p> <p>82.2% indicated they liked the external treatments.</p>	<ul style="list-style-type: none"> <li>• Love it – 40.2%</li> <li>• Like it – 42.2%</li> <li>• Not sure – 7.8%</li> <li>• Don't like it – 2.9%</li> <li>• Really don't like it – 7.9%</li> </ul>
<p>Which exterior colour palette do you prefer?</p> <p><b>90 respondents</b></p> <p>Approximately 80% indicated they preferred the Sand base.</p>	<ul style="list-style-type: none"> <li>• Sand base with timber battens – 48.9%</li> <li>• Sand base with aluminium battens – 32.2%</li> <li>• Ochre base with timber battens - 10%</li> <li>• Ochre base with aluminium battens – 8.9%</li> </ul>
<p>How much do you agree with the proposed interior floor plan will meet your needs?</p> <p><b>102 respondents</b></p> <p>54% indicated that the internal floor plan would meet their needs.</p>	<ul style="list-style-type: none"> <li>• Strongly agree – 26.5%</li> <li>• Agree 27.5%</li> <li>• Undecided 19.6%</li> <li>• Disagree 12.7%,</li> <li>• Strongly disagree 13.7%</li> </ul>
<p>Which allied health services would you like to see available at the Warm Water Pool?</p> <p><b>87 respondents</b></p>	<ul style="list-style-type: none"> <li>• Physiotherapist – 56.6%</li> <li>• I will not use allied health services in this facility – 32.2%</li> <li>• Other – 19.5%</li> <li>• Myotherapist – 16.1%</li> <li>• Occupational therapist – 12.1%</li> <li>• Osteopath – 12.6%</li> <li>• Chiropractor – 4.6%</li> </ul>



<p>What time(s) do you think you would visit the Warm Water facility most on weekdays?</p> <p><b>90 respondents</b></p> <p>9am – 3pm is the preferred time to visit.</p>	<ul style="list-style-type: none"> <li>• 6am to 9am: 22.2%</li> <li>• 9am to 12pm: 55.6%</li> <li>• 12pm to 3pm: 41.1%</li> <li>• 3pm to 6pm: 18.9%</li> <li>• 6pm to 9pm: 23.3%</li> </ul>
<p>What time(s) do you think you would visit the Warm Water facility most on weekends?</p> <p><b>76 respondents</b></p> <p>9am to 3pm is the preferred time to visit.</p>	<ul style="list-style-type: none"> <li>• 6am to 9am: 13.3%</li> <li>• 9am to 12pm: 53%</li> <li>• 12pm to 3pm: 39.8%</li> <li>• 3pm to 5pm: 24.1%</li> <li>• 5pm to 7pm: 16.9%</li> </ul>

Of the respondents there continues to be overwhelming support for a WWP at Brighton Golf Course, with residents continuing to advocate for additional parking at the site and seek guarantees that the design considers the flood overlay at the site.

Strong sentiment was expressed regarding the size of the proposed kiosk/cafe with community members expressing a desire to socialise following warm water therapy and would prefer to see a small café. It was also expressed that a viewing area for carers and parents would be a great additional to the design.

A drop-off zone was raised for community members with mobility issues and strong support was expressed for undercover walkway from the accessible car parking bays.

Demographic information was not recorded or provided by all participants; however, based on the 93 survey participants:

- Parents of young children – 14 participants
- Concession card / Pensioner – 31 participants
- Person with disability – 11 participants
- Person with medical condition – 22 participants
- Carer of older person – 9 participants
- Aboriginal or Torres Strait Islander – 1 participant
- None of the above – 12 participants

Community Engagement Key Themes Summary

Detailed evaluation of the findings are noted in the Warm Water Pool concept design Community Engagement Summary (Attachment 1).

Question	Response
<p>What do you like about the external design and facilities?</p> <p><b>100 responses</b></p>	<p>Positive sentiment</p> <ul style="list-style-type: none"> <li>• Design that blends with environment (64 responses)</li> <li>• Natural light with great view (10 responses)</li> </ul>

	<p>Negative sentiment</p> <ul style="list-style-type: none"> <li>• Poor design response (11 responses)</li> <li>• Disagree with decision to proceed (8 responses)</li> <li>•</li> </ul>
<p>Is there anything missing from the external designs that is essential to the facility meeting your and or the community's needs?</p> <p><b>68 respondents</b></p>	<ul style="list-style-type: none"> <li>• Retain trees or plant more (9 responses)</li> <li>• Increase car parking (8 responses)</li> <li>• Cycling facilities (8 responses)</li> <li>• Weather protection (8 responses)</li> <li>• Amenities (6 responses)</li> <li>• Outdoor seating (6 responses)</li> <li>• Accessibility (5 responses)</li> <li>• Wayfinding signage (3 responses)</li> </ul>
<p>What do you like about the internal design and facilities?</p> <p><b>96 respondents</b></p>	<p>Positive sentiment</p> <ul style="list-style-type: none"> <li>• Supportive of floor plan (36 responses)</li> </ul> <p>Concerns</p> <ul style="list-style-type: none"> <li>• Changerooms – privacy cubicles and additional high-needs spaces (17 responses)</li> <li>• Make the pool bigger – wall space required, lap swimming (16 responses)</li> <li>• Café not kiosk – make it bigger (11 responses)</li> <li>• Concerns about moveable floor and pool depth (11 responses)</li> <li>• Don't build it (5 responses)</li> <li>• Suggestions for the pro shop (support and objection) (7 responses)</li> </ul>
<p>What is missing from the internal design?</p> <p><b>73 respondents</b></p>	<ul style="list-style-type: none"> <li>• Suggestions on changeroom design (13 responses)</li> <li>• Preference for a café with seating (12 responses)</li> <li>• Additional internal elements (11 responses)</li> <li>• Nothing is missing (10 responses)</li> </ul>
<p>Some naming ideas from BHARG workshop</p>	<ul style="list-style-type: none"> <li>• Bayside Aqua Therapy (BAT)</li> <li>• Bayside Water Therapy Pool was the most agreed</li> <li>• Indigenous Name</li> <li>• Bayside Warm Water Pool.</li> </ul>

### Design response based on community feedback.

The concept plan (Attachment 2) has been revised to better accommodate the needs of the community and ensure that the WWP is designed to enhance usability of our targeted users and the broader community.

High value has been placed on the social connection opportunities that a facility of this type offers with feedback emphatically suggesting that the kiosk/café is more clearly highlighted on the plans.

In the amended concept design, the pro shop and café space has been consolidated with the pro shop limited to a maximum of 120m<sup>2</sup>, a marginal increase from the current pro shop. The configuration of these two spaces will be considered as part of the schematic design as opportunities to maximise surveillance of the pool from the café are further explored.

The revised floor plan includes an expansive roof canopy and drop off zone to reflect the feedback to ensure both participants and their carer, can access the building via a covered drop off point, protecting them from the elements as they access the facility. Drop off zones for public transport has also been included.

The changerooms have been reconfigured to ensure that high needs changerooms service both program pools and the lifeguard station has direct access to the pool hall to ensure surveillance of users is always available. The plan also includes a reduction in floor area for the pool hall whilst maintaining compliance with Life Saving Victoria recommendations.

The community did not generally support a moveable floor component, and while its removal will restrict the flexibility of the pools as fixed depths will be required, the removal of this element is supported.

It is noted that there may be some reconfiguration to the floor plan through the schematic design process however this will be consistent with the concept plan adopted by Council.

### Next steps

Following endorsement of the concept design, Council will move into schematic design and through the planning permit process. It is anticipated that this will be submitted in early 2024.

Council will continue to keep key stakeholders and public informed about the process and will provide further information relating to the design and further amenity mitigation measures as the concept design progresses.

## **Recommendation**

That Council:

1. notes the findings from the community engagement process for the development of a Warm Water Pool (WWP) at Brighton Golf Course
2. endorses the concept plans to proceed to schematic design and to a planning permit process
3. updates stakeholders and community engagement participants of its decision.

## **Support Attachments**

1. Warm Water Pool Concept Design - Community Engagement Summary Report November 2023 ↓
2. Warm Water Pool revised concept plan ↓

## **Considerations and implications of recommendation**

### **Social**

There are significant social and physical health benefits associated with the use of warm water pools including quicker recovery from illness, injury, and surgery.

### **Natural Environment**

The Warm Water Pool at Brighton Golf Course will result in some loss of open space and likely require vegetation removal including some larger, more significant native trees. Any vegetation loss would be more than offset by planting around both facilities and throughout the golf course.

### **Climate Emergency**

The development of the Warm Water Pool recognises the significant impact traditional design and operation of aquatic centres have on the environment and recommends that a future design process maximises environmentally sustainable design principles, preferring use of electricity over gas with a strong focus on water consumption and harvesting.

### **Built Environment**

A warm water program pool facility including concourses, amenities and plant room and will include a dedicated clinical facility would be slightly smaller than a warm water pool however would depend on the range of accompanying services such as physiotherapy and other medical support services. Once Council endorses the concept design floor plan, the schematic design can be prepared to inform the future planning permit application.

### **Customer Service and Community Engagement**

The Stage 2 community engagement was delivered in accordance with Council's *Community and Stakeholder Engagement Policy 2021*. Council engaged the services of Activate Consulting to facilitate the engagement process and independently evaluate the feedback. A detailed report outlining the findings is included as an attachment to this report.

### **Equity Impact**

The implications of this report have been assessed and are compliant with the requirements of the *Gender Equality Act 2020*.

### **Human Rights**

The implications of the report have been assessed and are not considered likely to breach or infringe upon, the human rights contained in the *Victorian Charter of Human Rights and Responsibilities Act 2006*.

### **Governance**

Officers involved in the preparation of this report have no conflict of interest.

### **Legal**

Brighton Golf Course is currently leased until 30 June 2028. Access to the Brighton Golf Course site prior to this date will require negotiation with the existing lessee to facilitate a mutually agreeable development at the site.

## Finance

Preliminary cost estimates indicate a project budget of \$25 million (ex GST) will be required. From this \$25 million, BlueFit is making a contribution of \$1.5M with the rest to be funded by Council. Officers will continue to look for grant opportunities to support delivery of the project.

As Council develops the detailed design, there are risks in relation to growing construction industry costs associated with labour and supply of key materials such as steel and concrete. As such, Council's budget allocated for this project will continue to be monitored noting a reasonable amount of contingency has been included in the \$25M budget.

Council's Chief Financial Officer was consulted and has reviewed the recommendation outlined in this report.

## Links to Council policy and strategy

The provision of publicly accessible warm water facilities is supported by several key strategy and policy documents including the *Council Plan 2021–25*, *Bayside 2020 Community Plan*, *Active by the Bay Recreation Strategy 2013–22* and *Municipal Public Health and Wellbeing Plan 2021–25*.



# Warm water pool concept designs

Community engagement summary report  
November 2023



This report has been prepared by independent consultants, Activate Consulting and Cochrane Research Solutions.

Activate Consulting and its partners were engaged by Bayside City Council to deliver the community engagement program on the proposed concept plans for the Warm Water Pool at Brighton Golf Course. This included the provision of advice on the engagement approach and materials, design and delivery of engagement activities and full independent analysis and reporting of community and stakeholder feedback.



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## Executive summary

### Engagement overview

In 2022, Bayside City Council resolved to build a public Warm Water Pool (WWP) at Brighton Golf Course, following community consultation which showed strong overall support for the proposal.

Using the community feedback and targeted consultation with key Council Reference Groups and Advisory Committees, in early 2023, architects prepared initial concept designs for the new facility. These concept designs were released for community feedback from 20 September to 17 October 2023. This report presents the results of that engagement process.

These findings will inform the development of detailed designs for the new Warm Water Pool.

The engagement program was designed to seek the views of key target user groups of the new facility including older adults; persons and carers of persons with disability, chronic illness, or medical condition; and parents or carers of children under 12 years old. It also sought to engage with key stakeholders in the immediate vicinity of the facility, including neighbouring residents and existing Brighton Golf Course members and users.

There were a total of 166 participants across the seven engagement activities. While not all participants provided demographic and personal information, the profile of those who did indicates that the engagement was successful in reaching its key target participants, and that 80% (of 113 respondents) were *Very likely* or *Likely* to use the Warm Water Pool at Brighton Golf course.

### Key findings

*These findings draw from multiple feedback datasets and not all participants answered every question, so the counts and percentages reported should be considered in the context of the sample size.*

### Proposed exterior design concepts

Support for the exterior design concepts was strong. The majority of participants (82.4% of 102 participants) said they *Loved* or *Liked* the proposed exterior concept designs, with few (9.8%) expressing dislike for the concepts. The majority of the 23 survey respondents living in Brighton East where the pool will be located also said they *Loved* or *Liked* it (82.6%).

There was a much stronger preference (of 90 survey participants) for the *Sand base colour* than the *Ochre base colour*, and a preference for the *timber battens* (44 or 48.9%) than *aluminium battens* (29 or 32.2%) along with it. The same preference was evident for respondents living in Brighton East.

The feedback from 99 survey participants was overwhelmingly favourable citing the modern design, flowing lines, colours, and texture; large windows, views and natural light; the general design and low profile and easy access to the golf course. A small number expressed concerns about the overall facility or dislike for particular aspects of the concept (such as bulk, colours, deep fascia, glass, and grass spaces).

A range of suggestions were made for the outdoor area to help meet user needs, in particular outdoor seating, and also included: trees and greenery, car parking, facilities for cyclists, shelter for all weather protection, access to basic amenities, café with outdoor seating area, accessible and wheelchair-friendly movements, and instructional signage and signals to support easy movements.

**Reference Group and Advisory Committee participants** liked the covered walkways; use of sustainable materials and features; and windows facing north for views and privacy. They also made a number of suggestions for the outdoor area including eaves, tinted windows, and awning; handrails along entry paths, and paths with low gradients. They reinforced the importance of areas for social interaction, parking for mobility scooters and wheelchairs, and undercover drop-off areas right at the front door.

**Neighbouring residents and golfers** raised concerns about the impact of the facility on local traffic and parking (including whether there would be sufficient parking for golfers) and whether water run-off from the building would contribute to 100-year flood levels. They also raised the desire for a café and expressed (through the drop-in sessions) a preference for lighter external colours.

### Proposed interior concept designs

Support for the interior concept designs was not as strong as for the exterior. While the majority of participants *Strongly agreed* or *Agreed* (54.0% of 102) with the proposed interior floorplan designs, almost one in five were undecided and just over a quarter (26.4%) did not agree to some extent.

The main reasons some survey participants were unsure or did not agree included:

- Concerns about change-rooms and toilets – whether there would be a sufficient number and type to meet diverse needs and will they big enough and include required facilities. *It is important to note that the concept designs only showed the space allocated for change-rooms and toilets and not the specific configuration which will come at the detailed design stage.*
- Suggestions for the length and use of pools – a number of requests for a 25m pool/ lap swimming lanes, and feedback about ramps and child swimming lessons. *It is important to note that the Warm Water Pool will be heated to 34 degrees, intended for therapeutic purposes, which is too warm for lap swimming.*
- Concerns about moveable floor and pool depth – relating mainly to cost and practicality.
- Preference for a café rather than a kiosk – desire for a small, indoor café with seating for users, carers, and families to support wellbeing through social connection.
- Desire to support all-abilities access – comments related to a range of features including rails and sizes of rooms, pools, doors, and ramps.
- Queries relating to the Pro Shop – some mixed views about the Pro Shop and how to access it.

The suggestions raised to improve the interior floorplan reflected these concerns.

**Reference Group and Advisory Committee participants** liked the provision of the two pools, their size and the space around them. They liked that there were separate male and female change-rooms close to the pools and generous space to enter the facility. They also spoke positively about the number of windows with views across the golf course and the provision of outdoor seating.

These participants also suggested more change-rooms with button entry, café/ coffee shop, graduating floor, poolside seating, and indoor parking spaces for scooters and walkers. They also questioned the emphasis on the Pro Shop.

**Neighbouring residents and golfers** (through the drop-ins and online webinar) emphasised making the pools larger, the need for a café rather than a kiosk, and questioned whether the expense of a moveable pool floor was warranted.

### Allied health services, and other services and programs

Of 87 survey respondents, most (56.3%) preferred that *Physiotherapy* services be available at the new facility. Around a third said they *will not use allied health services*. Some wanted to see *Myotherapy*, *Occupational therapy* and *Osteopathy*, and fewer *Chiropractic services*. A range of other services were also suggested.

**Reference Group and Advisory Committee participants** reinforced support for physiotherapy, chiropractic services and occupational therapy, and also suggested acupuncture, podiatrist and remedial massage. This group again raised the desire for a café.

### Preferred operating hours

Feedback from 90 survey participants showed that highest anticipated use of the facility is between 9am and 3pm on both weekdays (96.7%) and weekends (92.8%).

There was higher anticipated use of the facility between 6am–9am on weekdays (22.2%) than weekends (13.3%), and conversely higher anticipated use of the facility between 3pm-5pm on weekends (24.1%) than 3pm-6pm on weekdays (18.9%).

A total of 16.9% of respondents said they would anticipate using the facility if it was open later on Saturdays from 5pm-7pm.

## 1 Engagement approach and participation

### 1.1 About the engagement

In 2022, Bayside City Council resolved to build a public Warm Water Pool (WWP) at Brighton Golf Course, following community consultation which showed strong overall support for the proposal.

Using the community feedback and informed by targeted consultation with key Council Reference Groups and Advisory Committees in early 2023 (Bayside Healthy Ageing Reference Group, Bayside Seniors Action Group and the Disability Access and Inclusion Advisory Committee), architects prepared initial concept designs for the new facility.

These concept designs were then released for community feedback and this report presents the results of that engagement process.

Community engagement was conducted from 20 September to 17 October 2023 (inclusive) and open to City of Bayside residents, ratepayers, visitors, and the general public.

The engagement program was designed to seek the views of key target user groups of the new facility including older adults; persons and carers of persons with disability, chronic illness, or medical condition; and parents or carers of children under 12 years old. It also sought to engage with key stakeholders in the immediate vicinity of the facility, including neighbouring residents and existing Brighton Golf Course members and users.

Consultation activities included:

- A survey, available online through Bayside’s *Have Your Say* website and in hard copy format;
- One online information webinar (general community, golfers, neighbouring residents);
- Online Q&A forum through *Have Your Say*;
- Two place-based drop-in engagement sessions at Brighton Golf Course; and
- Meetings with Reference Groups and Advisory Committees (Bayside Healthy Ageing Reference Group, Bayside Seniors Action Group and the Disability Access and Inclusion Advisory Committee).

The engagement was supported by broad communications including information on *Have Your Say*, letters to nearby residents, direct email to previous engagement participants, golf club member notifications, on-site signage, and promotion through Council’s digital and print communications channels, including *Let’s Talk Bayside* magazine sent to every household.

### 1.2 Level of participation

As shown in Table 1, the communications and engagement activities were effective in engaging **166 participants**. Please note: some individuals may have participated in more than one engagement activity.

**Table 1. Outline of engagement activities and level of participation**

Engagement activity	Number of participants
Survey (102 responses) <ul style="list-style-type: none"> <li>• Online on the <i>Have Your Say Bayside</i> project page (93 responses)</li> <li>• Hard copy (9 responses)</li> </ul>	102
2x Place-based drop-ins (33 Dot board, 13 Voting pod, and 6 Chat board participants) <ul style="list-style-type: none"> <li>• 4 October (Wednesday, 9am to 11am, Brighton Golf Course)</li> <li>• 7 October (Sunday, 10am – 2pm, Brighton Golf Course)</li> </ul>	35
1x Online information webinar <ul style="list-style-type: none"> <li>• 27 September (Wednesday, 6pm to 7pm, general community)</li> </ul>	6

Engagement activity	Number of participants
Q&A forum <ul style="list-style-type: none"> <li>Online on the <i>Have Your Say Bayside</i> project page</li> </ul>	1
Meetings with Reference Groups and Advisory Committees <ul style="list-style-type: none"> <li>25 September (Monday, 1pm to 3.30pm, Bayside Healthy Ageing Reference Group and Bayside Seniors Action Group)</li> <li>25 September (Monday, 7.45pm to 8.30pm, Disability Access and Inclusion Advisory Committee)</li> </ul>	22
<b>TOTAL</b>	<b>166</b>

### 1.3 Who we heard from

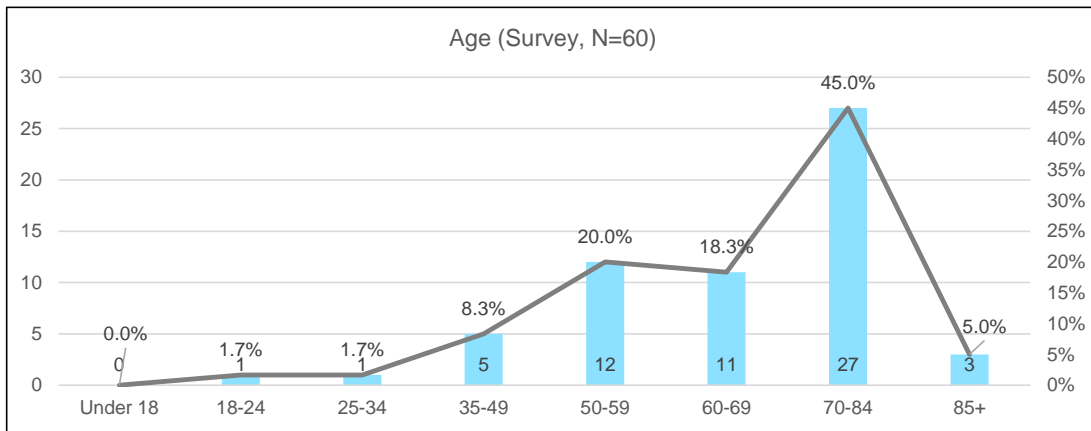
Not all participants provided demographic and personal information, so this description is based on the 102 survey participants, some of whom also did not answer all questions.

- Age: Most participants were aged 50 to 84 years. All age groups over 18 years were represented, although there was a low level of participation by those aged under 35 years (2 or 3.4%). Many participants were aged 70 to 84 years (27 or 45.0%), 50 to 59 years (12 or 20.0%), or 60 to 69 years (11 or 18.3%) (see Figure 1).
- Gender: More females (47 or 71.2%) participated than males (19 or 28.8%) (see Figure 2).
- Residential suburb: Most participants lived close to the new facility in Brighton (39 or 42.2%) or Brighton East (23 or 25.0%). The suburbs of Cheltenham and Hampton East were not represented. Four participants live outside of the Bayside municipality (see Figure 3).
- Diversity and other personal characteristics: 67 survey participants identified with one or more diversity and other personal characteristics. Just under half of these identified as a Concession card holder or pensioner (31), and many as a Person with chronic illness or medical condition (22). Some also identified as a Parent/carer of child aged 12 years or younger (14), Person and/or carer of person with disability (11), Carer of an older person (9) and/or Aboriginal or Torres Strait Islander (1). In addition, 15 members of the Bayside Healthy Ageing Reference Group, Bayside Seniors Action Group, and 7 members of the Disability Access and Inclusion Advisory Committee participated (see Figure 4).
- Main connection to Warm Water Pool: 35 participants at drop-ins and the webinar reported their main connection to the Warm Water Pool as being a Golfer (17), Neighbouring resident (14), Bayside resident (3), or Allied health professional (1) (see Figure 5).
- Likelihood of using the Warm Water Pool at Brighton Golf Course: Most of the 102 survey and 13 drop-in participants (92 or 80.0%) are Very likely or Likely to use the Warm Water Pool. Some participants reported Unsure, (7 or 6.1%), Unlikely (6 or 5.2%) or Very unlikely (10 or 8.7%) (see Figure 6).

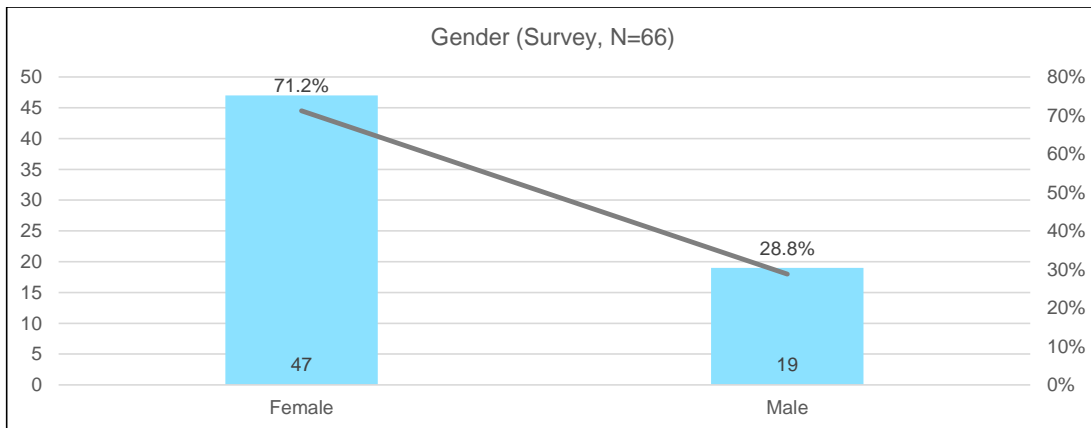
In addition, the majority of the 41 place-based drop-in participants and online webinar participants identified anecdotally as neighbours living nearby or golfers.

These characteristics indicate that the engagement was successful in reaching key target user groups as well as key stakeholders in the immediate vicinity of the new facility.

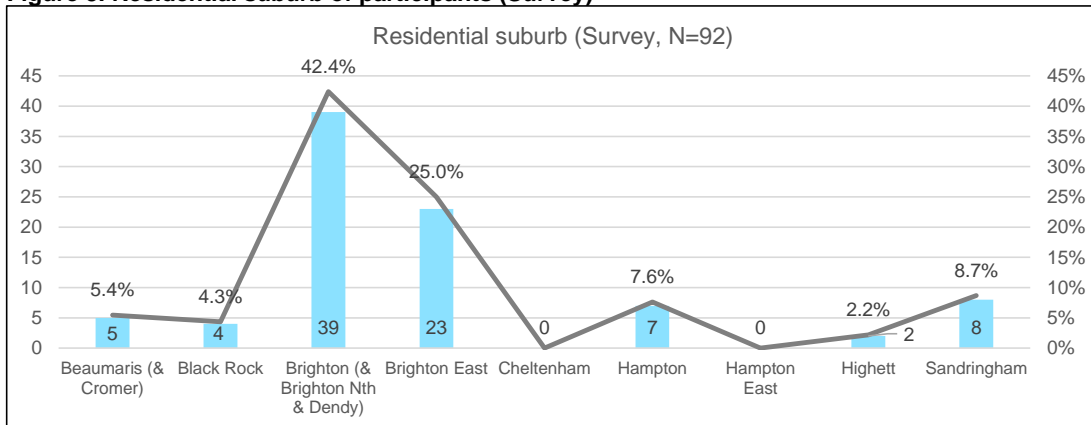
**Figure 1. Age of participants (Survey)**



**Figure 2. Gender of participants (Survey)**

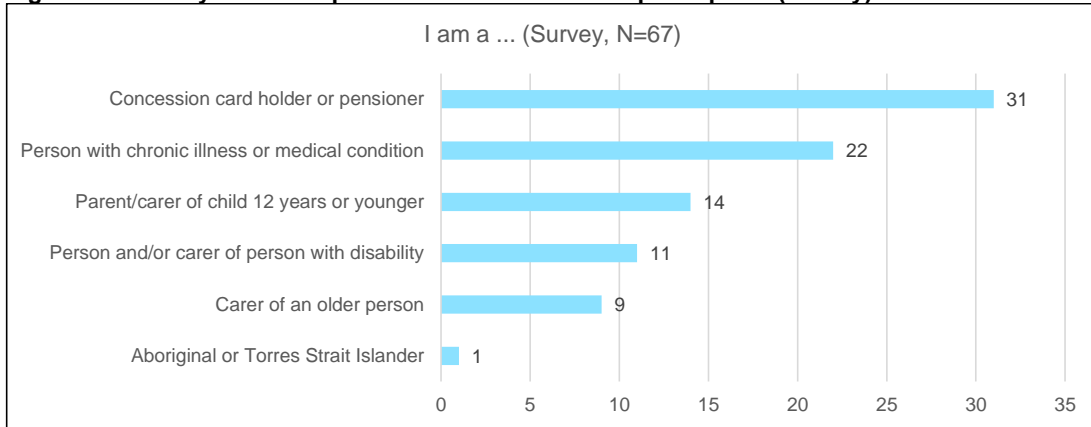


**Figure 3. Residential suburb of participants (Survey)**

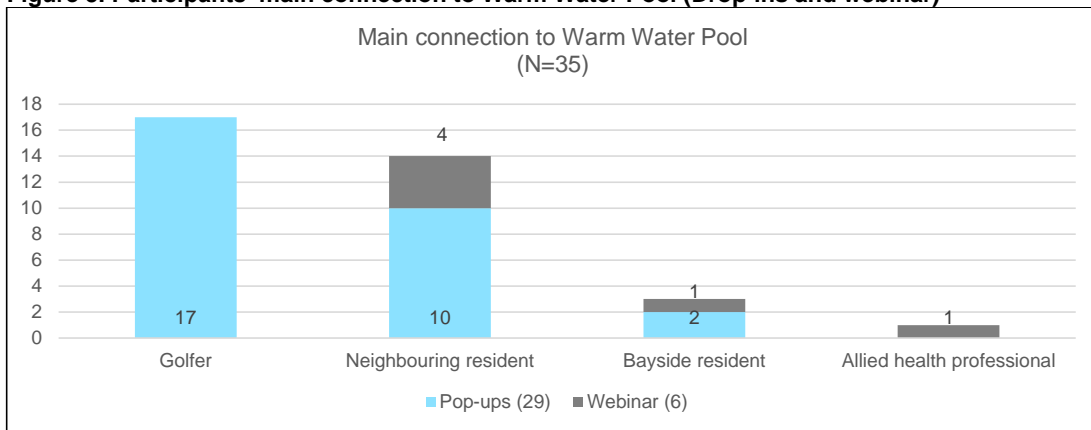


“Other” suburbs reported by four participants were: Bentleigh, Carlton South, Caulfield, and St Kilda East.

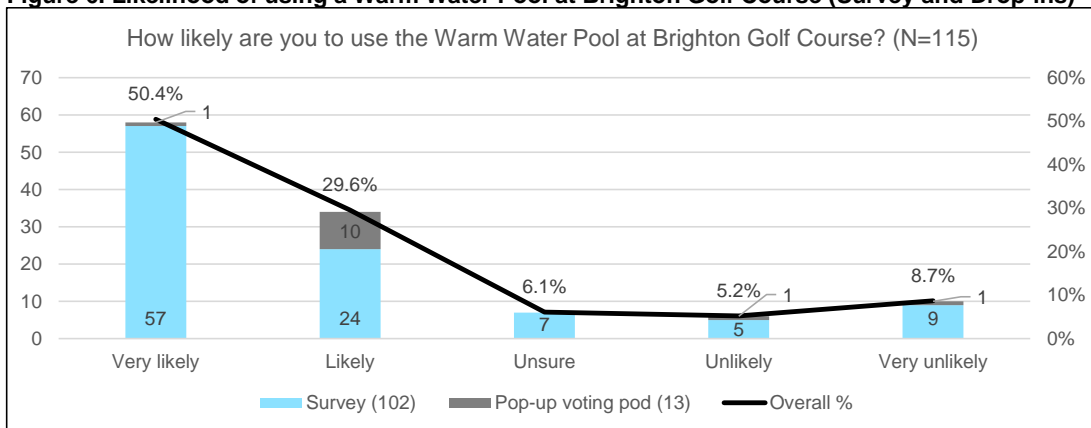
**Figure 4. Diversity and other personal characteristics of participants (Survey)**



**Figure 5. Participants' main connection to Warm Water Pool (Drop-ins and webinar)**



**Figure 6. Likelihood of using a Warm Water Pool at Brighton Golf Course (Survey and Drop-ins)**



## 2 Overview of findings

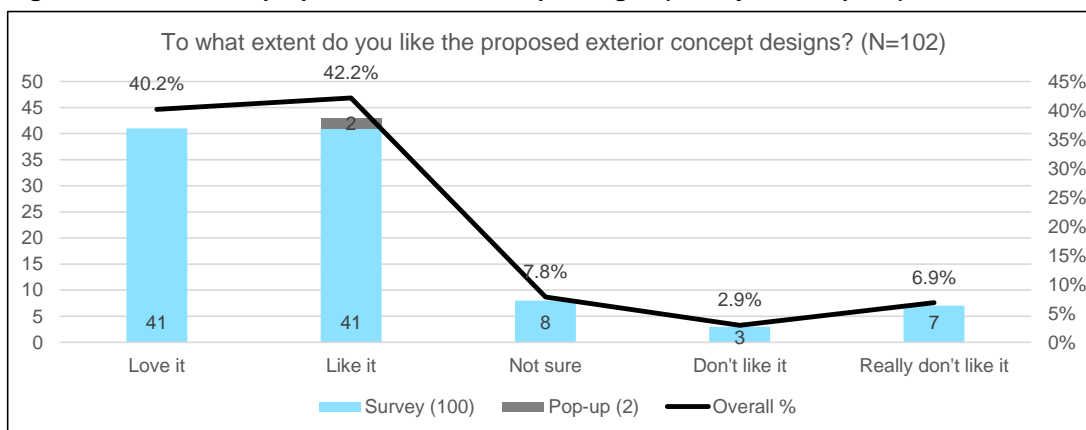
These findings draw from multiple feedback datasets and not all participants answered every question, so the counts and percentages reported should be considered in the context of the sample size. While the intention of the online webinar was for information and questions only (and attendees encouraged to provide formal feedback via surveys), some reflections around the sentiment and key themes of this discussion are noted where relevant.

### 2.1 Proposed exterior concept designs

#### Feedback on exterior concept design

Figure 7 shows the results for 100 survey and 2 drop-in participants. In relation to the proposed exterior concept designs, the majority of participants (84 or 82.4%) *Love it* or *Like it*. Other participants reported *Not sure* (8 or 7.8%), *Don't like it* (3 or 2.9%), or *Really don't like it* (7 or 6.9%).

**Figure 7. Views on the proposed exterior concept designs (Survey and drop-ins)**



Of the 23 participants who reported living in Brighton East (the surrounding neighbourhood to the new facility), most participants *Like it* (13 or 56.5%) or *Love it* (6 or 26.1%). A small number of participants reported *Not sure* (2 or 8.7%), *Don't like it* (1 or 4.3%), or *Really don't like it* (1 or 4.3%).

Of the survey participants, 99 provided an explanation as to why they like or dislike the proposed exterior concept designs. As shown in Table 2, most provided a response with a positive sentiment, though there were some responses with a negative sentiment and a small number of suggested improvements and general comments. The most frequently reported themes in responses referring to the exterior concept design were:

- Positive sentiment: Like the modern design, flowing lines, colours, and texture which blends into the surrounding landscape and environment (64), Like the large glass windows, views, and natural light to the interior (10), and Like the design, it looks good or great (9).
- Negative sentiment: Dislike or have concerns about an aspect of the exterior concept design (such as bulk, colours, deep fascia, glass, and grass spaces) (11) and Dislike or have concerns about aspects of the overall facility (8).



Table 2. Reasons why participants like or dislike the proposed exterior concept designs (Survey)

Themes referenced in responses	No. of surveys referencing Theme (N=99)
<b>Positive sentiment</b>	
Like the modern design, flowing lines, colours, and texture which blends into the surrounding landscape and environment	64
Like the large glass windows, views, and natural light to the interior	10
Like the design, it looks good or great	9
Like the low profile, low rise, or low roof	5
Like the easy access, open to the golf course	3
<b>Negative sentiment</b>	
Dislike or have concerns about an aspect of the exterior concept design: <ul style="list-style-type: none"> <li>• Building looks large, bulky, and overbearing. Doesn't blend into landscape or environment</li> <li>• Dislike the colours, darker/ ochre colours, and dark cladding</li> <li>• Dislike the deep fascia and would prefer it to be more open or eaves for passive energy control of sunlight</li> <li>• Concerns about the new look ageing poorly, large patches of grass, and large sections of glass for bird strikes</li> </ul>	11
Dislike or have concerns about aspects of the overall facility: <ul style="list-style-type: none"> <li>• Disagree with the decision to construct a new facility or a new facility at Brighton Golf Course</li> <li>• Concerns about loss of open space, disruption to the community, enough parking, width of access pathways and safety, and inconsistencies between the concept designs and overall site plan (Wellness Centre, tree removal, tree planting and water to establish new trees)</li> </ul>	8
<b>Neutral sentiment</b>	
Suggestions for overall facility: <ul style="list-style-type: none"> <li>• Drop-off area at the entrance and proposed covered walkway.</li> <li>• Floor raising mechanism in the larger pool is unnecessary and expensive, would prefer a graduated floor</li> <li>• Café to be large enough to provide a social and friendly meeting place for users and companions</li> <li>• Provide more disabled car spaces as four will not be adequate</li> <li>• Incorporate emergency/ambulance vehicle access close to the main entrance</li> </ul>	2
<b>Other comments – general</b> Participants referred to a low maintenance facility, internal structures being important, and having staff to oversee golfers teeing off on the 1 <sup>st</sup> and 10 <sup>th</sup> holes	4

When asked what they like about the external design and facilities, feedback from the Bayside Healthy Ageing Reference Group and Bayside Seniors Action Group included (paraphrased comments):

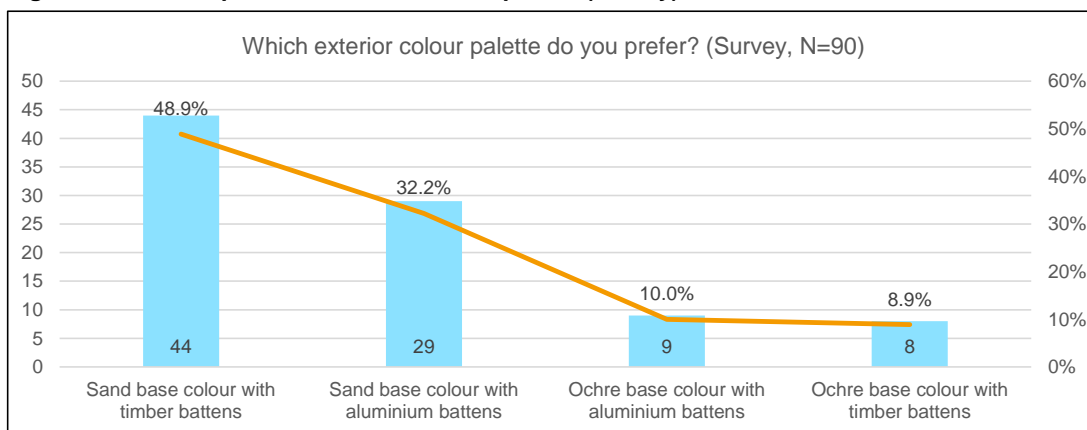
- The covered walkway from carpark to the building and entrance
- Most materials being sustainable, less maintenance
- High environment rating, use of eaves for passive energy control, solar panels, and battery
- The windows facing north looking down the hill and for privacy
- The building as it is attractive, curved not square, looks interesting, and not too modern

- Settling into the landscape
- Golf ball proof windows
- The front entry not seeing straight into the pools/facility.

**Feedback on exterior colour palette**

Regarding the preferred exterior colour palette, Figure 8 shows the results for 90 survey participants. The majority of participants preferred the *Sand base colour* (73 or 81.1%) to the *Ochre base colour*, and there was a stronger preference for *timber battens* (44 or 48.9%) than *aluminium battens* (29 or 32.2%). Other participants selected *Ochre base colour with aluminium battens* (9 or 10.0%) or *Ochre base colour with timber battens* (8 or 8.9%).

**Figure 8. Views on preferred exterior colour palette (Survey)**



20 of the 23 participants who reported living in Brighton East (the surrounding neighbourhood to the new facility) answered this question. Most also preferred the *Sand base colour* (17 or 85.0%) to the *Ochre base colour*, with a stronger preference for *timber battens* (11 or 55.0%) than *aluminium battens* (6 or 30.0%).

When asked about the external design and exterior colour palette drop-in participants reported they prefer light colours at the top and bottom, and that the ochre looks like a school building.

**Improvement suggestions**

A total of 68 survey participants made suggestions about other things essential to include in the outdoor area to help the facility meet their needs. As shown in Table 3, the most frequently reported themes were: Outdoor seating (17), Trees and greenery (9), Car parking (8), Facilities for cyclists (8), and Shelter for all weather protection (8).

**Table 3. Suggestions for the outdoor area to better meet participant needs (Survey)**

Themes referenced in responses	No. of surveys referencing Theme (N=68)
<b>Outdoor seating</b> Areas where people can meet, wait, read, and sit in shade or sunshine. Multiple outside shaded or sheltered areas, seats with umbrellas. Occasional bench seats and outdoor seating for people waiting for transport or on the way into the facility	17
<b>Trees and greenery</b>	9

Themes referenced in responses	No. of surveys referencing Theme (N=68)
Retain trees, more trees, plants, landscaping, gardens, shade trees, smaller trees, or trees in large planters on grassed areas	
<b>Car parking</b> Enough parking, parking bays, disabled parking bays, drop off points near the facility entrance, and reserved car park for golf. Convenient parking for parents, people with disabilities, carers, and the elderly	8
<b>Facilities for cyclists</b> Bike stands, racks or parking with some secure or in a visible area to discourage theft, and some racks undercover. Wide pathways for safe cyclist and pedestrian movements. No bike path	8
<b>Shelter for all weather protection</b> More shade, canopy entrance for inclement weather, covered drop off area, and undercover access to carpark. Covered front entry and good airlock system, covered walkway for sun and rain protection with additional side protection. Maintain or extend the umbrella protected area to the right side of the building	8
<b>Access to basic amenities</b> Lots of rubbish bins, a water fountain or drinking fountains for visitors, and toilet access for golfers	6
<b>Café with outdoor seating area</b> Café to have undercover or shaded outdoor seating or areas for carers or parents to have a coffee. Extend the cafe area with outdoor seating and tables with a paved wheelchair accessible area and to provide an additional amenity and local people and golfers to enjoy	6
<b>Accessible and wheel-friendly movements</b> Reduced use of steps, ramps that are wheelchair and all-abilities friendly, wide smooth paths for feet and wheels. Small pathway from the main pathway to the Pavilion (clubhouse) so golfers can push buggies near the club house	5
<b>Instructional signage and signals to support easy movements</b> Good way finding, signage indicating entrance. Visual and textual contrast to assist those with vision or other impairments	3
<b>No, nothing further required</b>	3
<b>Other comments – general</b> Participants referred to public transport access, lighting, a local sculpture, permeable exterior paving, pilates and yoga, play equipment, playground for kids, having the pool at 22 degrees for swimming, putting green and warm up nets, outdoor bar area, security, and a water feature	13
<b>Other comments – overall facility</b> Dislike or have concerns about elements of the overall facility	5

When asked if anything is missing from the external designs that is essential to the facility meeting your need and/or the community's needs, feedback from Council's Reference Groups and Advisory Committees included (paraphrased comments):

- Eaves on the northern side, tinted windows, and an awning or canopy over the entry
- An area for gathering with chairs and tables outside as social interaction is important
- Reduce allied health services and the Pro Shop to create space for a socialising area
- Use batteries for the main area
- Focus on the main purpose which is a warm water pool
- Handrails along the entry path and the car park to entry path not being too steep
- Parking for mobility scooters/wheelchairs

- Using thermal to reduce heating costs.
- A drop-off/pick-up point at the front door for vehicles (especially for taxis) with five-minute parking, undercover seating to cater for wheelchair users
- Covered seating outdoors
- Easy gradient from carpark to entry (like timber and sand)
- Programming support with equipment such as noodles being provided and staff available to bring them out and put them away.

Neighbours and golfers (at drop-ins) referred to (paraphrased comments, grouped by topic):

- Parking and traffic: Need sufficient parking. Car parking that stipulates golfers and pool users or is colour coded. Concerns around the parking and traffic impact assessment being done in Winter. Disagreement with traffic studies as turning right at the tennis courts or Glencairn Avenue is difficult and there is restricted visibility with large cars parked on Dendy Street. On-street parking is already full and available spaces may be misrepresented.
- Protection for neighbouring properties: Glencairn Avenue residents have experienced golf ball damage to their roof. Dead trees detract the view and diminish the protection from stray golf balls. Seek changes to course layout or tree planting to reduce damage.
- Café rather than a kiosk: Where is the café, needs to have a café not just a kiosk.

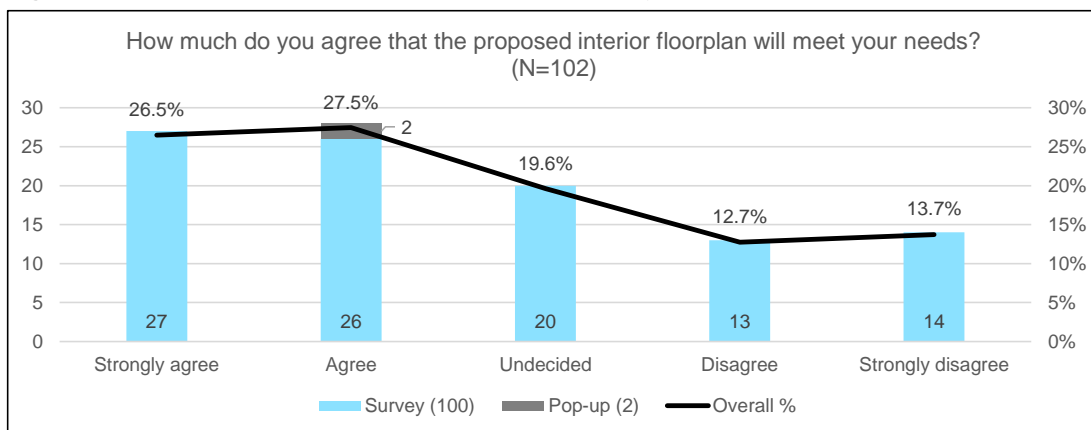
A small number of neighbouring residents who attended the online webinar raised questions or concerns about the increased pressure the new facility would place on traffic and on-street parking in the surrounding area, particularly during peak school times.

## 2.2 Proposed interior concept designs

### Feedback on interior concept design

Figure 9 shows the results for 100 survey participants and 2 drop-in participants. The majority of participants *Strongly agree* or *Agree* (55 or 54.0%) that the proposed interior floorplan design will meet their needs. Other participants reported *Undecided* (20 or 19.6%), *Disagree* (13 or 12.7%), or *Strongly disagree* (14 or 13.7%).

**Figure 9. Views on the proposed interior floorplan (Survey and drop-ins)**



Of the survey participants, 96 provided an explanation as to why the proposed floorplan will or will not meet their needs. As shown in Table 4, the most frequently reported themes were: Supportive of the proposed floorplan (36), Concerns about change-rooms and toilets (17), Suggestions for the length and use of pools (16), Concerns about moveable floor and pool depth (11), and Preference for a café rather than a kiosk (11).

**Table 4. Reasons why the proposed floorplan will or will not meet participant needs (Survey)**

Themes referenced in responses	No. of surveys referencing Theme (N=96)
<b>Supportive of the proposed floorplan</b> Looks good, well designed, flexible options, no problems, seems easily accessible and good for persons with disability.	36
<b>Concerns about change-rooms and toilets</b> Need adequate room with changing and shower facilities, more family change-rooms to cater for peak times, and more accessible change-rooms as people with additional needs or high care needs as people take longer to change. Reduce the allied health floor space and extend the change spaces. Need individual change-rooms and open plan changing areas near the smaller pool and allied health area and for a swift first aid response. Need sufficient toilets and change-rooms for females and transgender people to ensure privacy and dignity for all users. Need large cubicle showers and dry places to place items, door hooks at an accessible height, hairdryers, seating to place bags and sufficient lockers. A hoist is essential. A toilet needs to be accessible without having to go through the Pro Shop.	17
<b>Suggestions for the length and use of pools</b> Main pool to be bigger or one pool to be at least 25 metres long. The proposed smaller pool will not accommodate many people. Pools to be within easy reach of the entrance. Provide a separate lane for lap swimming. Reduce the double ramp to a	16

Themes referenced in responses	No. of surveys referencing Theme (N=96)
single ramp in the larger pool or smaller pool. Use the smaller pool for infant classes and children's classes. Concerns about babies wearing nappies in the pool. Provide adequate seating poolside. Aquatic areas to comply with Royal Life Savings - Guidelines for Safe Pool Operations and be supervised. Having swimming lessons for older children (toddler to 12 years) may make the facility more family friendly.	
<b>Concerns about moveable floor and pool depth</b> A floor raising mechanism or moveable floor is costly to install and maintain, not essential or practical. Provide more information about the moveable floor. A sloping floor or graduated pool depth will cater for clients of all heights and abilities, including children, and seems to be a simpler solution. To accommodate all heights, turn the ramp around the corner rather than doubling back.	11
<b>Preference for a café rather than a kiosk</b> The size of the facility justifies a café which would add revenue and provide an enjoyable positive experience for good mental health, socialising, and social connection. Rather than a kiosk, there needs to be a basic, indoor café with seating for the many users, carers, and families. Café to have a small but adequate menu. Entry to the Pro Shop should not be via the café as it would be too congested.	11
<b>Suggestions to support all-abilities access</b> Rails on the exterior walkways and a handrail in the pool. Pool lane dividers can be difficult to manage when moving to access different areas such as a slow lap lane. Reduce the pool double ramp to a single ramp. Sizes of rooms, pools, doors, and ramps to be designed to cater for people in wheelchairs with assisting carers. Floor surfaces and materials to be selected to assist with orientation and navigating the facility.	7
<b>Suggestions for the Pro Shop</b> Fully accessible and integrated Pro Shop within one building is great. Golfers need access toilets without having to go through the Pro Shop. Pro Shop entry should not be via the café. Queries whether the Pro Shop is needed, or some area could become a basic cafe with seating. Prefers a clear separation between the Pro Shop and golf related activities, with other activities.	7
<b>Suggestions for the plant room and equipment</b> Placing the plant room and equipment section underground would permit a better use of space and configuration of the allied health services and administration areas. Design of the chemical plant areas to comply with Safe Public Pool - Code of Practice.	3
<b>Other comments – general</b> Large reception area for wheelchairs, walkers, and trolleys, adding a spa, sauna and steam room, facilities for parents and carers waiting while a lesson is in progress, focus on elderly who need space, consider an additional swimming pool, ensure access for a swift first aid response, it is a large area for only an indoor pool. Reduce the size of the admin area, need for a lap pool in the northern part of Bayside, bus parking and drop-offs for people who do not drive, one pool (circular/oval) with multiple entry points and depths may increase access. Concerned about parking and entry costs, pool settings being noisy, and glass wall separating the pools may be difficult to keep clean.	14
<b>Other comments – overall facility</b> Dislike or have concerns about elements of the overall facility	5

When asked what they like about the internal design and facilities, feedback from the Bayside Healthy Ageing Reference Group and Bayside Seniors Action Group included (paraphrased comments):

- Two pools, size of pools looks good, could be bigger
- Lots of room or space around the pools

- Lots of windows, views of gardens and across the golf course
- Change-rooms being located close to the pool and separate for males and females
- Generous space to enter, particularly for walkers and wheelchairs
- Seating outside.

### Improvement suggestions

Survey participants were asked if anything is missing from the proposed interior floorplan, and 73 provided a response. As shown in Table 5, the most frequently reported were: Suggestions for change-rooms and toilets (13), Preference for a café with seating (12), Suggestions for additional internal elements (11), and It is a good floorplan, nothing is missing (10).

**Table 5. Elements regarded as missing from the proposed floorplan (Survey participants)**

Themes referenced in responses	No. of surveys referencing Theme (N=73)
<b>Suggestions for change-rooms and toilets</b> More family change-rooms as well as individual change and shower rooms. Separate male, female, and family areas. Showers and unisex toilets accessible to, or nearby, the pool. Unisex facilities and a transgender change space. Clear indications where toilets will be located	13
<b>Preference for a café with seating</b> A café is essential for socialising and the mental health and wellbeing of participants, carers, and families. A café that connects inside and outside, with seating and tables. More outdoor seating. A sit-down café area for people with disability or elderly as they are often isolated and may not travel to the Wellness Centre	12
<b>Suggestions for additional internal elements</b> Large storage spaces for practitioners providing services and close to the pool. Seating in the large entry area and for people waiting or supervision pool users. Consider other elements such as an infrared sauna or sauna, spa, steam room, professional therapeutic massage therapy area, bar for golf social gatherings, indoor garden, and water dispensers to refill drink bottles.	11
<b>It is a good floorplan, nothing is missing</b>	10
<b>Suggestions to enhance pool user experience</b> Users to be encouraged or advised to shower before entering pool, strict cleaning schedule and non-slip tiles. Easy access from the pool to toilets and a shower. Steps, handrail, and ramps into the pool, consider the water depth. Water temperature to be 34 degrees or a 22C pool for swimming	9
<b>Preference for a 25-metre pool or area for swimming</b> 25 metre pool as a minimum, 25 metre lap pool, longer pool, and an area for swimming or lap swimming	9
<b>Suggestions for outdoor spaces</b> An outdoor area, shaded area outdoors, seating, an outdoor pool, and dedicated car park for the golf players	5
<b>Other comments – general</b> Set up the facility for everybody in the community, has to be very wheelchair friendly. A Golf Pro Shop is not essential. Danny Frawley Centre in Moorabbin has a pool and is open. Consider a cold-water pool, play space for small children, dedicated first aid room, and public transport accessibility. Are there any passageways or will the rooms lead off each other? What equipment will be freely available?	10
<b>Other comments – overall facility</b> Do not build it in our precious open space	1

When asked if there is anything missing from the internal designs that is essential to the facility meeting your needs and/or the community's needs, feedback from Council's Reference Groups and Advisory Committees included (paraphrased comments, grouped by topic where applicable):

- Enhancing accessibility and user experience: Parking for walkers and mobility aids. Indoor scooter parking so they are not blocking a change-room while in pool. Sufficient poolside seating especially for those who use benches instead of change-rooms. Rail to assist people to get into a centre-provided wheelchair and then use that chair internally
- Changing rooms and toilets: need more accessible rooms as users take a long time, waiting can be an hour. Confirm there are toilets and showers (and disabled) in the change-rooms. Access to toilets without going through pool area. Button entry to change-rooms and a sliding door
- Size and shape of pools: Make the small pool or both pools bigger. Shape of pools to be appropriate as many users need to use the edge
- Spreading cost across internal spaces
- Future proofing the facility, consider adding another level in the future
- A graduating floor rather than moveable, no floating floor is required
- Pro shop is important as it is a golf course
- The coffee shop space is unclear, would like it to be pleasant and accessible for socialising
- Too many other areas apart from the prime reason which is the pools
- Shop selling swimsuits in many sizes and accessible change-rooms to try on items
- Wall is good provided there is access to both pools from any change space.

Neighbours and golfers (through the drop-ins) referred to (paraphrased comments):

- Pools are too small, need bigger pools to ensure access to pool wall space
- Ice baths for recovery as well as a sauna
- Need lots of all-abilities change-rooms and shared change-rooms need seating and ambulant toilets
- No push button showers and showers to have good drainage.

One online Q&A forum participant reported concerns about venue affordability and ensuring the cost of using a pool several times per week is not prohibitive.

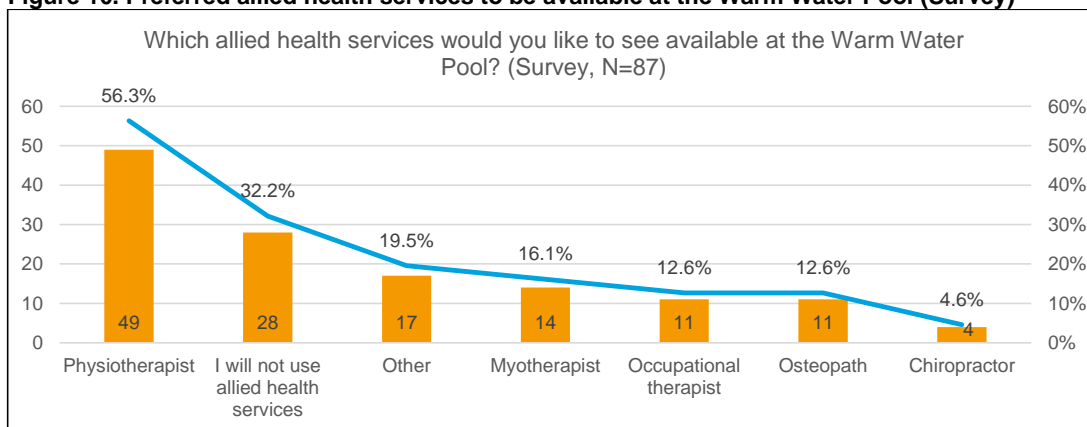


### 2.3 Allied health services, and other services and programs

Figure 10 shows the results for 87 survey participants. Regarding allied health services to be made available at the Warm Water Pool, the strongest support was shown for *Physiotherapist* (49 or 56.3%).

- Strongest support was shown for *Physiotherapist* (49 or 56.3%)
- Some support was shown for *Myotherapist* (14 or 16.1%), *Occupational therapist* (11 or 12.6%), *Osteopath* (11 or 12.6%), and *Chiropractor* (4 or 4.6%).
- 28 (or 32.2%) participants *will not use allied health services*, and a further 15 did not answer this question
- 17 participants selected 'Other' and were invited to provide a personalised response.

**Figure 10. Preferred allied health services to be available at the Warm Water Pool (Survey)**



“Other” services reported by 16 participants were (unedited comments):

- *All of these can be on offer. It would be crazy to just have one type of allied health offered.*
- *Aqua exercise group leaders who are qualified and skilled in leading a range of gentle aqua movement groups e.g., aqua yoga, aqua for arthritis groups*
- *Bowen Therapist*
- *Clinical exercise physiologist*
- *Exercise physiologist*
- *I don't need any at present but would be great to have the options*
- *Learn to swim*
- *Massage, physio*
- *Need both physiotherapists and myotherapists*
- *Physio allied to pool for hydrotherapy rehab*
- *Physiotherapist*
- *Psychologist*
- *Remedial massage*
- *The website will not allow for multiple answers to this question. Physiotherapy. Occupational therapy. Valid, evidence based, registered allied health professionals*
- *Unsure as to the viability of so much designated space, may be better to have just two 'consulting' rooms that can be used on a sessional basis? Has the Council considered a welcoming room for an Outreach professional, e.g., BCC community worker/NDIS? (2 participants)*

When asked about programs and services, feedback from the Bayside Healthy Ageing Reference Group and Bayside Seniors Action Group included the following (paraphrased comments, grouped by topic where applicable):

- Allied health services: Physiotherapy, chiropractor, acupuncture, podiatrists, occupational therapists, and remedial massage. Consulting areas and retreat areas. Some people already have their own specialists
- Pricing: Setting of prices, important that it is affordable
- Café: A café is really important, mixed views about the café, reception is not practical for serving tea and coffee
- Pro Shop: Reconsider emphasis on Pro Shop, consider amalgamating Pro Shop and café
- Communicating about programs and services: Ideas include using Let's Talk Bayside Magazine, email, libraries, community centres, U3A, Allied Health, Seniors Centre, sporting clubs, doctors, and physios
- Gym/exercise space: Small gym may not be used. Group exercise as well as individual
- Pool bookings: A pool booking system is important. Ensure it is not overscheduled or conflicting programs to protect dedicated use time
- Place the plant underground, could use space for more allied health services
- Space 4m<sup>2</sup> per person

### 2.4 Preferred operating hours

Figure 11 shows the results for 90 survey participants. Regarding times that participants are most likely to visit the Warm Water Pool on weekdays, most reported either 9am to 12pm (45 or 55.6%) or 12pm to 3pm (37 or 41.1%). Fewer preferred 6pm to 9pm (21 or 23.3%), 6am to 9am (20 or 22.2%), and/or 3pm to 6pm (17 or 18.9%).

**Figure 11. Likely times to visit the Warm Water Pool facility on weekdays (Survey)**

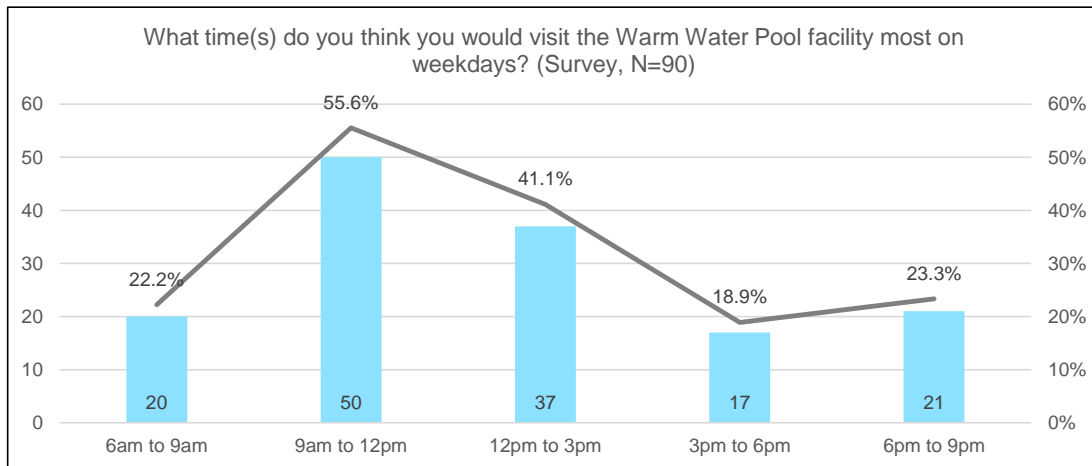
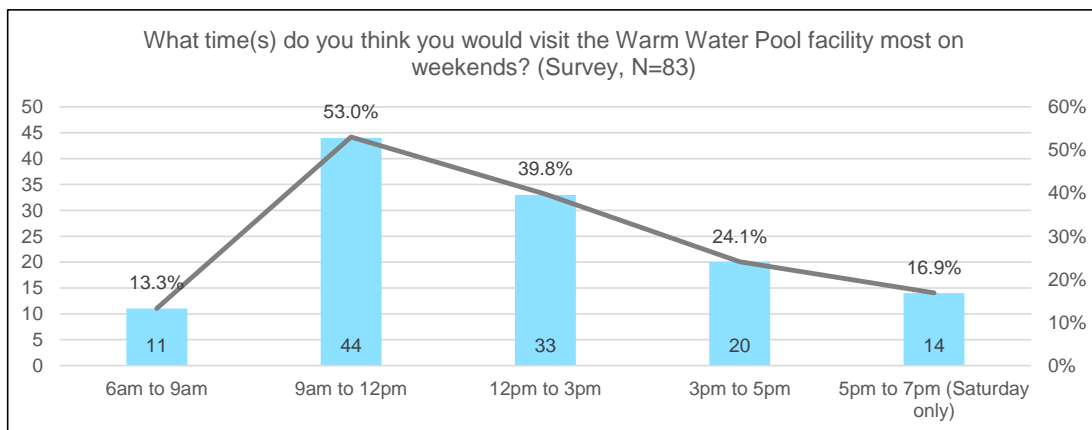


Figure 12 shows the results for 95 survey participants. Regarding times that participants are most likely to visit the Warm Water Pool on weekends, many reported 9am to 12pm (44 or 53.0%). Others prefer 12pm to 3pm (33 or 39.8%), 3pm to 5pm (20 or 24.1%), 5pm to 7pm (Saturday only) (14 or 16.9%), and/or 6am to 9am (11 or 13.3%).

**Figure 12. Likely times to visit the Warm Water Pool facility on weekends (Survey)**



When asked about operating hours, feedback from the Bayside Healthy Ageing Reference Group and Bayside Seniors Action Group included:

- Very good opening hours
- 9am to 3pm – exclusive access
- Try to avoid peak hours
- Opening on public holidays

## 2.5 Naming ideas for the facility

When asked about a name for the facility, feedback from the Bayside Healthy Ageing Reference Group and Bayside Seniors Action Group included:

- Bayside Aqua Therapy (BAT)
- Bayside Water Therapy Pool
- Bayside Warm Water Pool
- Semi-medical name so people don't think it's a normal pool
- Therapeutic pool
- Not clinical
- Hydrotherapy is a very specific type so not to call it that either
- Indigenous name
- Short name, be clear what it is (a warm water pool)

One drop-in participant reported: Wellness Program Pool.

### 3 Engagement evaluation

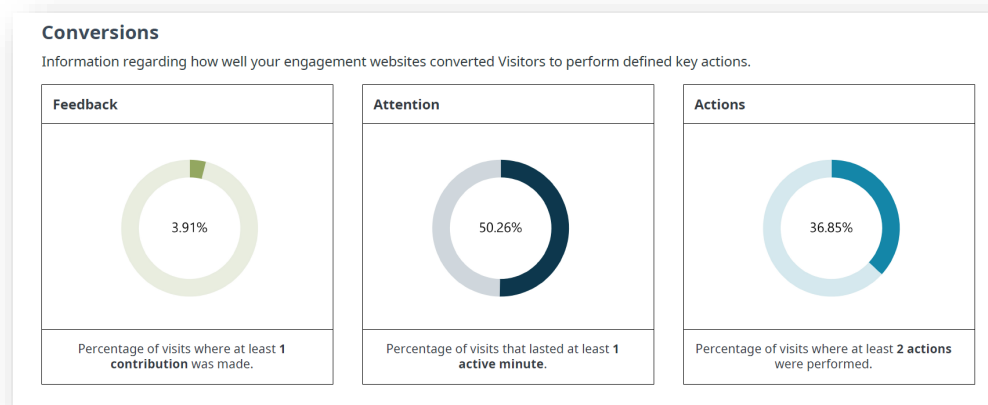
Evidence of reach is demonstrated through the engagement of **166 participants** and activity on the online consultation page. As shown in Table 6, 1,805 unique users visited the *Have Your Say Bayside* project page during the consultation period.

**Table 6. Summary of visitation and use of the *Have Your Say Bayside* project page**

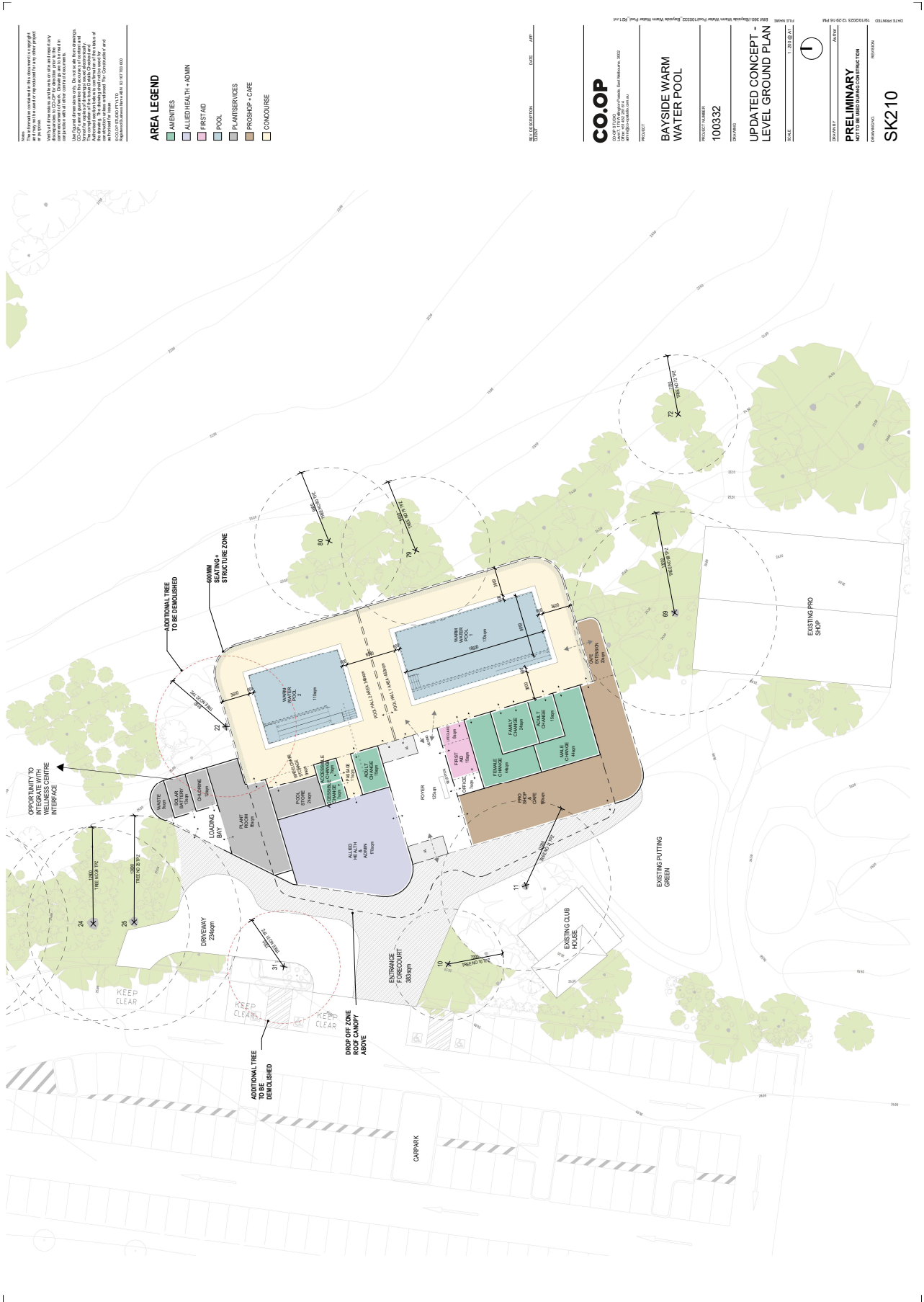
Metric	Description	Number
Visitors	The number of unique public or end-users to a Site. A visitor is only counted once, even if they visit a site several times in one day.	1,805
Visits	The number of end-user sessions associated with a single visitor.	2,274
Page Views	The number of times a visitor views any page on a Site.	4,303
Contributors	The unique number of visitors who have left feedback or Contributions on a Site through the participation tools.	93
Contributions	The total number of responses or feedback collected through the participation tools.	96

As shown in Figure 13, of the 2,274 visits to the page, 3.9% involved at least one contribution, and 50.3% lasted at least one active minute, and 36.9% involved at least two actions being performed.

**Figure 13. Online platform engagement conversion rates**



As outlined in Section 1, while not all participants provided demographic and personal information, the profile of those who did indicates that the engagement was successful in reaching key participants: key target user groups (older people, people or carers of people with a disability or chronic medical condition and parents of children aged under 12 years) as well as key stakeholders in the immediate vicinity of the new facility (neighbouring residents and golfers).



## 10.2 PROPOSED LEASES BRIGHTON GOLF COURSE

Corporate Services - Commercial Services  
File No: PSF/23/175 – Doc No: DOC/23/301562

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### Executive summary

#### **Purpose and background**

This report seeks Council approval to commence statutory procedures under Section 115 of the *Local Government Act 2020* (Act) to enter into new Lease Agreements with BlueFit Pty Ltd (Tenant) for the occupation of parts of the land (as indicated in the indicative lease areas contained in Attachment 1), known as Brighton Golf Course, Brighton.

At the December 2021 Council Meeting, it was resolved in part:

*That Council:*

- 1. endorses the Leisure Management Services proposed Brighton Golf Course location as the preferred site for development of a Warm Water Pool for the purposes of community consultation*
- 2. provides in-principle support for the inclusion of a Leisure Management Services fully funded Wellness Centre at Brighton Golf Course.*

Further, at the 28 June 2022 Council meeting, Council resolved in part:

*That Council:*

- 1. proceeds to stage two – design development for a Warm Water Pool at Brighton Golf Course*
- 2. undertakes stage two – community engagement to test the draft design for the Warm Water Pool*
- 3. provides landlord consent for Leisure Management Services to proceed with design development of the Wellness Centre at Brighton Golf Course*
- 4. commences lease negotiations with Leisure Management Services regarding management of a Warm Water Pool and Wellbeing Centre at Brighton Golf Course*
- 5. commences detailed site investigations to inform design development of a Warm Water Pool and wellness centre at Brighton Golf Course.*

This report seeks to enact the outcome of the negotiations in accordance with the points above.

Since the resolution, Leisure Management Services transferred its business to BlueFit Pty Ltd which has taken on all obligations in the existing lease and in the Heads of Agreement in relation to the proposed leases. This proposal to lease seeks to create 3 separate leases for the Proposed Warm Water Pool, Wellness Centre and Golf Course.

Further discussions were undertaken with BlueFit to improve the lease proposal and the key terms of the proposed leases are included in this report.

The community consultation undertaken in 2022 on the proposal for the Warm Water Pool and Wellness Centre showed overall support for Warm Water Pool at 80% and for the Wellness Centre at 70%. This consultation also identified key challenges to address as parking, traffic management and affordability. Parking and traffic management will be subject to final design and planning processes separate to the lease proposals. The tenant is proposing concessional

access to the Warm Water Pool and a 25% discount on access to the Wellness Centre for Bayside residents.

The leases also support the most recent consultation on the Warm Water Pool design and create a legal right of access for Council to undertake works on the Warm Water Pool site.

## Key issues

### Lease areas

As part of negotiating for access to the land to develop a Warm Water Pool the tenant requested 3 lease areas be considered. This creates a lease for Golf, a lease for the proposed Warm Water Pool and a lease area for the proposed Wellness centre. The site currently returns around \$250,000 plus turnover rental for the Golf Course lease. The proposed new facilities will create two new revenue streams for Council as well as investment back into the course and facilities.

### Lease Terms

Below is a summary of the key terms of the proposed Leases areas with Site A being the golf course, Site B being the proposed Warm Water Pool and Site C being the proposed wellness centre. Each lease will set out rights of the Tenant under the lease to utilise the shared parking to the site.

The tenant has agreed to pay turnover rental for the Golf Course and the Warm Water pool of 1.5%. It has agreed to remove a second term rent free period initially proposed for the Golf Course. It has requested an additional term of 15 years for the Wellness Centre due to the significant escalation in capital cost required to undertake the project.

**Site A) Golf course** - Brighton Golf course as identified in the attached lease plan titled the demised area approximately 320,000m<sup>2</sup> between Dendy and South roads Brighton, plus a new pro shop in the attached lease plan titled the demised area approximately of 145m<sup>2</sup> located in the proposed Warm Water Pool building (included in Site B). (subject to final design)

Permitted Use: 18 hole golf course and related golf activities

Commencement Date: Date of surrender of current lease over Brighton Golf Course

Rent free period: 2 years in Term 1

Term: 10 years

Options for further terms: 10 years

Commencing annual rental: Market rent review including 1.5% turnover rental

Turnover rental: 1.5% turnover rental disregarding any rent free period

Rent escalation: CPI

Capital Investment: \$1,000,000 in Term 1

Market rent review at commencement of new Term

The improved offer as it relates to Site A, is the addition of a 1.5% turnover rental as part of assessing a market rental on commencement. Further to this, a previously agreed cap on contributions to maintenance has been removed, and a new maintenance schedule will be agreed as part of the lease finalisation process. A rent-free period of 2 years previously proposed in term 2 has also been removed.



**Site B) Warm Water Pool & Allied Services** as identified in the attached lease plan titled The Demised Area approximately 2,225m<sup>2</sup> east of the current car park plus area for pumphouse and utilities. (Subject to final design)

Permitted Use: Warm Water pool, café, Pro Shop and associated allied services

Rent Commencement Date: date of issue of certificate of occupancy

Rent free period: 8 years

Term: 10 years

Options for further terms: 10 years

Commencing annual rental: \$60,000 plus GST

Turnover rental: 1.5% turnover rental disregarding any rent free period

Rent escalation: CPI

Capital Investment: contribution towards the Pro Shop estimated \$495,000  
contribution towards the WWP Facility \$1,000,000.

The improved offer as it relates to Site B is the addition of a 1.5% turnover rental which will be payable from date of occupancy. Further to this, a previously agreed cap on BlueFit's contributions to maintenance has been removed, and a new maintenance schedule will be agreed as part of the lease finalisation process.

It is anticipated that the facility will attract different user groups at different times throughout the day and week. To manage access and provide clarity, a service agreement will be prepared and annexed to the lease to be reviewed annually. This agreement will set out (among other things) a high-level approach to managing activities to ensure appropriate access for therapeutic uses. By reviewing the service agreement annually, it can respond to ebbs and flows in demand for different services as community needs change over the term of the lease.

**Site C) Wellness Centre** as identified in the attached lease plan titled The Demised Area approximately 14,000m<sup>2</sup> adjacent to Dendy Street boundary and area adjacent to 13<sup>th</sup> hole (Subject to final design and town planning approvals)

Permitted Use: Wellness Centre, hot bathing pools & associated health facilities, food and beverage service and infrastructure

Rent Commencement Date: date of issue of certificate of occupancy.

Rent free period: 10 years

Term: 15 years

Options for further terms: 15 years plus a further term of 15 years

Commencing annual rental: \$250,000 plus GST

Annual Turnover Rental: 7.5% of the amount by which gross sales exceed 12.5 x the base rent payable plus GST disregarding any rent-free period. Subject to a cap of double the base rent.

Rent escalation: CPI

Capital Investment: fully funded by tenant subject to final design original estimate \$25M

The change to the proposed lease terms (as it relates to Site C) is that BlueFit is now seeking an extra term of 15 years to allow greater investment opportunities and lower cost of funding

associated with the significant increase in capital investment required. Whilst this term is longer than what would normally be supported, the encumbered land would be a small portion of the overall site. On balance, this compromise made in exchange for greater rental return over Sites A and B areas would deliver benefits to both Council and the tenant. It also means that all maintenance related to the Wellness Centre will be the total responsibility of the tenant for a further 15 years reducing any potential obligations on Council for the duration of the additional term.

Proposed developments for the Warm Water Pool and Wellness Centre will be subject to separate Town Planning and any other regulatory approvals as required. Council will not be contributing any funds towards the Wellness Centre proposal which is to be fully funded by BlueFit.

## Recommendation

That Council:

1. commences the statutory procedures under Section 115 of the Local Government Act 2020 (the Act), to enter into 3 new Lease with BlueFit Pty Ltd, on the following terms:

- a) Site A) Golf course - Brighton Golf course as identified in the attached lease plan titled the demised area approximately 320,000m<sup>2</sup> between Dendy & South roads Brighton, plus a new pro shop in the attached lease plan titled the demised area approximately of 145m<sup>2</sup> located in the proposed Warm Water Pool building (included in Site B). (subject to final design)

Permitted Use: 18 hole golf course and related golf activities

Commencement Date: Date of surrender of current lease over Brighton Golf Course

Rent free period: 2 years in Term 1

Term: 10 years

Options for further terms: 10 years

Commencing annual rental: Market rent review including 1.5% turnover rental

Turnover rental: 1.5% turnover rental disregarding any rent free period

Rent escalation: CPI

Capital Investment: \$1,000,000 in Term 1

- b) Site B) Warm Water Pool & Allied Services as identified in the attached lease plan titled The Demised Area approximately 2,225m<sup>2</sup> east of the current car park plus area for pumphouse and utilities. (Subject to final design)

Permitted Use: Warm Water pool, café and associated allied services

Rent Commencement Date: date of issue of certificate of occupancy

Rent free period: 8 years

Term: 10 years

Options for further terms: 10 years

Commencing annual rental: \$60,000 plus GST

Turnover rental: 1.5% turnover rental disregarding any rent free period

Rent escalation: CPI

Capital Investment: contribution towards the Pro Shop estimated \$495,000  
contribution towards the WWP Facility \$1,000,000

- c) Site C) Wellness Centre as identified in the attached lease plan titled The Demised Area approximately 14,000m<sup>2</sup> adjacent to Dendy Street boundary and area adjacent to 13<sup>th</sup> hole (Subject to final design)

Permitted Use: Wellness Centre, hot bathing pools & associated health facilities, food and beverage service and infrastructure

Rent Commencement Date: date of issue of certificate of occupancy.

Rent free period: 10 years

Term: 15 years

Options for further terms: 2 x 15 years

Commencing annual rental: \$250,000 plus GST

Annual Turnover Rental: 7.5% of the amount by which gross sales exceed 12.5 x the base rent payable plus GST disregarding any rent free period.  
Subject to a cap of double the base rent.

Rent escalation: CPI

Capital Investment: fully funded by tenant subject to final design original estimate \$25M

2. authorises the Director Corporate Services to undertake the administrative procedures necessary to enable Council to carry out its functions under section 115 of the Act in relation to the Lease proposed and in accordance with Council's Community and Stakeholder Engagement Policy 2021
3. gives Public Notice on Council's website outlining the proposal in accordance with Section 115 of the Act
4. commences a community engagement process in accordance with Section 115(4) of the Act
5. following the consideration of any submissions, receives a further report at a future Council meeting.

## Support Attachments

1. Indicative lease areas ↓

## **Considerations and implications of recommendation**

### **Social**

Brighton Golf Course provides a value for money golfing option. Further investment into the course will support ongoing user benefits provided by golfing activities. There are significant social and physical health benefits associated with the use of warm water pools including quicker recovery from illness, injury, and surgery. The Wellness Centre will also provide an outlet for relaxation and wellbeing services which can support community wellbeing.

### **Natural Environment**

There will likely be a small number of trees removed to support the Golf Course improvements and realignment of holes. This will be offset by additional planting on the course. The Warm Water Pool will result in some loss of open space and likely require vegetation removal including some larger, more significant native trees.

The Wellness Centre will lead to extensive planting on the site with proposal to plant 500 indigenous plants above and beyond any offsets required for any vegetation removal. Any vegetation loss would be more than offset by planting around both facilities and throughout the golf course.

### **Climate Emergency**

The development of the Warm Water Pool recognises the significant impact traditional design and operation of aquatic centres have on the environment and recommends that a future design process maximises environmentally sustainable design principles, preferring use of electricity over gas with a strong focus on water consumption and harvesting. The Wellness Centre HOA provides that the site will be five star green rated and incorporate Council's biodiversity values. Should thermal water be available, energy offset may be possible to both sites.

### **Built Environment**

A warm water program pool facility including concourses, amenities and plant room would be approximately 1,611 square metres in size. The size of a dedicated clinical facility would be slightly smaller than a warm water pool however would depend on the range of accompanying services such as physiotherapy and other medical support services. It is expected that the Wellness Centre will be larger at approximately 1,800 square metres.

### **Customer Service and Community Engagement**

Community engagement will be undertaken on the lease proposal using Have Your Say site for 28 days. It should be noted that site specific consultation is also been undertaken in relation to the design of the Warm Water pool which closed on 17 October 2023.

### **Equity Impact**

The implications of this report have been assessed and are compliant with the requirements of the Gender Equality Act 2020.

### **Human Rights**

The implications of the report have been assessed and are not considered likely to breach or infringe upon, the human rights contained in the *Victorian Charter of Human Rights and Responsibilities Act 2006*.

### **Governance**

Officers involved in the preparation of this report have no conflict of interest.

## Legal

Brighton Golf Course is currently leased until 30 June 2028. This report seeks to commence statutory consultation requirements under the Local Government Act related to agreements which will facilitate access to the site for the proposed Warm Water Pool and demark spaces for the golf course and proposed Wellness Centre.

## Finance

Council currently receives rental of \$256,000 plus a small turnover rent (\$28k last financial year) for the entire golf course site. The creation of 3 new leases will add new revenue streams once ren- free periods are completed. It should be noted that if the Wellness Centre Proceeds, Council will be entitled to turnover rental from the issue of Certificate of Occupancy capped at twice the rental.

The Tenant will also contribute \$1M towards the Warm Water pool, plus \$495,000 towards the proshop component and pay a commencing rental of \$60,000 plus 1.5% turnover rental. The tenant is responsible for operational costs associated with running the Warm Water Pool under that lease. The investment and proposed rentals are included below for each of the sites.

	BlueFit Investment	Annual Rent	Lease Term
a) Golf Course	\$1,000,000	\$Market rent set by valuer including 1.5% turnover rental, annual CPI increase	10 years plus (includes 2 years rent free) Further term of 10 years
b) WWP (incorporates new Golf Pro Shop)	\$1,000,000 WWP. Plus \$495,000 for new Pro Shop.	\$60,000 plus GST plus 1.5% turnover rental, annual CPI increase	10 years (includes 8 years rent free) Further term of 10 years
c) Wellness Centre	Fully funded by BlueFit - TBC	\$250,000 plus GST Additional turnover rent with cap at double base rent, annual CPI increase	15 years (10 year rent free, % turnover rent payable from date of Cert of occupancy) Two further terms of 15 years

Council will forgo two years rental for the golf course in the first term.

## Links to Council policy and strategy

### Council Plan Goal 3 – Our Place

3.2 Infrastructure and assets are sustainable, accessible and fit-for-purpose now and for the future.

### Property Strategy

Goal 2 Strive to maximise utilisation and community benefits across the property portfolio

Goal 4 Commit to capital investment in Council assets that are sustainable, accessible and fit-for-purpose now and for the future.

The provision of publicly accessible warm water facilities is supported by several key strategy and policy documents including the Council Plan 2021–25, Bayside 2020 Community Plan, Active by the Bay Recreation Strategy 2013–22 and Municipal Public Health and Wellbeing Plan 2021–25.

**Options considered****Option 1 (Preferred Option)**

<b>Summary</b>	Progress leases as proposed in this report
<b>Benefits</b>	<p>Secures the site for the WWP with a legal agreement.</p> <p>Provides BlueFit with certainty to progress design of the Wellness Centre and changes required for the golf course.</p> <p>Allows consultation to occur on the proposed leases to understand community sentiment to the proposed leases.</p> <p>Honours the revised HoA negotiated in the report.</p>
<b>Issues</b>	<p>Market rent needs to be assessed by a certified valuer at commencement of the lease for the golf course. Where the Retail Leases Act applies it is not lawful to have a ratchet clause which maintains the rental higher than the valuation. The review ensures that an appropriate rental is set based on the maintenance costs, income returned and any site constraints to ensure that the business remains viable, but also that Council generates an appropriate return. Under the HoA all three leases have a Market Rent Review at the commencement of each new term.</p>

**Option 2**

<b>Summary</b>	Do not progress the lease proposals and defer consideration until lease expires in 2028
<b>Benefits</b>	<p>Limited benefits arise from this option apart from separating lease considerations from consultation for the Warm Water Pool concept design.</p> <p>Avoids a consultation process on the lease proposition.</p>
<b>Issues</b>	<p>Will impact access to the land at Brighton Golf Course to undertake the construction of the WWP and new agreements would need to be negotiated to support this.</p> <p>Would impact the proposal for the Wellness Centre development as 5 years is not enough time to generate a return on the significant investment involved.</p> <p>Council has already given landlord consent under the June 2022 resolution for the tenant to proceed with its design for the Wellness Centre.</p> <p>Would limit capital investment back into the golf course with 5 years remaining on the existing lease.</p>







## 10.3 BEAUMARIS CONCOURSE PERMANENT SHELTER AND GATEWAY SIGN

City Planning and Amenity - Urban Strategy  
File No: PSF/23/162 – Doc No: DOC/23/325743

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### **Executive summary**

#### ***Purpose***

The purpose of this report is to present the concept designs for the Beaumaris Concourse permanent shelter and gateway sign and the outcome of the stakeholder and community consultation.

#### ***Background***

At the 23 May 2017 Council Meeting, it was resolved:

*That Council:*

1. *notes the feedback received to the draft Beaumaris Concourse Streetscape Master Plan as the third stage of the engagement*
2. *adopts the Beaumaris Concourse Streetscape Master Plan in the form of Attachment 1 subject to making the following changes to the Concourse Green concept plan:*
  - a. *Removing the two east-west curvy gravel paths*
  - b. *Replacing the boulders in the open gravelled north-east corner with picnic tables and chairs subject to design approval*
  - c. *Removing the flagstone pavers at the south of the Green*
  - d. *Removing the tree up-lighting in the concourse green*
  - e. *Removing the shelter*
  - f. *Removing the design item and/or artwork as shown to the south of the formerly proposed boulders*
3. *subject to adopting the 2017–18 budget, commences detailed design and documentation*
4. *thanks community members who have contributed to the Master Plan including the reference group.*

The removal of the shelter from the masterplan was due to objections from the Beaumaris Conservation Society.

However, in responding to the Covid-19 pandemic in 2020, Council installed a temporary marquee on the Concourse Green to provide outdoor gathering spaces for the local community and support businesses. The marquee has proved popular and has since its installation undergone a series of upgrades with additional picnic tables, new planter boxes, lighting, decking, bunting and clear walls for increased usage in the winter months.

Due to the overwhelming community support for the temporary marquee, Council at its 18 May 2021 Council Meeting, resolved (in part):

*That Council:*

...

5. *reviews the construction of an outdoor permanent structure within the Beaumaris Concourse Green and a report be presented to a future Council meeting on the scope and cost to implement these works. In addition, consideration of potential opportunities for similar structures within all major activity centres and presented to Council. All projects will be considered and where appropriate referred to the future Capital Works program.*

### **Key issues**

As part of the development of Council's Parklet Policy, which was reported to Council in February 2022, extensive community consultation was undertaken that included seeking community views of the marquee at the Concourse.

The findings were overwhelmingly in favour:

Face to Face survey

- 100% of residents believed the marquee had a positive impact on the Beaumaris Concourse, 97.2% want to see the marquee stay long term.
- 80% of participating traders believed the marquee had a positive impact on the Beaumaris Concourse and support the marquee staying long term.

From "Have your Say"

- 100% of business that responded would like to see the marquee at Beaumaris Concourse continue in some form.

Consistent with the 18 May 2021 Council resolution, along with the community sentiment toward a permanent structure being reinforced, Cohen Leigh Architects were engaged to create concept designs for a permanent shelter and gateway sign.

The proposal for a gateway sign at the entrance to the Concourse forms part of the adopted Masterplan and is one of the final projects under the Masterplan needing to be completed. It is intended to signal the entry to the Concourse from Reserve Road.

### Concept Designs– Permanent Shelter and Gateway Sign

Concept designs have been prepared for a permanent shelter, and gateway signage.

The permanent shelter is proposed to provide a place to gather, socialise, and provide an established hub with the potential to host events and activations. The shelter is proposed to be constructed in the footprint of the existing temporary marquee and consist of galvanised steel, within inbuilt tables and bench seating (Attachment 1).

Two gateway signage concept designs have been prepared. One concept is proposed to be constructed of concrete, and the other of wood and metal.

The gateway sign will further enhance the revival of the activity centre by defining the concourse entrance to assist with one-way traffic management as well as creating an enhanced appeal to visit and explore the shopping centre.

The designs were tested with the community and once again overwhelmingly supported. A full Engagement Report with all outcomes is provided in Attachment 2.

A summary of the key findings is outlined below:

### Key findings

*Permanent shelter* - The overwhelming majority of participants liked the concept design of the permanent shelter. The Engagement Report demonstrates strong support with 222 respondents (93%) in favour and only 17 respondents (7%) that do not like the design.

In response to the overall design, the largest concern was the preservation of greenery, flora, and fauna, followed by fencing and lighting. Tables and seating were the most raised for the fit-out, followed by retractable walls and planter boxes.

The three top uses for the shelter are for the community to sit down with a coffee or lunch, catch up with friends and family and used for events (Attachment 2).

*Gateway sign* – A strong majority preferred the wooden gateway signage design. Of the 237 surveyed, 164 (69%) preferred the wooden concept design for the Gateway Sign and 73 (31%) preferred the cement sign.

### **Considerations**

#### Build date and time frame

The temporary marquee project was funded by the CovidSafe State Government grant and concludes on 31 June 2025. There is no further budget allocated to the project and no operational budget to continue with the marquee.

The Beaumaris Concourse permanent shelter will be submitted for capital works funding in November 2023 for the 2024–25 Capital Works Program. Advice provided indicates the Capital Works Program is at capacity and the project may not be included in the 2024–25 program or the 2025–26 program.

The permanent shelter requires detailed costings however is anticipated to be in excess of \$600,000. The gateway sign cost is estimated to be in the order of \$15,000 can be covered within the existing \$100,000 capital budget allocated to the project.

It is noted that the community have now provided feedback and support for the installation of a permanent shelter in the Green. It should be noted that any delayed delivery in the provision of the permanent shelter, without the continuation of funding for the current marquee, will need to be carefully managed.

### **Recommendation**

That Council:

1. notes the community consultation outcomes for the proposed Beaumaris Concourse permanent shelter and gateway sign
2. endorses the concept design for the permanent shelter
3. endorses the wooden option as the preferred concept design for the gateway sign
4. refers the project to the capital works program for 2024–25 for further consideration, prioritisation, and funding.

### **Support Attachments**

1. Permanent Shelter and Gateway Sign Concept Designs ↓
2. Bayside - 2023 Beaumaris Concourse - Community Engagement Summary Report ↓

## **Considerations and implications of recommendation**

### **Social**

As evidenced by the engagement and consultation program, the existing marquee appears to resonate well with the local community with the majority indicating they would like to see a permanent shelter for ongoing use.

The marquee has provided:

- an increase in capacity for outdoor dining in a public space
- support for the local economic activity
- support for future density requirements
- improvements in community connectedness and inclusiveness
- improved safety, particularly for the elderly
- encouraged an increase in time spent in the activity centre
- a connection to nature, supporting the health and well-being of the community and visitors
- support for events and activations held on the Green.

### **Natural Environment**

The current marquee and proposed Permanent Shelter encourage the local community to enjoy the outdoors, supports a connection to nature and provides an option for outdoor dining.

### **Climate Emergency**

Climate change may result in more extreme climatic conditions. This has informed the design of Permanent Shelter with components such as the addition of clear walls and other permissible inclusions for seasonal use.

The option for dining outdoors could reduce the need for indoor cooling and heating required that contributes to greenhouse gases. It may also encourage people to walk, cycle or take public transport to Beaumaris Concourse.

### **Built Environment**

Community feedback received informs that the marquee has complement the local area with colour and vibrancy. The marquee has contributed as a destination point, increasing visitation and social interaction.

### **Customer Service and Community Engagement**

Consistent with Council's *Community and Stakeholder Engagement Policy (2017–21)* community engagement has been undertaken including:

- 1042 views on the Have Your Say page.
- 839 website visits
- 441 submissions on Council's website "Have Your Say" which held the survey.
- 47 subscribed to follow the project
- 121 emails to traders.

## Equity Impact

The implications of this report have been assessed and are compliant with the requirements of the Gender Equality Act 2020.

## Human Rights

The implications of the report have been assessed and are not considered likely to breach or infringe upon, the human rights contained in the *Victorian Charter of Human Rights and Responsibilities Act 2006*.

## Governance

Officers involved in the preparation of this report have no conflict of interest.

## Legal

Not applicable to this report.

## Finance

The cost of design and documentation are covered as part of the 2022-23 capital budget.

Sufficient funds are available in the 2023-24 capital budget to cover the cost of the construction of the gateway sign.

Detailed costing on the permanent shelter is yet to be completed however it is expected to be in excess of \$600,000. A proposal will be submitted for capital works funding in November 2023 for the 2024–25 Capital Works Program. Advice provided indicates the Capital Works Program is at capacity and the project may not be included in the 2024–25 program or the 2025–26 program.

## Links to Council policy and strategy

[The Bayside Tourism Strategy 2013](#)

Section 6.1 Council to promote quality outdoor dining in Activity centres.

[Council Plan 2021–25](#).

The proposed Permanent Shelter and Gateway Sign supports:

Goal 2: Our People;

2.3.1 Improve the amenity, accessibility, and unique sense of place of local shopping strips and streetscapes.

2.3.2 Foster economic activity and local employment, within Bayside business district and major activity centres.

2.3.3 Support delivery of events that promote community connectedness and attract economic benefits.

Goal 3: Our Place.

3.2 Infrastructure and assets are sustainable, accessible, and fit for purpose now and for the future.

3.3 Land use will enhance Bayside's liveability and protect the distinctive heritage and character of our various localities.

Bayside Community Vision 2050

The Bayside Community Vision 2050 includes a number of Priorities which support the proposal, including:

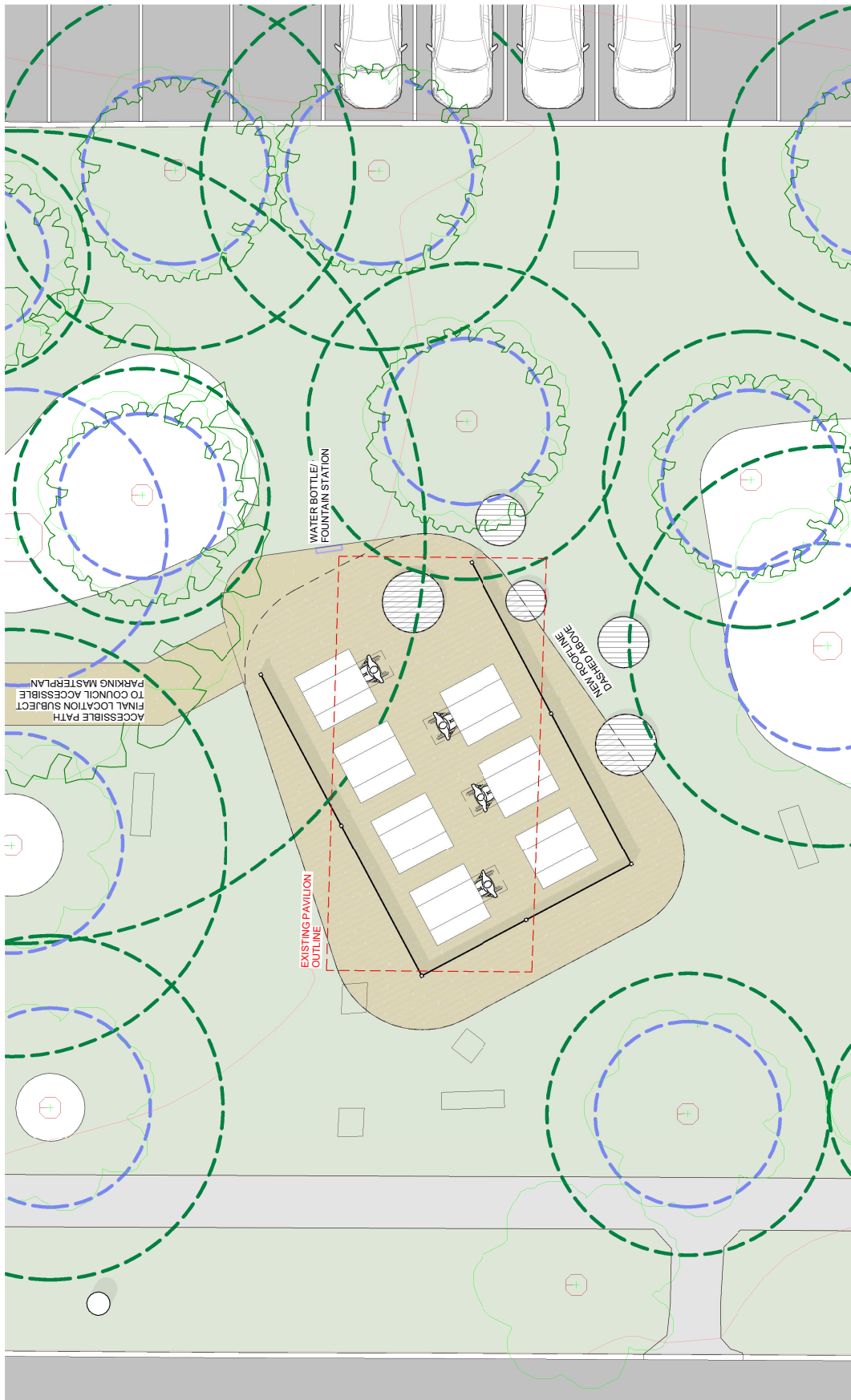
- 2.3 Ensure that open space and community infrastructure on that land has the potential for multipurpose use.
- 2.4 Design public open space so that it reflects careful consideration of the environmental, cultural and heritage value of Bayside.
- 10.2 Express the different flavours of Bayside's specific villages such as how the villages of Brighton, Hampton, Sandringham, Black Rock, Beaumaris, Highett and Cheltenham and their smaller strip shopping business areas are different to each other and have their own signature style and amenities, as a way of attracting visitors to each, rather than a homogenous 'Bayside' area.
- 10.4 Encouraging, supporting and fostering local business across all of Bayside which underpin the viability and character of our individual village structures and give easy accessibility to local populations. Council to facilitate the delivery of measure.



Site Plan  
1:500

Beaumaris Concourse  
August 2023





Permanent Shelter Plan  
1:100

Beaumaris Concourse  
August 2023







Permanent Shelter  
Artist Impression

Beaumaris Concourse  
August 2023





Permanent Shelter  
Artist Impression

Beaumaris Concourse  
August 2023





Permanent Shelter  
Artist Impression

Beaumaris Concourse  
August 2023

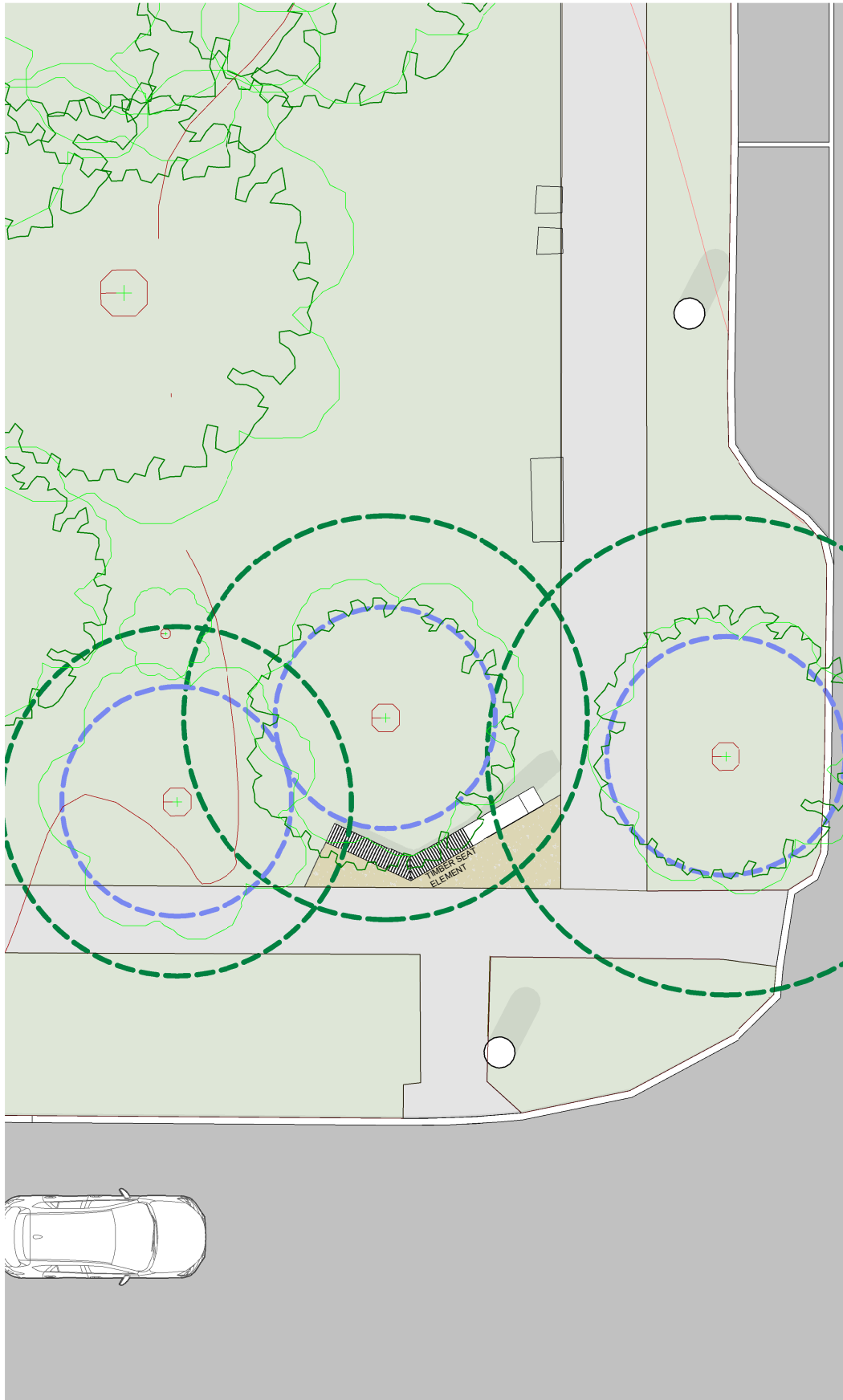




Permanent Shelter  
Artist Impression

Beaumaris Concourse  
August 2023





Gateway Signage - Option 1  
1:75

Beaumaris Concourse  
August 2023

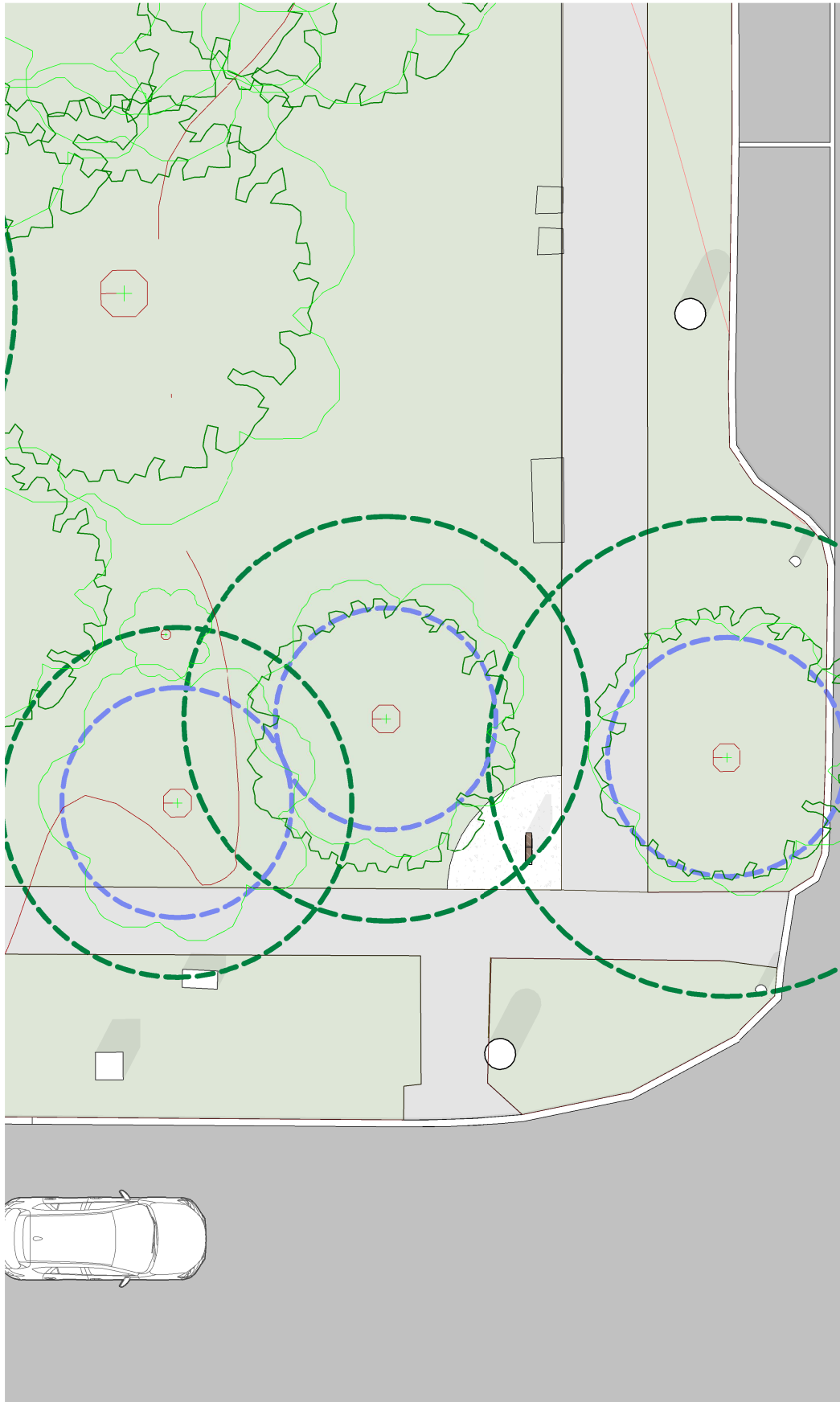




Gateway Signage - Option 1  
Artist Impression

Beaumaris Concourse  
August 2023





Gateway Signage - Option 2  
1:75

Beaumaris Concourse  
August 2023





Gateway Signage - Option 2  
Artist Impression

Beaumaris Concourse  
August 2023







Gateway Signage - Option 2  
Artist Impression

Beaumaris Concourse  
August 2023



# Beaumaris Concourse Community Engagement Summary

13 October 2023

Bayside City Council  
Corporate Centre  
76 Royal Avenue  
SANDRINGHAM VIC 3191

T (03) 9899 4444

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[www.bayside.vic.gov.au](http://www.bayside.vic.gov.au)



## 1 Background

This document provides a summary of stakeholder and community feedback on the proposed Beaumaris Concourse permanent shelter on the Green and the new Concourse gateway sign.

From its inception in September 2021, it appears that the temporary marquee on the Beaumaris Concourse has risen in popularity. Born through a desire for public open-air, sheltered gathering places after the emergence of COVID-19, the structure has evolved with the addition of picnic tables, planter boxes and lighting.

With overwhelming community and trader support for the structure to become permanent, the consultation was undertaken to seek community feedback on design concepts for the permanent shelter on the Green as well as the new Concourse gateway sign.

The gateway will define the village entrance and assist the Concourse's one-way traffic management. The defined visual entrance to the village will add new street-front appeal, and further encourage visitation to the commercial centre.

Along with community feedback, the placemaking initiative will align with existing Council plans and policies and underpin the delivery of the project.

The consultation project included a total of 182 Have Your Say Quick Poll contributions, 50 face-to-face interactions with the community, local traders, and a range of other bodies with Council officers, 31 posts and 34 comments on Gather, and two emailed submissions direct to Council officers.

## 2 Consultation process

### 2.1 Consultation purpose

The purpose of the consultation was to understand the community's views about the design of the Beaumaris Concourse permanent structure and the gateway signage.

### 2.2 Consultation methodology

The tools and techniques selected for this project were informed by the project content, stakeholders, and type of feedback sought.

The communication program ran from the 4<sup>th</sup> to the 25<sup>th</sup> of September 2023, with the Have Your Say website open for this period.

In addition to the Face-to-Face engagement conducted on 9/9/23 and presentation to the Beaumaris traders meeting on 24/8/23, targeted communications was also sent to:

- Bayside residents
- Beaumaris Concourse Traders
- Beaumaris Conservation Society
- U3A
- Beaumaris Maternal and Child Health Centre
- Bayside advisory and representative committees:
  - Disability Access and Inclusion Advisory Committee
  - Reconciliation Advisory Group
  - Youth Ambassador Committee
- Bayside Healthy Ageing Reference Group
- Community Action and "Friends of" groups
- Bayside City Council employees

Interested participants could also engage directly with Council through the online engagement tool Have Your Say, including the opportunity to ask questions, as well as bookable meetings with key stakeholder groups.

The survey was available in accessible formats on request.

### 3 Participant profile

Given the nature of the activities that underpinned the consultation exercise, there was no systematic collection of the demographic and suburb profile of participants.

As a result, it is not possible to provide meaningful insight into the gender, age, and suburb breakdown of participants.

When read in conjunction with the fact that the survey was not a scientific (random sample) survey, the results of this consultation exercise can be read as an indication of the views of the Bayside community who were sufficiently engaged in the Beaumaris Concourse project to choose to participate in the consultation exercise.

The results cannot be read as a reliable estimate of the local community's views on the project, although given the strength of the support for the design of permanent structure, it is likely that underlying community support for the project is strong.

## 4 Consultation findings

The following section summarises the key themes which arose in community feedback on the Beaumaris Concourse and gateway signage project.

The consultation includes feedback from 299 individuals:

- 182 Have Your Say Quick Poll contributions.
- 50 Face-to-face interactions with Council officers.
- 31 posts and 34 comments on Gather.
- 2 emails direct to Council officers.

### 4.1 Feedback summary – Online Survey

The following key findings were identified in the data collected from the consultation exercise:

- **Support / Opposition to the design of the permanent structure** - the overwhelming majority (93%) of the participants who provided direct feedback on the question reported that they liked the design of the structure, whilst seven percent did not.
- **Preferred material for the gateway signage** - a strong majority (69%) of the participants who provided direct feedback on the question reported that they preferred the wooden gateway signage design, whilst 31% preferred the cement design.
- **Structure Design** - of the 70 issues raised, the most common issues raised in relation to the design of the structure related to the preservation of greenery, flora, and fauna (9 comments), fencing and enclosure (6 comments), lighting (5 comments), seating facilities (4 comments), and the material used for paths (4 comments).
- **Structure Fit-out** - of the 169 issues raised, the most common issues raised in relation to the fit-out of the structure related to preference for picnic tables and seating facilities (37 comments), retractable walls (26 comments), planter boxes (23 comments), and water fountains (21 comments).
- **Structure Use** – of the 56 issues raised, the most common issues raised in relation to the use of the structure related to coffee and lunch (15 comments), catching up with family and friends (10 comments), events (3 comments), and as a meeting hub (3 comments).

### 4.2 Support for actions

The key finding from the consultation exercise was that the overwhelming majority (93%) of participants liked the design of the structure, and a strong majority (69%) preferred the wooden gateway signage design.

### 4.3 Item-specific feedback

The consultation exercise focused on four key areas, support/opposition to the design of the structure, preferred material for the gateway signage, feedback on the design of the structure, the fit-out of the structure, and use of the structure as follows:

#### 4.3.1 Support / Opposition to the design of the structure

Of the 239 participants, 93% supported the design of the permanent structure and seven percent opposed the design.

**View about the design of the permanent structure**  
**Bayside - 2023 Beaumaris Concourse Consultation**  
*(number and percent of total participants)*

<i>View</i>	<i>Support</i>	<i>Oppose</i>	<i>Total</i>
Have your say - Quick Poll	175	14	189
F2F	42	1	43
Gather	3	2	5
Email	2	0	2
<b>Total</b>	<b>222</b> 93%	<b>17</b> 7%	<b>239</b> 100%

#### 4.3.2 Preferred material for the gateway signage

Of the 237 participants who provided feedback on this question, a little more than two-thirds (69%) preferred wooden gateway signage, and 31% preferred cement.

**Preferred material for the Gateway Signage**  
**Bayside - 2023 Beaumaris Concourse Consultation**  
*(number and percent of total participants)*

<i>View</i>	<i>Support</i>	<i>Oppose</i>	<i>Total</i>
Have your say - quick poll	137	49	186
F2F	27	23	50
Email	0	1	
<b>Total</b>	<b>164</b> 69%	<b>73</b> 31%	<b>237</b> 100%

#### 4.3.3 Feedback on the design of the permanent structure

A total of 50 participants, or 86% of those who were asked to provide feedback, provided feedback on the design of the permanent structure, providing a total of 70 separately categorised issues. These issues are summarised in the following table, with the verbatim comments available on request.

The most common issues raised by participants related to the need to preserve greenery, flora, and fauna in the area (9 comments), fencing and enclosure (6 comments), and lighting (5 comments).

It is noted that there were 31 separately categorised issues raised, with many being raised by just one or two participants.

**Feedback about the design of the permanent structure**  
**Bayside - 2023 Beaumaris Concourse Consultation**  
*(number and percent of total participants)*

<i>Issues</i>	<i>Number</i>	<i>Percent</i>
Preservation of greenery, flora and fauna	9	11%
Fencing / enclosure	6	7%
Lighting	5	6%
Seating facilities	4	5%
Path material	4	5%
Toilet upgrade / cleanliness	3	4%
Dog amenities / accessibility	3	4%
Accessibility	3	4%
Blending with environment / landscape	3	4%
Generally positive / supportive	3	4%
Generally negative / opposed	2	2%
Other issues	25	31%
<b>Total issues</b>	<b>70</b>	

#### 4.3.4 Feedback on the fit-out of the permanent structure

A total of 159 comments were received from participants in relation to the fit-out of permanent structure. It was not possible to calculate the total number of participants who provided feedback on the fit-out, due to the method by which the information was collected.

Participants to the face-to-face consultations were asked to select which of picnic tables / seating facilities, retractable walls, planter boxes, and water fountains that they would prefer to see provided. These pre-coded options were not provided for the Gather participants or the email participants.

This clearly has the effect of over-representing potential support for these aspects of the fit-out over other issues that were raised proactively by participants, including dog amenities and issues around cleaning and maintenance.

**Feedback about the fit-out of the permanent structure**

**Bayside - 2023 Beaumaris Concourse Consultation**

*(number and percent of total participants)*

<i>Issues</i>	<i>Number</i>	<i>Percent</i>
Picnic tables / seating facilities	37	46%
Retractable walls	26	32%
Planter boxes	23	28%
Water fountains	21	26%
Dog amenities / accessibility	7	9%
Cleaning and maintenance	7	9%
Generally positive / supportive of playgrounds	2	2%
Generally negative / opposed playgrounds	1	1%
Other issues	45	56%
<b>Total issues</b>	<b>169</b>	

**4.3.5 Feedback on the use of the permanent structure**

A total of 34 participants, or 42% of those who were asked to provide feedback, provided feedback on the use of the permanent structure, providing a total of 56 separately categorised issues. These issues are summarised in the following table, with the verbatim comments available on request.

The most common uses for the permanent structure were for coffee / lunch (15 comments) and catching up with family and / or friends (10 comments).



**Feedback about use of the permanent structure**  
**Bayside - 2023 Beaumaris Concourse Consultation**  
*(number and percent of participants providing feedback)*

<i>Issues</i>	<i>Number</i>	<i>Percent</i>
Coffee / lunch	15	30%
Catching up with friends /family	10	20%
Events	3	6%
Meeting hub	3	6%
Children to play	2	4%
Study	2	4%
Passive recreation	1	2%
Picnic	1	2%
Other comments	19	38%
<b>Total issues</b>	<b>56</b>	

#### 4.4 Project Evaluation

The various consultation exercises that underpinned this consultation program were a useful tool to provide residents with an interest in the Beaumaris Concourse to provide feedback to Council on the design, fit-out, and use of the permanent structure, as well as preferred construction of the gateway signage.

It is important to bear in mind that the results are not a scientific poll of underlying community sentiment in relation to the Beaumaris Concourse, however, given the level of participant support for the permanent structure, it is reasonable to surmise strong general community support for the project.



## 10.4 URBAN FOREST STRATEGY ANNUAL REPORT 2022–23

City Planning and Amenity - Urban Strategy  
File No: PSF/23/162 – Doc No: DOC/23/331432

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### Executive summary

#### **Purpose and background**

The purpose of this report is to present the findings of the Urban Forest Strategy (UFS) Annual Report.

The UFS Annual Report 2022–23 is the first annual report since the adoption of the Urban Forest Strategy in February 2022. The aim of the UFS Annual Report is to identify trends associated with tree and vegetation cover and removal and identify actions Council can take to increase canopy to meet the 2040 target of 30% canopy cover.

#### **Key issues**

The UFS Annual Report has collated and analysed data across multiple internal mapping and record keeping systems utilised by Council's Geographical Information System (GIS), Amenity Protection, Development Services and Open Space teams, with regard to:

- tree and vegetation canopy cover across Bayside
- tree removal and replacement in Bayside as part of Local Law and VPO planning permits
- trees and vegetation planted on Council owned land.

Outside of the above key items, Council officers have also provided an update on the communications and engagement on the implementation of the Urban Forest Strategy to date. Officers have been undertaking engagement on the draft Urban Forest Precinct Plans as well as the proposed changes to tree protection as part of the Local Law Review.

Officers will continue to engage with the community throughout the implementation of the Urban Forest Strategy. As a next step, officers intend to commence a campaign to seek nominations for the Significant Tree Register. This updated list will form the basis for a review of trees to include within the Environmental Significance Overlay within the Bayside Planning Scheme via a Planning Scheme Amendment.

#### ***Tree and vegetation canopy cover across Bayside***

For the purposes of the UFS Annual Report, trees are treated as canopy cover where they are 3m and above. Vegetation (including understorey) is treated as shrubs and smaller growing plants between 0.5 to 3 metres in height.

Council utilises aerial photography, machine learning, and manual processes to be able to collect the data used for this report.

For 2022, the municipal wide tree canopy cover has been approximated as 20.86%, which is a substantial increase from 2018 (approximately 16.51%). This is a significant improvement with the majority of this increase identified on Council roads and reserves. There have been some increases also identified on private property.

As for other understorey vegetation cover, understorey vegetation being between 0.5m to 3 metres, there has been a decrease across all suburbs.

It is assumed that this does not translate to a real-life decrease, rather it is attributable to the collection of data via aerial imagery. As tree canopy cover grows, it covers understorey vegetation, which increases the difficulty to accurately determine the full extent of vegetation between 0.5 to 3 metres.

Council will need to further investigate how understorey cover is monitored and whether there are methods to depict this cover more accurately as part of the UFS Annual Reporting.

### ***Tree removal on private property***

To remove a private tree, a Local Law or planning permit may be required, depending on the size and species of the tree.

Between July 2022 and June 2023, Council received 316 Local Law tree removal applications, 173 were approved and 143 were refused. Poor tree health was the main reason for tree removal applications.

Of the 143 refused applications:

- 49% were refused because applicants could not provide sufficient evidence that the tree should be removed.
- 22% were refused due to a risk of the tree failure not being proven when utilising the Quantified Tree Risk Assessment (QTRA).

Between July 2022 and June 2023, a total of 144 Vegetation Protection Overlay (VPO) tree removal planning applications were received with 99 approved, 20 refused and 25 applications being lapsed, withdrawn or not requiring a permit.

Planning permit tree removal applications were primarily approved to allow for development to proceed and refused due to the proposal not being consistent with the VPO Schedule 3 itself.

Through the implementation of the Urban Forest Strategy, Council will be investigating ways to strengthen tree removal and tree retention controls within the Bayside Planning Scheme. Council officers will also explore opportunities to utilise expert witnesses as part of the appeal process at VCAT to reinforce Council's position and provide strengthened technical input to support the retention of trees within the VPO, where appropriate.

### ***Tree replacement planting on private property***

There are requirements under both the Local Law and Planning Permit process for replacement planting to be provided if removal of vegetation is permitted.

Replacement planting is set out in Bayside's Management of Tree Protection on Private Policy 2015 (in association with Local Law Applications and the Bayside Landscaping Guidelines for Planning Permit Applications).

Of the top 5 species approved for removal, 4 were of exotic origin. As for the replacement of a removed tree, 3 out of 5 of the top 5 species selected were native, with the most common species for replacement being indigenous (coastal banksia). This has been noted as a potential trend with residents seeking to shift from the use of exotic species to native and indigenous species on their property.

To ensure alignment with the actions of the Bayside Urban Forest Strategy and the proposed Urban Forest Precinct Plans, Council officers should undertake further monitoring of the request of certain species for replacement planting in each suburb of Bayside. This will aid officers to determine if the replanting supports the existing vegetation, character and biodiversity within these places.

As for replacement planting in the VPO (Schedule 3), the requirement of indigenous and native species is being upheld through the planning permit process.

### ***Compliance and Enforcement on private property***

No audits for Local Law tree removal permits were conducted during Covid but recommenced in 2022. Of the 90 sites audited in 2022-23 (31% of all sites), 80 were compliant and 10 received notifications of non-compliance. Further inspections of non-compliant sites found all sites to have been brought into compliance.

Whilst 80 of the 90 sites audited in 2022-23 were compliant, this is still only an audit of 31% of all sites from this year, meaning Council is unaware of compliancy for the remaining 69% of sites.

Similarly, audits were undertaken for VPO permits and whether replacement trees had been planted since approval. From 2019 to 2023, 517 tree removal applications were approved. No audits were conducted during Covid but recommenced in 2022, incorporating the period 2019 to 2023. Of the 92 audits undertaken (18% of sites), 67 were found to be compliant and 25 were non-compliant (no tree had been planted). The top 3 reasons for non-compliance were:

1. the development had not commenced or was ongoing
2. the property owners were unaware of the need to plant a tree
3. the property owners had forgotten the requirements to replant after tree removal.

Council officers will monitor the rate of non-compliance and investigate what parameters can be put in place to ensure owners are aware of their responsibility to replace the previously removed tree on their property. Increasing compliance auditing will require an increase in resourcing which may not be possible. Council officers will investigate other measures to increase compliance by:

1. reviewing wording of Local Law and planning permit conditions to enhance enforceability of permits
2. enhancing follow-up inspection alerts in the Investigations Register to better track compliance with replacement planting requirements.

In addition to audit inspections, Council's Investigations Unit have issued the following prosecutions and infringements in the past 12 months:

- A total of 4 prosecutions in relation to unauthorised tree removal, all of which currently remain in court and are yet to reach an outcome.
- A total of 17 infringements (9 Local Law and 8 Planning (VPO)) in relation to unauthorised tree removal/destruction/damage.

### ***Trees and vegetation (understorey) planted on Council owned land***

Throughout 2022–23, Council planted 2,847 trees across public parks and within road reserves. The majority of these trees were located in Brighton East (857), Brighton (508) and Hampton (413).

Of the trees planted, there were 1,588 indigenous species, 841 native and 418 exotic species planted. At the suburb level, Brighton East (391), Brighton (277), Beaumaris (218) and Hampton (211) had the highest rates of indigenous species planted relative to the total planting within those suburbs. Across all species planted, exotic species represent 14% of all plantings, with the majority of these concentrated across Brighton and Brighton East. There are relatively few plantings of exotic species across all other suburbs. Brighton East (212), Hampton (186) and Brighton (111) had the highest rates of native plantings.

Data collected on Council-managed trees also indicated that the following species were the top 5 planted within the past year:

<b>Top 5 Species Type of new trees in Public Open Space</b>	<b>Percentage</b>	<b>Family</b>
1 <i>Allocasuarina verticillata</i>	5%	Casuarinaceae
2 <i>Eucalyptus leucoxylon</i> 'Connata'	5%	Myrtaceae
3 <i>Allocasuarina littoralis</i>	5%	Casuarinaceae
4 <i>Acacia melanoxylon</i>	4%	Mimosaceae
5. <i>Eucalyptus radiata</i>	4%	Myrtaceae

Whilst Council seeks to lessen its use of trees within the Myrtaceae family, trees within this family still make up a large percentage of the overall Council-managed tree population (52%). Continuing to ensure that a wider range of species are selected will ensure exposure to disease or climate change impacts are mitigated.

As for park and street tree removal by Council, 522 trees were removed in 2022–23. This does not include assets removed by third parties. It is also noted that this does not include trees removed through planning or building permission, is not representative of assets decommissioned, rather trees removed through Council's tree management functions. It also does not include trees left in situ in conservation reserves or on the foreshore. When trees are removed, every effort is made to replant another tree in the same or similar location. Council's Street and Park Tree Management Policy 2020 outlines the criteria for public tree removal.

Council will be continuing its Tree Planting Program from April 2024 with a continued focus on appropriate species selection, planting techniques, and maintenance methods to ensure success. Council also has a budget allocated in 2023–24 to progress its Gardens for Wildlife program which proposes to take some of the practices employed by Council and apply these to private property, creating the habitat connections outlined in Council's *Park Improvement and Habitat Linkage Plan*.

There have been limitations in Council's systems that have prevented data on Council-managed vegetation from being easily attainable. This will be a focus for future years to ensure Council can continue to build a robust picture of its urban forest progress.

### **Next steps**

Overall, there is an indication that tree canopy cover across public and private land has increased from 2018 to 2023, from approximately 16.51% to 20.86%. This is a successful outcome for the first year of reporting since the adoption of the Urban Forest Strategy. As this canopy cover continues to increase, it will be important that Council continue to involve the community and provide information on the educational benefits of trees and vegetation and their contribution to Bayside.

As for vegetation (including understorey canopy cover) across public and private land, the data provided does not show an accurate depiction. Council will need to further investigate how understorey canopy cover is monitored and whether there are methods to depict this cover more accurately as part of the UFS Annual Reporting in future years.

As outlined within this briefing report, there have been various challenges across all departments in accurately capturing data that will require further attention and improvement to future reporting years. This is one of the most important recommendations made as part of this UFS Annual Report.

Officers will seek to embed all recommendations made from this UFS Annual Report over the next year so that improvements can be sought ahead of the UFS Annual Report for 2023–24.

In addition, Council officers will continue to implement the actions within the Urban Forest Strategy 2022–40.

### **Recommendation**

That Council notes the Bayside Urban Forest Strategy Annual Report 2022–23.

### **Support Attachments**

1. Bayside Urban Forest Strategy Annual Report 2022–23 ↓

## **Considerations and implications of recommendation**

### **Social**

The UFS Annual Report responds to a broad range of environmental issues resulting in a cooler, greener, improved amenity urban environment in which the community can participate and interact socially.

### **Natural Environment**

The Urban Forest Strategy and draft Urban Forest Precinct Plans discuss the role of trees as part of a natural system and in context of the emerging threat of climate change impacts.

Biodiversity and habitat are important components of a healthy urban forest. Bayside has pockets of particularly rich vegetation character, which is highly valued and should continue to be preserved and enhanced.

### **Climate Emergency**

The Urban Forest Strategy Annual report supports the Urban Forest Strategy, which is a key action identified in the Climate Emergency Action Plan 2020–25. The continued implementation of the Strategy through the Urban Forest Precinct Plans will instil the planning for a more resilient city, with the appropriate measures in place to prepare and adapt to the changing climate.

### **Built Environment**

Housing Growth and construction activity on private property is continuing to impact the tree population on private property. The Urban Forest Strategy Annual report seeks to identify areas of impact and provide recommendations for the retention of trees on private property.

### **Customer Service and Community Engagement**

Key internal stakeholders from several departments across Council including Amenity Protection, Information Technology, Development Services, Open Spaces and Project Services team, have provided input into this report. All these areas across Council have responsibility for tree removals to facilitate development or for maintenance requirements.

### **Equity Impact**

An Equity Impact Assessment was completed for the Urban Forest Strategy and is currently being completed for the draft Urban Forest Precinct Plans.

### **Human Rights**

Implications of the report have been assessed and are not considered likely to breach or infringe upon, the human rights contained in the *Victorian Charter of Human Rights and Responsibilities Act 2006*.

### **Governance**

Officers involved in the preparation of this report have no conflict of interest.

### **Legal**

There are no legal implications arising from consideration of this report.



## Finance

Funding has been allocated in the Urban Strategy operating budget for the implementation of the Urban Forest Strategy including funding of a Senior Urban Forester position for a four-year period.

Additional actions will sit across the organisation and will be funded through operating budgets, or project specific capital budgets.

## Links to Council policy and strategy

### Bayside Community Vision 2050

The preparation of this UFS Annual Report and its recommendations align with the Community Vision 2050, particularly Theme 1: Living Environment/Natural Environment. Within this Theme, Priority 1.2 is of relevance and aligns with the strategic objectives of the draft Urban Forest Precinct Plans, which seeks to *'Protect the coast, land and sea through measures such as increased tree planting, sensitive landscaping and enhanced pedestrian connections with nature, planning for the effects of extreme weather.'*

### Bayside Urban Forest Strategy 2022–40

The UFS Annual Report seeks to provide update on the implementation of the Urban Forest Strategy (UFS). The UFS outlines a range of actions relating to the enhancement of Bayside's tree canopy and understorey, as well as biodiversity improvements.

### Climate Emergency Action Plan 2020–25

A key action set through the Climate Emergency Action Plan is the implementation and delivery of the Urban Forest Strategy by 2025. Council adopted the Urban Forest Strategy in February 2022 and the preparation of the UFS Annual Report provides update and recommendations on Council's progress made in regards to the implementation of the UFS.

### Bayside Community Plan 2025

The findings and recommendations of the UFS Annual Report align with the following domains of liveability and community aspirations relating to:

- Open Space: Bayside will be a better place when:
  - the right trees are planted in public spaces, so they don't need to be removed because of property damage
  - the use of chemicals to control weeds is minimised
  - mature trees and garden landscapes are protected and enhanced.
- Environment: Bayside will be a better place when:
  - indigenous planting is increased along the foreshore and public areas
  - new developments retain established trees and plant new trees
  - mature trees and garden landscapes are protected and enhanced.



# Urban Forest Strategy

## Annual Report 2022-2023

Bayside City Council acknowledges the Traditional Owners and custodians of this land, the Bunurong people, and we pay our respects to their Elders past, present and emerging.



Urban Forest Annual Report 2022-23

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## Traditional Owners acknowledgement

Bayside City Council acknowledges the Traditional Owners and Custodians of this land, the Bunurong People, and we pay our respects to their Elders past, present and emerging.

Indigenous culture and heritage is respected and appreciated by the Bayside Community who will work together to create a better future for all Australians.

Bayside City Council recognises the distinctive relationship that Indigenous People have with local land and waters, including trees, hills and valleys, creeks and foreshore of Bayside.



*Excellent example of landscaping in Beaumaris (VPO area), includes indigenous, native trees and ground covers.*

## Urban Forest Annual Report 2022-23

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### Executive Summary

In December 2019, Bayside City Council declared a climate emergency and has since prepared a Climate Emergency Action Plan 2020-2025 and Urban Forest Strategy 2022-2040. Climate change is a very real challenge and without making any changes to our environment or the way we behave as a society, there will be very real impacts. Increasing urban heat will leave our urban forest vulnerable.

Increased tree and vegetation cover can help reduce heat island effect, provide health benefits, improve habitat diversity and connectivity, and conserve our biodiversity. To ensure this, we know we must increase our promotion of Indigenous plants in Bayside, and will work towards creating a healthy, resilient, and diverse urban forest by 2040. Bayside City Council has endorsed *Living Melbourne: Our Metropolitan Urban Forest* in 2019, which sets out regional targets for tree and vegetation canopy cover to be reached by 2030, 2040 and 2050.

Expanding the Bayside Urban Forest while also ensuring its healthy and resilient status requires an effective and integrated approach across Council. It is important that practices and processes for administration, planning, delivery and knowledge sharing are of high standard and complement Council's ability to accurately monitor the Bayside Urban Forest as it grows and diversifies.

Growing the health and resilience of the Bayside Urban Forest is recognised as both a key challenge and objective of the Urban Forest Strategy. To grow the urban forest, we must not only plant new trees and vegetation, but also continue to monitor and retain existing trees to allow for improved survival rates and lifespan. Increasing the species diversity within the Bayside Urban Forest will assist in "future proofing" the urban forest in the face of a challenging climate which is predicted to be drier and windier.

Council adopted *the Urban Forest Strategy 2022-2024* in February 2022. As part of its adoption, Council resolved to receive an annual report which highlights progress in relation to the status of the actions.

The objective of this annual report is to monitor the health, resilience and status of the Bayside urban forest, as well as the implementation of the Urban Forest Strategy actions, and report to Council annually on the matter. Any trends (decline or incline in tree and vegetation cover, compliance issues etc) should be outlined within this report for Council to note and to then consider if any policy or processes changes are required.

## Urban Forest Annual Report 2022-23

## Reporting Measures 2022-2023

### Geographical Information System (GIS) Annual Updates

#### TREE CANOPY, LOW VEGETATION AND TOTAL COMBINED COVER:

Table 1 provides percentage cover for vegetation between 0.5 – 3m in height, above 3m in height, and combination of all vegetation above 0.5m. Canopy cover data has been utilised from the State Government's aerial imagery and has been analysed by Council's GIS team to determine an approximate level of tree and vegetation canopy cover per suburb.

Comparison has been made between 2018 aerial imagery and 2022 aerial imagery. Key findings include:

- Municipal wide Tree canopy (3m and above) was 16.51% in 2018. February 2022 data determined tree canopy at 20.85% - an increase of 4.35%
- Municipal wide Low vegetation (0.5m - 3m) was 7.21% in 2018, February 2022 data was 2.08% - a decrease of 5.13%.
- The municipal wide total cover for vegetation 0.5m and above returns a decrease of 0.78%.

**Table 1** - Tree canopy, low vegetation and total combined cover

Suburb	2018 Canopy % (3m and above)	2018 Low Vegetation % (0.5m to 3m)	2018 Above 0.5m %	2022 Canopy % (3m and above)	2022 Low Vegetation % (0.5m to 3m)	2022 Above 0.5m %
Beaumaris	19.86	7.76	27.62	26.1	2.6	28.71
Black Rock	16.26	8.59	24.86	20.82	3.6	24.42
Brighton	16.55	6.63	23.18	19.49	1.46	20.95
Brighton East	16.48	6.73	23.21	20.54	1.41	21.95
Cheltenham	15	6.01	21.01	19.24	1.54	20.78
Hampton	15.32	7.6	22.92	19.74	2.01	21.74
Hampton East	14.52	7.59	22.11	19.08	1.7	20.79
Highett	13.89	7.2	21.09	17.99	1.75	19.75
Sandringham	17.01	7.88	24.89	22.25	3.33	25.58
<b>Overall</b>	<b>16.51</b>	<b>7.21</b>	<b>23.72</b>	<b>20.86</b>	<b>2.08</b>	<b>22.94</b>

#### TREE CANOPY COVER (3M AND ABOVE) SUBURB BREAKDOWN ONLY:

Table 2 provides percentage cover for vegetation above 3m in height only. Canopy cover data has been utilised from the State Government's aerial imagery and has been analysed by Council's GIS team to determine an approximate level of tree canopy cover per suburb. A key finding is that overall, there has been an increase in canopy cover.

## Urban Forest Annual Report 2022-23

*Table 2 - Tree canopy cover (3m and over) Suburb breakdown*

Suburb	Percentage Canopy Cover (%) 2018	Percentage Canopy Cover (%) Feb 2022	Percentage Change (%)
Beaumaris	19.86	26.1	6.24
Black Rock	16.26	20.82	4.56
Brighton	16.55	19.49	2.94
Brighton East	16.48	20.54	4.06
Cheltenham	15.00	19.24	4.24
Pennydale	16.48	20.87	4.39
Cheltenham Remainder	14.68	18.88	4.20
Hampton	15.32	19.74	4.42
Hampton East	14.52	19.08	4.56
Highett	13.89	17.99	4.10
Sandringham	17.01	22.25	5.24

*Please note: The "Pennydale" and "Cheltenham Remainder" line items above are a breakdown of the statistics presented in the "Cheltenham" line item.*

### TREE CANOPY COVER (3M AND ABOVE) ACROSS DIFFERENT LAND USES:

The below table 3 shows the tree canopy cover across different land use categories and the changes in canopy cover that have occurred between 2018 and 2022. Majority of increases of tree canopy cover are seen to be on Council reserves (+0.83%), Council Roads (+1.08) and Private property (+1.94%).

*Table 3 - Tree canopy cover across different land uses*

Reporting Category	Breakdown of the Bayside % in this category - 2018	Breakdown of the Bayside % in this category - 2022	Percentage Change
Council Carpark	0.08	0.09	0.01
Council Reserves	2.52	3.35	0.83
Council Roads	3.32	4.39	1.08
Council Other	0.40	0.84	0.44
Cemetery-Crematorium	0.04	0.06	0.02
Education	0.20	0.22	0.02
Education-Independent	0.15	0.17	0.03
Health and Community	0.02	0.02	0.00
Other Public Use	0.00	0.00	0.00
Public Conservation and Resource (Zone)	0.00	0.00	0.00
Public Park and Recreation (Zone)	0.00	0.01	0.01
Other Authority – Roads	0.49	0.45	-0.04
Service and Utility	0.01	0.02	0.01
Other Authority – Transport	0.08	0.09	0.01
Private	9.20	11.14	1.94
<b>(Total Bayside % )</b>	<b>16.51</b>	<b>20.86</b>	<b>4.35%</b>

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*\*\*Council other' category covers any area other than 'park, reserve, golf course, ground, carpark or playground' which does not fall into other categories listed above (i.e. conservation reserves, driving ranges, foreshore, garden, heathland, nature reserve, retention basins).*

*\*\*\*Other Authority – Roads' category covers roads that are the responsibility of VicRoads. However, the road reserves for most of these roads are managed by Council.*

### UNDERSTOREY PLANTING 0.5M TO 3M

The data analysis has indicated understorey planting has decreased from 7.21% to 2.08% as of February 2022, however, it is not considered that this translates to a real life decrease in canopy cover.

As tree canopy cover grows, it covers understorey vegetation more, which makes it more difficult to assess the full percentage of vegetation between 0.5 – 3 metres utilising aerial LIDAR imagery. Council officers will need to further investigate how understorey canopy cover is monitored and whether there are methods to depict this cover more accurately.

**Table 4** - Understorey planting 0.5m to 3m

Suburb	Percentage cover – 2018 <sup>1</sup>	Percentage cover – Feb 2022 <sup>2</sup>	Percentage Change
Beaumaris	7.76	2.6	-5.16
Black Rock	8.59	3.6	-4.99
Brighton	6.63	1.46	-5.17
Brighton East	6.73	1.41	-5.32
Cheltenham	6.01	1.54	-4.47
Pennydale	7.51	1.65	-5.86
Cheltenham Remainder	5.68	1.52	-4.16
Hampton	7.60	2.01	-5.59
Hampton East	7.59	1.7	-5.89
Highett	7.20	1.75	-5.45
Sandringham	7.88	3.33	-4.55

### URBAN HEAT ISLAND EFFECT

This data is not currently available. Council is seeking to utilise data from State Government through their previously proposed Thermal Imagery Project. The delivery of this data has been delayed. Council Officers are actively working with State Government agencies to source this data for subsequent reporting years.

### URBAN TREE MONITORING TOOL PROGRESS

In the 22-23 reporting year, the GIS team has been concentrating on developing tools to monitor and track Bayside's urban forest. The Urban Tree Monitoring tool consists of providing a consistent in-house reporting model to analyse consistent high-quality data as well as developing a mobile data capture tool (Tree Audit and Inspection Application) for on-site tree inspections.



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The GIS team is also developing a Tree Audit and Inspection Application which will capture attributes such as tree location, height and species, as well as other information to service all application and assessment processes, including planning, local law, subdivision, investigation and protection applications. These attributes will progressively add valuable detail to our database of trees across the municipality.

Previously, the GIS team had used an external vendor to extract canopy and vegetation data from the raw datasets (aerial imagery and elevation or LIDAR). This year, the GIS team have moved to using in-house capability for both canopy acquisition and for individual tree identification. While the raw datasets will need to continue to be acquired externally, the ability to extract the derived datasets in-house is more sustainable for the organisation and will allow Council to ensure that future analysis is consistent and based on the same assumptions.

## GIS – Key findings

### **Tree canopy cover increasing, understorey decreasing**

When comparing 2018 data to 2022 data, it shows that there has been an increase in tree canopy cover (vegetation above 3 metres in height) across all suburbs in Bayside, including the neighbourhood of Pennydale. Increases in tree canopy cover per suburb range from 2.94% increase (Brighton) to as high as 6.25% increase (in Beaumaris).

While the data shows that tree canopy cover has increased, understorey (0.5m-3m) vegetation has decreased across all suburbs. It is assumed that this does not translate to a real-life decrease, rather it is attributable to the collection of data via aerial imagery. As tree canopy cover grows, it covers understorey vegetation more, which makes it more difficult to understand the full percentage of vegetation between 0.5 – 3 metres if the canopy is above this understorey. Aerial imagery is taken from the sky, so where a tree canopy covers an area of understorey below, this understorey is not included in the overall percentage of vegetation cover between 0.5-3 metres.

Council officers will need to further investigate how understorey canopy cover is monitored and whether there are methods to depict this cover more accurately as part of the UFS Annual Reporting.

### **Tree canopy cover is increasing at a greater rate on public land than private land**

The majority of tree canopy cover is seen on public land, specifically on Council roads (4.3%) an increase from 2018 of 1.08%, and Council reserves (3.35%) an increase of 0.83% since 2018.

There is approximately 11.14% tree canopy cover on private land (an increase of 1.94%). To continue to enhance tree and vegetation cover on private property, there are actions within the Urban Forest Strategy which seek to strengthen tree and vegetation controls within the Bayside Planning Scheme, which includes:

- Reviewing the Vegetation Protection Overlays and whether there is ability to extend or strengthen the existing Schedule to avoid and minimise vegetation loss; and
- Introduce a new schedule within the Environmental Significance Overlay for the protection of Significant Trees

Through the implementation of these actions, Council is hoping to see a further increase in tree canopy cover upon the private realm in future years.

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### **Reliance on external resources**

While the GIS team can now use in-house expertise for deriving vegetation datasets from the raw data of aerial imagery or LIDAR, external involvement will still be required to acquire aerial imagery, LIDAR and Urban Heat Island data.

Due to the proposed Thermal Imagery Project by the State Government's Coordinated Imagery Program not having commenced this financial year, there was a lack of data availability to report on urban heat island effects. Reliance on State Government to provide these datasets each year may be challenging and comes with a risk that this data may not always be available due to budget cuts or resourcing constraints. Council Officers are actively working with State Government agencies to source this data for subsequent reporting years.

Council will also be working in-house to derive vegetation datasets from the raw LIDAR data. This will ensure a like for like comparison of results will be available for subsequent reporting years.

### **Changes in methodology**

There is a difference in values for tree and vegetation cover between 2018 and 2022 returned, which are partly attributable to the difference in methodology used between the GIS team 2022 in-house processing and the 2018 State government data processing. The State Government report on the techniques used in the 2018 dataset extraction stated the following:

*"The Urban Monitor® methodology for measuring vegetation data uses proprietary techniques derived by CSIRO Australia to identify the presence or absence of reticulated vegetation within any given cell."*

As Council does not have access to these "proprietary techniques", it is to be expected that the results returned by our methodology for the 2022 dataset will vary from those returned by the State government data from 2018. So, while there may have an actual change in the real-world vegetation percentages between 2018 and 2022, the differences in methodology between the datasets means that it is not possible to make definite statements regarding vegetation being lost or gained between 2018 and 2022.

However, the closeness of the values between the two datasets gives the GIS team reasonable confidence that the February 2022 data represents a dataset that can be used as a new baseline for vegetation statistics. This 2022 dataset can then be used for more definite comparisons in future years reporting, as the methodology used in future years will closely align to that used for the 2022 dataset, notwithstanding changes that will arise from using aerial imagery with varying resolutions each year.

## **Amenity Protection Annual Updates**

### **TREE REMOVAL APPLICATIONS**

Between July 2022 and June 2023, Council received 316 Local Law tree removal applications, of which 173 (55%) were approved and 143 (45%) were refused.

There are a variety of reasons listed on tree removal applications for requesting a tree to be removed. Table 5 below provides the Top 5 reasons for the approval of tree removal on private property that required a Local Law permit.

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**Table 5 – Top 5 reasons for approval of Local Law applications**

Top 5 Reasons of approved Local Law Tree Removal Applications	Percentage
1.Tree health (poor or dead)	46%
2.Development	20%
3.Social / <2m to dwelling, 1m carport	12%
4. Infrastructure damage	8%
5. <1m carport	4%

The number one reason for approval of a tree removal application was due the tree being in poor health or dead. The other reasons for approval were all in same way due to development or construction activity happening nearby. Poor tree health can be the result of stress and poor maintenance, which makes them susceptible to insects and disease, sending them into early decline. Whilst Council does not currently collect data on the health of private trees, this would be beneficial to track changes to tree health over time would give Council a greater understanding of what may be the cause of trees being in poor health.

It is important that as part of the replacement planting process, Council officers are able to provide clear advice as to the planting of a new tree and what may be beneficial in ensuring the longevity of the tree’s life.

The Top 5 reasons for refusal of a Local Law tree removal application are listed below.

**Table 6 – Top 5 reasons for refusal of Local law tree removal applications**

Top 5 Reasons of refused Local Law Tree Removal Applications	Percentage
1. Applicant didn’t provide sufficient reason for tree to be removed.	49%
2. Risk – not proven QTRA (Quantified Tree Risk Assessment)	22%
3. Appeal successful	13%
4. Referred to planning	9%
5. Infrastructure damage not validated	7%

Not providing sufficient reasoning for the tree to be removed was the most significant reason for refusal (49%), followed by risks that are not proven to be a risk utilising the Quantified Tree Risk Assessment (22%).

A key theme of the Urban Forest Strategy is seeking to ‘Learn & Celebrate’ – learn together, educate each other, encourage, and celebrate greater care and protection of the Bayside Urban Forest.

It will be important as Council continues to implement the Urban Forest Strategy that we involve the community and provide information on the educational benefits of trees. Coordinating urban forest communications and building an engagement that has a focus on education, awareness and participation in tree and vegetation planting will be important.

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Table 7 below provides information on the 173 tree removal applications that were approved from 2022-2023.

**Table 7 – Tree data from Local Law tree removal applications**

Particulars	2022-2023 Results
Average Canopy width	10 metres
Average Tree height	12 metres
Average Trunk Width (DBH)	67 centimetres
Average Trunk Circumference	248 centimetres

Whilst all tree removals are a loss in canopy cover, mature trees are a significant loss. This tree data informs us that majority of canopy width being removed on private property has an average width of 10 metres and tree height of 12 metres. Replacement of trees this large will take a significant amount of time to grow back to the size of its predecessor.

Table 8 lists the Top 5 species removed through the Local Law tree removal application process. It should be noted that 4 out of 5 of the species are exotic.

**Table 8 – Top 5 trees removed for Local Law tree removal applications**

Top 5 Species Removed Local Law	Percentage	Origin
1. <i>Liquidamber styraciflua</i> - liquidamber	8%	Exotic
2. <i>Hesperocyparis macrocarpa</i> – Monterey cypress	6%	Exotic
3. <i>Acer negunda</i> – box elder	5%	Exotic
4. <i>Agonis flexuosa</i> – willow myrtle	5%	Native
5. <i>Cedrus deodara</i> – deodar cedar	3%	Exotic

### REPLACEMENT PLANTING

While 173 Local Law tree removal applications were approved in 2022-23, only 62 replacement trees were planted. This does not necessarily mean that property owners are removing trees and not replacing them in time, but it could mean that they are yet to remove the existing tree, or the application was approved later in the year which means the replacement planting may not be counted until the following year.

Tree replacement is a required condition on a Local Law tree removal permit which is set through Bayside's *Management of Tree Protection on Private Policy 2015*. The Policy requires that the existing tree be replaced with a tree that can achieve a minimum 75% of the existing tree's size. Where the existing tree is 21 metres or greater in height, the existing tree will be replaced with one tree capable of achieving a minimum of 75% of the existing tree's size, or with two trees, one of which can reach a minimum height of 15 metres at maturity.

An action of the Bayside Urban Forest Strategy 2022-2040 was to update this Policy by updating the Bayside Landscape Guidelines and ensuring their application applies to both planning and local law permit applications. This would then supersede the replacement

## Urban Forest Annual Report 2022-23

planting requirement of achieving a minimum 75% of the existing tree's size and substitute this requirement with those set out within the Bayside Landscaping Guidelines. This will enhance Council's ability to require increased canopy cover on private property as part of replacement planting and landscaping.

Table 9 below provides data on the Top 5 replacement trees that are chosen by property owners in replacement of the previous tree on the property.

**Table 9 - Top 5 replacement trees for Local Law tree removal applications**

Species Type of replacement Local Law trees	Percentage	Origin
1. <i>Banksia integrifolia</i> – coastal banksia	13%	Indigenous
2. <i>Eucalyptus leucoxylon</i> – yellow gum	6%	Native
3. <i>Waterhousia floribunda</i> – lilly pilly	6%	Native
4. <i>Acer rubrum</i> – red maple	5%	Exotic
5. <i>Eucalyptus sideroxylon</i> – ironbark	5%	Native

Of the 62 replacement trees planted for 2022-23, 52% were native, 32%, exotic and 16% indigenous. As indicated previously in this Report, it is interesting to note that 4 out of 5 of the species of existing trees approved for removal are exotic. There is a clear preference from applicants, as part of the Local Law tree removal process, to remove exotic species and replace with native species, with 3 of the top an some indication of planting trends, an analysis was done for the 2021-22 period. Of the 33 replacement trees planted for 2021-22, 42% were exotic, 33% were native and 24% were indigenous.

As to where these trees are being planted, Table 10 below identifies which suburb the replacement trees have been planted in and what species they are.

**Table 10 - Replacement tree species for each suburb 22-23**

Suburb	Exotic (% and No. of trees)	Indigenous (% and No. of trees)	Native (% and No. of trees)
BEAUMARIS	8% which is equivalent to <b>1 tree</b>	25% which is equivalent to <b>3 trees</b>	67% which is equivalent to <b>8 trees</b>
BLACK ROCK	0%	50% which is equivalent to <b>3 trees</b>	50% which is equivalent to <b>3 trees</b>
BRIGHTON	47% which is equivalent to <b>16 trees</b>	12% which is equivalent to <b>4 trees</b>	41% which is equivalent to <b>14 trees</b>
CHELTENHAM	50% which is equivalent to <b>1 trees</b>	0%	50% which is equivalent to <b>1 trees</b>
HAMPTON	25% which is equivalent to <b>1 trees</b>	0%	75% which is equivalent to <b>3 trees</b>
HIGHETT	50% which is equivalent to <b>1 trees</b>	0%	50% which is equivalent to <b>1 trees</b>
SANDRINGHAM	0%	0%	100% which is equivalent to <b>2 trees</b>

There is a clear preference for native species overall for 2022/23 replacement planting. Brighton being the exception, with an almost equal split between exotics and natives. It is worth noting that indigenous species were not selected in four suburbs (Cheltenham, Hampton, Highett and Sandringham).

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### ENFORCEMENT FOR UNAUTHORISED TREE REMOVAL

In the past 12 months, Council's Investigations Unit has:

- Had a total of 4 prosecutions in relation to unauthorised tree removal, all of which currently remain in court and are yet to reach an outcome; and
- Issued 38 infringements (9 Local Law and 27 Planning (6 in VPO)) in relation to unauthorised tree removal/destruction/damage/ TPZ infringement.

Infringement notices were located on the following streets:

- Local Law infringements – 6 Hampton, 1 Hampton East, 1 Sandringham and 1 in Brighton East
- Planning Infringements – 4 Brighton, 4 in Brighton East, 4 in Highett, 3 in Sandringham, 1 in Hampton, 5 in Highett and 6 in Beaumaris (VPO).

6 infringements within the VPO for unauthorised tree removal, destruction or damage is reasonably low. Council officers will continue to monitor the number of infringement notices issued and whether there is a trend in decrease or increase in future years.

### COMPLIANCE INSPECTIONS

Between 2019 and 2023, Council required the planting of 291 Local Law replacement trees. No audits were conducted during Covid but recommenced in 2022, incorporating the period 2019 to 2023. Of the 90 sites audited in 2022-23 (31% of all sites), 80 were compliant and 10 received notifications of non-compliance. Further inspections of non-compliant sites found all sites to have been brought into compliance.

Compliance audits are undertaken in accordance with the statute of limitations for planning, planning (VicSmart) and local law permits:

- Planning permits is 1 year; and
- Local Laws is 3 years.
- There is no statutory limitation for Vegetation Protection Overlay (VPO) VicSmart permits but Council requires sites to be inspected within 5 years from the permits approval.

## Amenity Protection – Key Findings

### **Tree removals on private land due to poor health**

The number one reason for approval of a tree removal application was due the tree being in poor health or dead. The other reasons for approval were all in same way due to development or construction activity happening nearby. Poor tree health can be the result of stress and poor maintenance, which makes them susceptible to insects and disease, sending them into early decline.

Whilst Council does not currently collect data on the health of private trees, this would be beneficial to track changes to tree health over time and would give Council a greater understanding of what may be the cause of trees being in poor health. The GIS team are developing the Tree Audit and Inspection Application (Roam) tool to capture tree attributes such as location, height and species for trees during site inspections.

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Outside of this process, it is important that Council officers can provide clear advice as to the preferred siting and planting of a new tree and what may be beneficial in ensuring the longevity of the tree's life and its health.

### **Tree replacement requirements set within Bayside's *Management of Tree Protection on Private Policy 2015***

As previously indicated in this Report, tree replacement is a required condition on a Local Law tree removal permit which is set through Bayside's *Management of Tree Protection on Private Policy 2015*. The Policy requires that the existing tree be replaced with a tree that can achieve a minimum 75% of the existing tree's size. Where the existing tree is 21 metres or greater in height), the existing tree will be replaced with one tree capable of achieving a minimum of 75% of the existing tree's size, or with two trees, one of which can reach a minimum height of 15 metres at maturity.

An action of the Bayside Urban Forest Strategy 2022-2040 was to update this Policy by updating the Bayside Landscape Guidelines and ensuring their application applies to both planning and local law permit applications.

This would then supersede the replacement planting requirement of achieving a minimum 75% of the existing tree's size and substitute this requirement with those set out within the Bayside Landscaping Guidelines which will enhance Council's ability to require increased canopy cover on private property as part of replacement planting and landscaping outcomes for Local Law and Planning Permits.

### **A shift from Exotic species to Native species**

The removal of trees through the Local Law permit were majority of exotic origin (4 out of 5 of the top species were exotic as identified in Table 8).

There is a clear preference from applicants through the Local Law tree removal process to remove exotic species and replace with native species, with 3 of the top 5 replacement species being native (Table 9).

The current practice is that Local Law permits do not specify what species should be planted, rather the replacement planting is chosen based on the applicant's preference. In contrast, planning permits are more specific when requiring an indigenous or native tree be planted.

In order to ensure alignment with the actions of the Bayside Urban Forest Strategy and the proposed Urban Forest Precinct Plans, Council officers should undertake further monitoring of the request of certain species for replacement planting in each suburb of Bayside. This will aid officers to determine if the replanting supports the existing vegetation, character and biodiversity within these places.

### **Compliance auditing**

As previously mentioned in this Report, site audits and inspections are undertaken in accordance with statutory limitations placed on the various permits and commence from the date the permit is issued.

In 2022-23, 90 sites were audited, which is 31% of all replanting sites for 2019-2023. The backlog is due to officers' inability to undertake inspections during Covid. Repeat audits in future years will ensure that the trees have not been removed by a new property owner. However, there is a significant backlog of sites to be audited before repeat visits are possible.

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Reviewing Council's internal reporting systems and increasing compliance auditing will allow Council to gain a greater understanding as to whether applicants are compliant with the permit process. Whilst 80 of the 90 sites audited in 2022-23 were compliant, this is still only an audit of 31% of all sites from this year, meaning Council is unaware of compliance for the remaining 69% of sites.

Increasing compliance auditing will require an increase in resourcing which may not be possible. Council officers will investigate other measures to increase compliance by:

1. Review wording of Local Law and planning permit conditions to enhance enforceability of permits; and
2. Enhance follow-up inspection alerts into the Investigations Register to better track compliance with replacement planting requirements;

## Development Services Annual Updates

### VPO PLANNING PERMITS FOR TREE REMOVAL

Planning permits are required for native or indigenous tree removals in the VPO, with a single trunk circumference >50cm at 1m above ground.

From 1 July 2022 to 30 June 2023, 144 VPO tree removal applications were received. From these applications, 81 were VicSmart applications and 63 were Planning Permit applications.

Of the 144 received, 99 applications were approved, 20 were refused and 25 applications lapsed, were withdrawn or permit was not required upon further assessment.

Table 12 below outlines the reasons for approval of VPO tree removal applications.

**Table 12 - Reasons for approval of VPO tree removal applications**

Reasons of approved VPO Tree Removal Applications	Percentage
1. Development	73%
2. Tree Health	17%
3. VCAT decision	5%
4. Infrastructure Damage	3%

Table 13 below outlines the Top 4 reasons for refusal of a VPO tree removal application.

**Table 13 – Top 4 reasons for refusal of VPO tree removal applications**

Reasons of refused VPO Tree Removal Applications	Percentage
1. The proposal is not consistent with the statement of significance and objectives of VPO3.	46%
2. Application withdrawn / lapsed	24%
3. No permit required	11%
4. Significant Tree	8%

Whilst 46% of the applications were refused due to the proposal not being consistent with



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the VPO Schedule 3 itself, this is not a significantly high rate of refusal for this reason alone. Through the implementation of the Urban Forest Strategy, Council will be investigating ways to strengthen tree removal and retention controls within the Bayside Planning Scheme to strengthen Council's reasons for refusal.

Table 14 below provides information on the existing trees removed through the VPO tree removal permit process.

**Table 14** - Data of existing trees removed for VPO tree removal permits

Particulars - VPO	2022-2023 Results
Average Canopy width	8 metres
Average Tree height	8 metres
Average Tree DBH	76 centimetres
Average Trunk Circumference	data not available

The average size of trees being removed via the VPO tree removal process are of a slightly smaller size than those through the Local Law tree removal process.

An 8 x 8 metre tree is still considered large and is a significant loss to Bayside. Replacement of trees this large will take a significant amount of time to grow back to the size of its predecessor.

Table 15 below outlines the top 5 native and indigenous trees that were approved for removal as part of the VPO tree removal permit process.

**Table 15** - Species information for removed trees in a VPO

Top 5 Species Type Removed VPO	Percentage	Origin
1. <i>Callistemon sp.</i> – bottlebrush trees	9%	Native
2. <i>Leptospermum laevigatum</i> – coastal tea-tree	7%	Indigenous
3. <i>Pittosporum spp.</i> – pittosporum	6%	Native
4. <i>Banksia integrifolia</i> – coastal banksia	6%	Indigenous
5. <i>Agonis flexuosa</i> – willow myrtle	5%	Native

### REPLACEMENT PLANTING

Replacement planting is a condition of permit in the VPO. The following landscaping requirements for new and replacement tree planting is listed within the Bayside Landscaping Guidelines:

- At least 80% of your trees must be indigenous;
- At least 80% of your ground cover and mid- storey vegetation must be indigenous;
- Indigenous vegetation must be replaced with indigenous vegetation;
- Native Victorian vegetation must be replaced with native Victorian or indigenous vegetation; and

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- A tree must be replaced with another tree that will achieve similar mature dimensions.

There were 173 tree removals approved in the VPO area, with 207 proposed replacement trees recorded for 2022-23. Table 16 below outlines the percentage of species requirement on permits, which aligns with the above-mentioned requirements of the Bayside Landscaping Guidelines.

**Table 16** – Required replacement planting for planning permits

<b>Top replacement VPO tree planting</b>	<b>Percentage spread of species required on permit</b>
<i>Indigenous</i>	84%
<i>Native</i>	13%
<i>Exotic</i>	3%

### ENFORCEMENT FOR UNAUTHORIZED TREE REMOVAL

In the past 12 months, Council's Investigations Unit has:

- Had a total of 4 prosecutions in relation to unauthorised tree removal, all of which currently remain in court and are yet to reach an outcome; and
- Issued 17 infringements (9 Local Law and 8 Planning (VPO)) in relation to unauthorised tree removal/destruction/damage.

Infringement notices were located on the following streets

- Local Law infringements – 6 Hampton, 1 Hampton East, 1 Sandringham and 1 in Brighton East
- Planning Infringements – 4 Brighton, 4 in Brighton East, 4 in Highett, 3 in Sandringham, 1 in Hampton, 5 in Highett and 6 in Beaumaris (VPO).

9 infringements within the VPO for unauthorised tree removal, destruction or damage is reasonably low. Council officers will continue to monitor the number of infringement notices issued and whether there is a trend in decrease or increase in future years.

### COMPLIANCE LANDSCAPE AUDITS FOR VEGETATION PROTECTION OVERLAY (VPO) TREE REMOVAL PERMITS.

As previously indicated within this Report, there is no statutory limitation for compliance audits for VPO permits. However, Council requires sites to be inspected within 5 years from the permits' approval.

Replacement trees are conditioned on tree removal permits. From 2019 to 2023, 517 tree removal applications were approved. No audits were conducted during Covid but recommenced in 2022, incorporating the period 2019 to 2023.

Of the 92 audits undertaken (18% of sites), 67 were found to be compliant and 25 were non-compliant (no tree had been planted). The top 3 reasons for non-compliance were:

1. The development had not commenced or was ongoing;
2. the property owners were unaware of the need to plant a tree; or
3. the property owners had forgotten the requirements to replant after tree removal.

## Urban Forest Annual Report 2022-23

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Council officers will monitor the rate of non-compliance and investigate what parameters can be put in place to ensure owners are aware of their responsibility to replace the previously removed tree on their property.

There were no fines issued within the 2022-23 financial year for non-compliance under the *Planning and Environment Act 1987*.

### DEVELOPMENT IN ACTIVITY CENTRES

As our cities grow to adapt to a growing population, green infrastructure is an asset that can provide ecosystem services to reduce pollution, manage storm water, provide thermal comfort as well as improve building aesthetics. Currently, green walls or roofs do not trigger a planning permit but can be a feature for a commercial or residential development. A search of internal systems did not reveal any construction that featured a green wall or roof installation.

## Development Services – Key Findings

### **Strengthening our Tree Protection Controls within the Bayside Planning Scheme**

In 2022-23, 69% of planning permit tree removal applications were approved. 73% of these approved applications were removed to facilitate development, 17% for poor tree health and 14% were refused. Applications that are refused are often referred to VCAT.

Officers have noticed that there is an ongoing issue with Council's decisions being overturned at the Tribunal (VCAT).

Similarly, 46% of the VPO applications refused were refused due to the proposal not being consistent with the VPO Schedule 3 itself. This is not a significantly high rate of refusal for this reason alone. Through the implementation of the Urban Forest Strategy, Council will be investigating ways to strengthen tree removal and retention controls within the Bayside Planning Scheme to strengthen Council's reasons for refusal. Council officers will also explore opportunities for Council to appoint expert witnesses as part of the appeal process at VCAT to reinforce Council's position and provide strengthened technical input to support the retention of trees within the VPO, where appropriate.

### **Alternative greening outcomes in Activity Centres**

An action of the Bayside Urban Forest Strategy is to seek greater outcomes for activity centres where open space is constrained, in particular:

- Increase the utilisation of green walls and roofs in Activity Centres, particularly where the planting of canopy trees are more constrained or where large walls are significant views from neighbouring properties; and
- Where appropriate, encourage new medium and high-density development to provide for predominant nature strip planting.

Whilst there may be these types of development features occurring within Bayside, it has been challenging to determine as Council's current planning permit data system does not store this level of detail for easy access. Council officers will investigate the ability to capture this kind of development.

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### Data Availability

Tree removal applications are managed by the department for the respective permit application. Therefore, tree data is stored in varying internal recording systems, which make reporting challenging when collating this data.

To obtain tree data information more sufficiently, Council officers will investigate the ability to develop and/or update internal data software to ensure tree removal and replacement can be more effectively tracked for all permits.

To assist with data collection, the GIS team are developing the Tree Audit and Inspection Application (Roam) tool to capture tree attributes such as location, height and species for trees during on-site inspections.

## Open Space Annual Summary

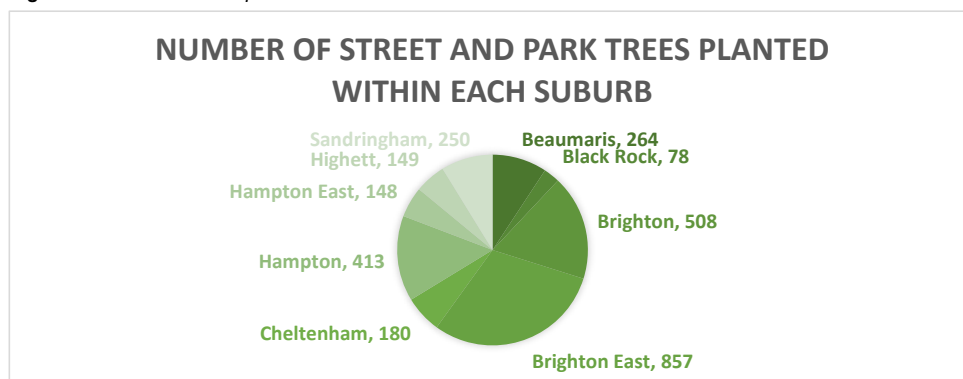
### TREES PLANTED ON PUBLIC LAND

The annual tree planting program does not align with calendar years and instead relates to the planting season, which generally runs from April to September (weather dependent). As such, the numbers may be subject to change as projects are closed and systems updated retrospectively to reflect completed projects/works.

Throughout 2022/23, Council planted 2,847 trees across public parks and within road reserves.

Most of these trees were located in Brighton East (857), Brighton (508) and Hampton (413).

Figure 1 - Number of trees planted within each suburb



Across all suburbs, the 5 most common species planted are as outlined at Table 12 below.

Table 11 – Top 5 park and street tree species planted in 2022-23

Species	Percentage	Family
1 <i>Allocasuarina verticillata</i>	5%	Casuarinaceae
2 <i>Eucalyptus leucoxylon</i> 'Connata'	5%	Myrtaceae
3 <i>Allocasuarina littoralis</i>	5%	Casuarinaceae
4 <i>Acacia melanoxylon</i>	4%	Mimosaceae

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5. <i>Eucalyptus radiata</i>	4%	Myrtaceae
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Within Beaumaris, the most common indigenous tree planted was the *Banksia marginata* (36). In Sandringham (40) and Hampton (39), the most common species planted was the indigenous *Eucalyptus leucoxylon* ‘Connata’. In Hampton East, the indigenous *Eucalyptus radiata* (19) was the most common species planted. In Brighton (53) and Highett (17), the most common species planted was the indigenous *Allocasuarina verticillata*.

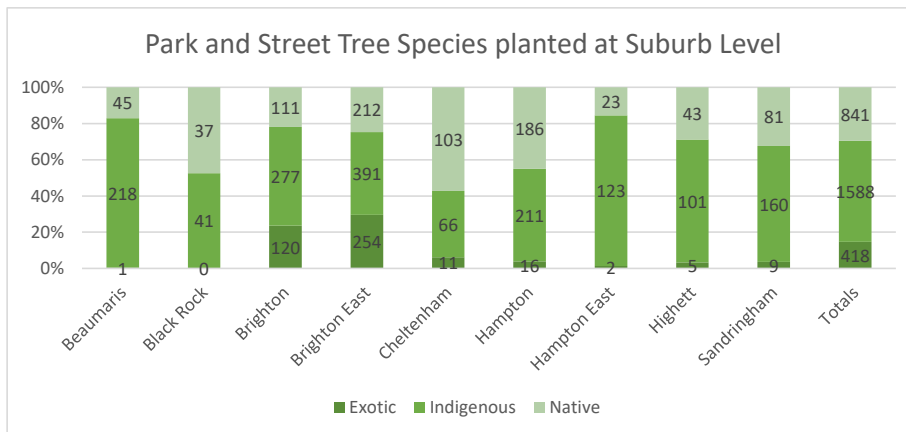
In Black Rock, the most common species planted was the *Eucalyptus cinerea* (11), a native species. In Cheltenham, the two most common species planted were both native species, being the *Lophostemon confertus* and the *Tristaniopsis laurina* (18).

In Brighton East, the most common species planted was the *Celtis occidentalis* (45), an exotic species.

Of the trees planted, there were 1,588 indigenous species, 841 native and 418 exotic species planted.

At the suburb level, Brighton East (391), Brighton (277), Beaumaris (218) and Hampton (211) had the highest rates of indigenous species planted relative to the total planting within those suburbs.

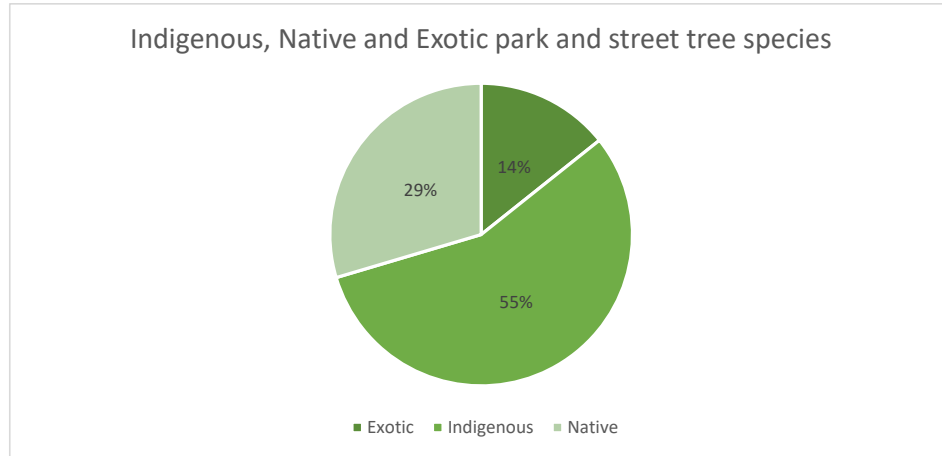
Figure 2 - Number of indigenous, native and exotic species park and street trees planted for each suburb



Across all species planted, exotic species represent 14% of all plantings, with the majority of these concentrated across Brighton and Brighton East. There are relatively few plantings of exotic species across all other suburbs. Brighton East (212), Hampton (186) and Brighton (111) had the highest rates of native plantings.

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Figure 3 - Percentage of indigenous, native and exotic park and street tree species across Bayside

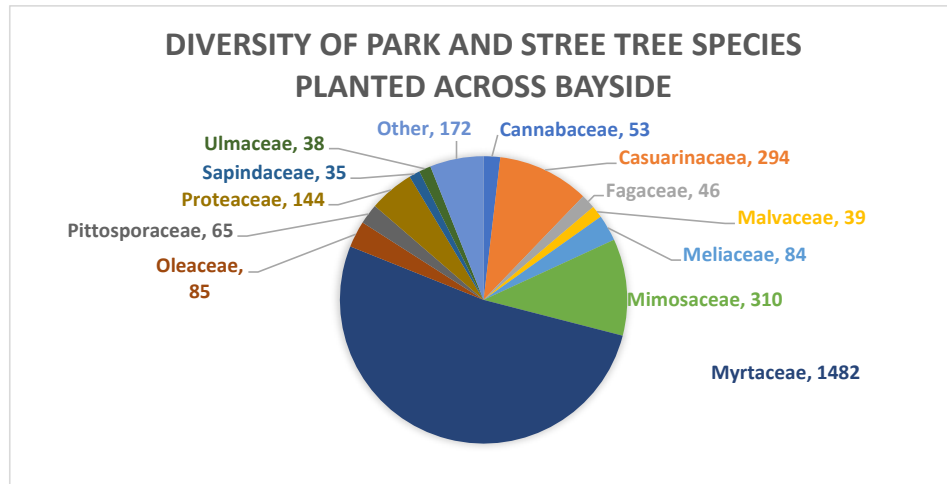


SPECIES DIVERSITY

An objective of the *Urban Forest Strategy 2022* seeks to 'Increase species diversity across public tree plantings to ensure a range of species are incorporated to minimise the potential of large impacts of losses on Bayside canopy.'

In 2022/23, the most prevalent species planted were from the Myrtaceae family however a diverse range of species families were planted across Bayside's public land.

Figure 4 – Species diversity planted across park and street trees across Bayside



## Urban Forest Annual Report 2022-23

At a suburb level, the following species families were planted:

**Table 12** – Diversity of park and street tree species planted per suburb

Family	Beaumaris	Black Rock	Brighton	Brighton East	Cheltenham	Hampton	Hampton East	Highett	Sandringham	Totals
Aceraceae			8	4	1					13
Anacardiaceae				1		1				2
Apocynaceae			1							1
Araucariaceae			3			2	2			7
Bignoniaceae			5	10		1		2		18
Caesalpiniaceae			2							2
Cannabaceae	1		3	48		1				53
Casuarinaceae	33	11	81	58	18	47	15	22	9	294
Eleocarpaceae			2				1			3
Ericaceae				27	1	1				29
Fabaceae		1	2		2					5
Fagaceae			5	39		1			1	46
Ginkgoaceae				9					5	14
Hamamelidaceae			1	7						8
Lythraceae			2	3						5
Magnoliaceae			1							1
Malvaceae	1	2	9	11	1	7	1	2	5	39
Meliaceae	1		2	21	10	37	5		8	84
Mimosaceae	38	5	66	127	6		32	19	17	310
Myrtaceae	125	44	205	354	123	295	69	86	181	1482
Oleaceae			25	57	1	1		1		85
Pinaceae			1	2						3
Pittosporaceae	12	1	5	22	2	4	7	6	6	65
Platanaceae			20	9						29
Proteaceae	53	14	20	15	10	7	7	8	10	144
Rosaceae			5	10	4	5		2	1	27
Rutaceae				3		2				5
Sapindaceae			2	16			9	1	7	35
Ulmaceae			32	4	1	1				38
<b>Totals</b>	<b>264</b>	<b>78</b>	<b>508</b>	<b>857</b>	<b>180</b>	<b>413</b>	<b>148</b>	<b>149</b>	<b>250</b>	<b>2847</b>

Myrtaceae is the most common species family planted across all suburbs, with the Mimosaceae and Casuarinaceae the next most common species family planted.

### TREE REMOVALS

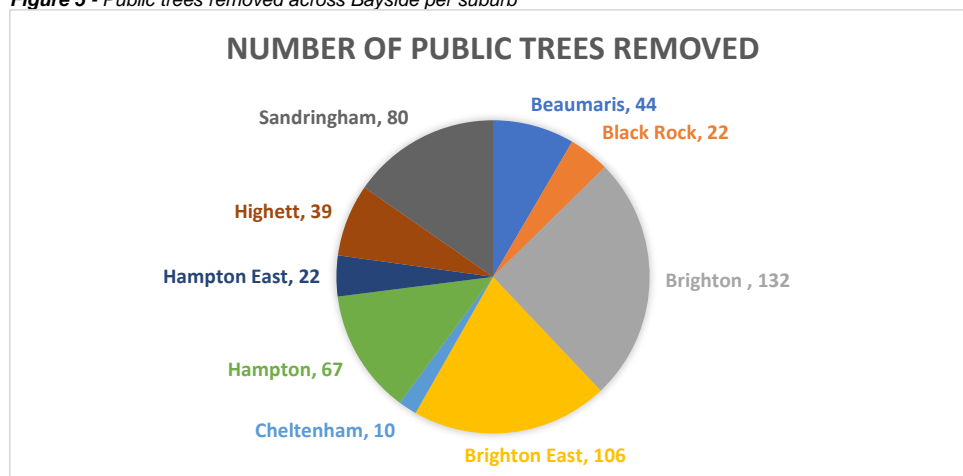
In 2022/23, there were 522 trees removed from park and land by Council (note: this does not include assets removed by third parties). It is noted that the data below does not include trees removed through planning or building permission; it is not representative of assets decommissioned, rather trees removed through Council's tree management functions. It does not include trees left in situ in conservation reserves or on the foreshore.

### REPURPOSING TREES REMOVED FOR HABITAT

All trees removed by Council are repurposed for ecological functions, unless inappropriate to do so. As such, it is not possible to report on as it is a standard practice.

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Figure 5 - Public trees removed across Bayside per suburb



CHANGE IN TREE HEALTH

Tree health data is unavailable for the purposes of this report as it is not reported on an annual basis, given the 26 month tree inspection program. As such, year on year data would be an inaccurate representation of tree health/change.

COUNCIL UNDERSTOREY PLANTING

Council does not collect data in relation to understorey plantings as these are not recorded as assets to be maintained. Understorey planting can include replacement plantings and renewal of gardens so reporting on progress is not reflection on loss/gain.

## Open Space – Key Findings

**Species diversity**

The report highlights that the council has planted a large number of trees from the Myrtaceae family (52%), which could lead to a lack of species diversity and a potential risk of significant impacts in the event of disease or climate change impacts. Continuing to ensure that a wider range of species are selected will ensure exposure is mitigated.

**Planting additional trees to increase canopy**

Council is currently planting more trees than in previous years. Overall, the impacts of planting more trees on public land will be highly beneficial for the environment, landscape character, and overall well-being of the community. However, several challenges need to be considered, including:

- Planting and maintaining trees require funding and ongoing care. Council needs to allocate resources for planting, watering, regular maintenance, and auditing, as well as the associated costs to inspect, prune and consider pest control.
- When planting trees, it's essential to consider the impact on existing infrastructure such as roads, sidewalks, and underground utilities. Proper planning and coordination are necessary to avoid conflicts and potential damage. Council currently undertakes this well, however there are a range of legacy issues where trees have



## Urban Forest Annual Report 2022-23

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not experienced the formative pruning at the appropriate time and as such, are creating conflicts now that they are mature.

### **Climate change impacts to tree planting and retention**

The impact of climate change on existing trees across Bayside is currently unknown and based on potential climatic prediction. As the climate does change, there are several potential impacts to be mitigated:

- a) Increased Temperature - can lead to heat stress for trees, especially during heatwaves. This can result in reduced tree growth, increased water loss through transpiration, and an overall decline in tree health;
- b) Changes in Rainfall Patterns - can lead to either increased or decreased precipitation. Extended periods of drought or heavy rainfall events can negatively impact tree health and increase the risk of root rot or other diseases;
- c) Changes in Water Availability - reduced water availability due to higher temperatures and changes in rainfall patterns can affect the water supply for trees. Limited water availability can lead to drought stress, foliage loss, and an increased susceptibility to pests and diseases;
- d) Increased Intensity of Extreme Weather Events - can result in more frequent and severe extreme weather events, such as storms and high wind events. These events can cause physical damage to trees, including broken branches or uprooting, leading to damage to other public or private infrastructure.
- e) Increased Pests and Diseases - changes in climate can alter the distribution and abundance of pests and diseases that affect trees. Warmer temperatures may create a more favourable environment for certain pests, leading to an increased risk of infestations that can harm tree health.

Council's trees are experiencing faster regrowth than ever due to additional rainfall and higher temperatures, which has presented significant challenges in meeting community expectations in relation to tree appearances, particularly in relation to requests for inspections and pruning requests.

### **Legislation impact to tree maintenance**

The increasing installation of high voltage lines to support extra load in residential areas, coupled with heightened enforcement from Energy Safe Victoria for electric line clearance non-compliance, has led to a more rigorous pruning regime for street trees. This becomes a significant concern during high rainfall years when the epicormic growth of trees increases significantly and Council resources are thinly spread as the tree inspection and works program are placed under further pressure.

### **NEXT STEPS**

Council has implemented several improvements to the way it captures data that will enable improvements to future reporting years, including more closely monitoring the reasons for tree removal, however there are still limitations in Council's systems that prevent data and reporting from being easily attainable. This will continue to be a challenge through the reporting on the Urban Forest Strategy implementation.

Council will be continuing its Tree Planting Program from April 2024 with a continued focus on appropriate species selection, planting techniques, and maintenance methods to ensure success. With the continued tree population growth and increased monitoring and reporting requirements, additional budget will be forecast to achieve Council's aspirations in this area.

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Council has a budget allocated in 2023/24 to progress its Gardens for Wildlife program which proposes to take some of the practices employed by Council and apply these to private property, creating the habitat connections outlined in Council's *Park Improvement and Habitat Linkage Plan*.

## Communications & Engagement, Strategic Planning – Community Activation plan – Annual Updates

In this past year, the Urban Strategy team has focused on the preparation of draft Urban Forest Precinct Plans. Through this work, officers have been undertaking community engagement from 28 August to 8 October 2023 to understand the level of support for each precinct plan and inform the finalisation of these documents. Council has undertaken the following activities as part of this precinct plan engagement:

### External:

- Have Your Say webpage and survey
- Email notifications to Have Your Say subscribers of Beaumaris Precinct Plan and the Urban Forest Strategy and all other identified Key Stakeholders
- Pop-up engagement sessions at locations across the municipality
- Presentations to Council advisory groups and reference groups
- Council's Website
- This Week in Bayside e-newsletter
- Social media
- Availability of 1:1 Meetings with key stakeholders

### Internal:

- In the Loop
- CEO Reflections
- Digital Screens in Libraries and at Corporate Centre.

Council adopted the Beaumaris urban forest precinct plan in February 2023 following community consultation which took place in October – November 2022. Council undertook the following activities as part of the Beaumaris precinct plan engagement:

### External:

- Have Your Say webpage and survey
- Email notifications to Have Your Say subscribers of UFS and Key Stakeholders
- Council Website
- This Week in Bayside e-newsletter
- Article for inclusion in various special interest Council newsletters
- Social media
- E-newsletters to various interest groups
- Beaumaris Concourse Traders e-newsletters – Economic Development database

## Urban Forest Annual Report 2022-23

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Internal:

- In the Loop
- CEO Reflections
- Digital Screens in Libraries and at Corporate Centre.

Consultation on the proposed changes to tree protection as part of the Local Law Review also occurred in August 2023. Officers are currently considering the community feedback received as part of the engagement on the Local Law Review and will seek to present a revised final version of the Local Law guidelines at its November 2023 meeting.

Once the Urban Forest Precinct Plans have been finalised and implemented, Council officers will prepare a community activation plan which can focus more holistically on the implementation of the Urban Forest Strategy and Urban Forest Precinct Plans and the community's response to the increase in tree and vegetation cover across Bayside. An initial action of this community activation plan will be a campaign to seek nominations for the Significant Tree Register.

An action of the Bayside Urban Forest Strategy is to seek the increased protection of Significant Trees by introducing a new Schedule within the Environmental Significance Overlay within the Bayside Planning Scheme. Once nominations have been received and assessed appropriately, Council officers will endeavour to introduce significant trees into the Bayside Planning Scheme through the Planning Scheme Amendment process.



## 10.5 LOCAL LAW POLICY REVIEW - MANAGEMENT OF TREE PROTECTION ON PRIVATE PROPERTY

City Planning and Amenity - Amenity Protection  
File No: PSF/23/179 – Doc No: DOC/23/333071

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### **Executive summary**

#### ***Purpose***

The purpose of this report is to provide an update to Councillors following community consultation on the reviewed approach to assessing Local Law tree pruning and removal applications to support Urban Forest Strategy objectives.

#### ***Background***

Review of the current Management of Tree Protection on Private Property Policy (the current policy) (Attachment 1) is a 2022–23 Council Plan action as part of implementing Council's Urban Forest Strategy (UFS).

Key actions of the UFS include reviewing the policy to increase protection of more trees and strengthening alignment between planning and local law permit applications and requirements, and the Landscape Guidelines (which are also subject to a separate review).

At its 27 June 2023 Council Meeting, it was resolved:

*That Council:*

- 1. endorses the revised Local Law Guideline provisions (Clause 21(1)) for public consultation during the period July to August 2023*
- 2. notes a report will be presented, post consultation, to the November 2023 Council Meeting.*

The community engagement was undertaken between 5 July and 13 August 2023 consistent with the Council resolution to understand the community views on the proposed changes to the Local Law tree pruning and removal assessment criteria for trees on private property and the replanting requirements.

Engagement activities included:

- online engagement through Have Your Say, with an opportunity to ask questions and provide feedback
- correspondence including email, phone mail and individual resident meetings
- meetings with key stakeholders including the Bayside Healthy Ageing Reference Group and Disability Access and Inclusion Advisory Committee.

There were 287 participants in the engagement program. An engagement summary report is attached (Attachment 2).

Review of the Landscape Guidelines is scheduled for 2023–24; and eight Precinct Plans are currently open for community consultation.

## **Key issues**

### **Community Engagement**

There was overall support for assessment criteria that includes access safety, disability, financial hardship, or complex medical needs as set out below:

- Tree impacts accessibility at the property for a resident with a disability – 76% support.
- Homeowner/resident has medical/health impacts from tree – 75% support.
- Tree has a life expectancy of less than three years – 73% support.
- Homeowner/resident is physically unable to maintain the tree or property – 66% support.
- Homeowner/resident has financial hardship meaning cannot afford to maintain the tree – 66% support.

A majority (73%) felt that Council should consider letters of support from neighbours for tree removal permits, demonstrating that trees have an impact on a neighbourhood and individual properties are not isolated.

Respondents were divided as to whether other protected trees on a property should be a permit consideration, with 51% stating it should not be considered.

The vast majority (84%) strongly (70%) or somewhat (14%) supported Council facilitating support services for vulnerable residents to retain a protected tree.

Respondents were also divided on the proposed replating requirements, with a majority (54%) opposed. Common themes included that tree and vegetation selection should be the owners' choice on private property; issues may be repeated if a too-large tree is replanted; and a more individualised 'case by case' approach if needed.

### **Draft Policy Review**

- The current Management of Trees on Private Property Policy 2015 has been reviewed internally to support Council's Urban Forest Strategy objective of seeking to ensure we maintain our existing canopy cover across the Bayside municipality and avoid further decline.
- As a result of the Equity Impact Assessment (Attachment 4) a new consideration and process improvement has been proposed where special circumstances including medical conditions, disability, access safety or financial hardship, are referred to Council's Community Care unit. The Community Care unit will establish what support may be available to vulnerable resident and whether there is any reasonably practicable way to manage issues directly related to the tree other than removal.
- The following 'social considerations' criteria (two must apply) of the current policy do not support the UFS objectives and therefore have been removed as considerations in the proposed approach:
  - Tree sought to be removed rated as medium or low amenity value.
  - There are at least two other trees on the property that:
    - require Council permission to remove
    - are classified as having an amenity or character value of moderate or high
    - have a sustainable life expectancy of more than 10 years
    - are not subject to a current removal permit application or existing permit.

- Four letters of support from neighbours for removal of a tree.

The review has resulted in the following proposed changes in how local law tree applications are considered:

- Tree control considerations for local law applications will move from the current policy to the Local Law Guidelines at Clause 21 as outlined in Attachment 3.
- The Local Law Guidelines maintain current exemptions such as emergency provisions and pruning by qualified arborists and simplify assessment considerations relevant to tree matters or legal requirements including:
  - whether a Building Permit has been granted necessitating removal of a protected tree
  - verifiable evidence of structural damage to a building, services or infrastructure which can only be overcome by implementing a remedy that is unreasonable or greatly disproportionate to the amenity value of the tree
  - tree risk assessment (intolerable risk = permit to remove granted)
  - tree retention value (Low = permit to remove granted) as Appendix 5 of Council's Tree Habitat Value Assessment Matrix
  - the useful life expectancy of the tree as defined in Appendix 5 of Council's Tree Habitat Value Assessment Matrix (Less than three years = permit to remove granted)
  - the habitat value of the tree as determined by based on the Tree Habitat Value Assessment Matrix (Attachment 5)
  - evidence from Council staff indicating the tree has a detrimental impact on surrounding environment or public health
  - special circumstances including medical conditions, disability, access safety or financial hardship, where there is no other reasonably practicable way to manage issues directly related to the tree; following referral to the Manager Community Care or responsible delegate to determine if assistance or supports are available, reasonable, and proportionate
  - any permit granted may contain a condition stipulating that upon removal of a tree, one or more new trees, which may also include suitable middle storey or understorey planting where appropriate, must be planted, and maintained to Council's satisfaction in accordance with Council's Landscape Guidelines and area Precinct Plan, or as otherwise required by the permit.
- Replanting requirements of permits are proposed to be aligned to the proposed precinct plans and Landscape Guidelines Planting criteria which considers soil volume and available planting area.
- Replanting requirements will seek to provide a net gain of trees, or suitable middle storey or understorey planting where appropriate, using suitable species for the area based on the Urban Forest Precinct Plan and Council's Landscape Guidelines planting palette for the area.
- The proposed replacement planting for removed tree(s) will be required to achieve (at maturity) either:

- a minimum 100% (2 times) net increase of tree canopy cover; or
- a minimum 50% (1.5 times) net increase of tree canopy cover on the site and provision of middle storey and/or significant understorey.

### **Recommendation**

That Council:

1. notes the Community Engagement Summary Report – Tree Protection on Private Property 2023
2. adopts the proposed Local Law Guideline (Attachment 3 to this report)
3. rescinds the Management of Tree Protection on Private Property Policy 2015.

### **Support Attachments**

1. Management of Tree Protection on Private Property Policy 2015 ↓
2. Community Engagement Summary Report - Tree Protection on Private Property 2023 ↓
3. Draft Local Law Guideline ↓
4. Equity Impact Assessment - Management of Trees on Private Property Policy Review 2023 ↓
5. Tree Habitat Value Assessment Matrix ↓



## **Considerations and implications of recommendation**

### **Social**

Protection of trees on private property will continue to provide positive social benefits to the community and amenity including cooler, greener, and improved urban environment in which the community can participate and interact socially.

### **Natural Environment**

The protection of trees on private property will support Urban Forest Strategy objective of seeking to ensure we maintain our existing canopy cover across the Bayside municipality and avoid further decline.

### **Built Environment**

The revised approach considers tree retention objectives in conjunction with relevant considerations of the built environment on private property.

### **Customer Service and Community Engagement**

Community engagement on the proposed revised approach was undertaken in July and August 2023.

### **Human Rights**

The implications of the report have been assessed and are not considered likely to breach or infringe upon, the human rights contained in the *Victorian Charter of Human Rights and Responsibilities Act 2006*.

### **Governance**

Officers involved in the preparation of this report have no conflict of interest.

### **Legal**

Council can amend its Local Law Guidelines from time to time as it sees fit. Once Council resolves to amend the Local Law Guidelines, it must publish notice of the amendment on its website.

### **Finance**

The matters considered in the report are covered through the existing operating budget provisions.

### **Links to Council policy and strategy**

Review of the current Management of Tree Protection on Private Property Policy (the policy) (Attachment 1) is a 2022–23 Council Plan action (action 1.2.2.2) as part of implementing Council's Urban Forest Strategy (UFS).

Key actions of the UFS include superseding the current policy to increase protection of more trees and strengthening alignment between planning and local law permit applications and updated Landscape Guidelines.

## MANAGEMENT OF TREE PROTECTION ON PRIVATE PROPERTY POLICY 2015



<b>Council policy title:</b>	<b>Management of Tree Protection on Private Property Policy 2015</b>
<b>Council policy ref no:</b>	C/POL/CPA/001
<b>Council policy owner:</b>	Director City Planning & Amenity
<b>Adopted by:</b>	Bayside City Council
<b>Date adopted:</b>	22 September 2015
<b>Scheduled review:</b>	September 2019
<b>Document reference no:</b>	DOC/15/37434

(Council Policy is a public statement formally resolved by Council, which clearly states Council's requirements in relation to a particular matter or issue. For Council policy approval process, refer Section 10 and Appendix 1 of the Policy Handbook.)

### 1. Policy intent

Protecting and expanding the tree canopy of the entire municipality is an integral part of neighbourhood amenity, natural beauty and a sustainable environment and identified in Goal 4.1.4 Protecting and enhancing vegetation (increase indigenous plant usage) on private and public land.

The Bayside Planning Scheme Vegetation Protection Overlay (VPO) Neighbourhood Amenity Local Law 2021 assist Council to protect and expand the tree canopy of the entire municipality. Clause 21 in the Neighbourhood Amenity Local Law 2021 protects Significant and Protected Trees on private property.

This Policy is intended to provide guidance with regard to assessing Local Law permits for Protected Trees on private property in accordance with Neighbourhood Amenity Local Law 2021, Clause 21 – Tree Protection. A person, without a permit, must not destroy, damage or remove or allow to be destroyed, damaged or removed protected or significant trees on any private property.

A permit is not required:

- where pruning is carried out by a qualified Arborist in accordance with the relevant Australian Standard (4373:2007) who certifies his work, including photographs before and after work; or
- in an emergency, any part of a tree that is an immediate threat to life and or property may be removed.

### 2. Purpose/Objective

The purpose of this Policy is to protect and enhance the urban character, by regulating tree removal and pruning of trees on private property. The replacement planting will be achieved

1

Local Law Guidelines, Neighbourhood Amenity Local Law 2021  
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using species that are suitable to the local vegetation character of the area and site constraints.

Protected trees can be very long-lived and provide a sense of character and identity to an area. They also contribute significantly to modifying the impacts of living in an urban environment, including reducing runoff into drains, reducing air temperatures, capturing dust particles and pollutants in the canopy, increasing property values, providing natural protection from the sun, contributing to psychological well-being and providing habitat for local fauna.

An increasing density of urban development means that the number of large trees on private land is decreasing, therefore the health and sustainability of these trees is becoming increasingly important.

Decisions made in respect to tree removal permits need to consider the property owner's needs, any risk or damage to persons or property and the impact of the tree removal on the environment and local amenity.

#### **Objectives:**

- to guide the decision making for tree removal permits for protected trees on private property;
- to guide the selection of replacement planting on private property where tree removal permits are granted, in order to enhance local amenity and urban character; and
- to encourage all tree pruning works to comply with the appropriate Australian Standards.

### **3. Scope**

This Policy is limited in its application to trees that are protected under Neighbourhood Amenity Local Law 2021.

A protected tree is a tree with a single, or combined trunk circumference greater than 155 centimetres measured at one metre above ground level, excluding species which are declared Noxious Weeds or an immediate hazard.

This Policy does not apply to exemptions and determinations made by the Responsible Authority regarding trees protected by the Bayside Planning Scheme. This includes, but is not limited to:

- Heritage Overlay;
- Significant Landscape Overlays;
- Native vegetation (Clause 52.17 Planning Scheme);
- Vegetation Protection Overlay;
- Significant Trees on Council's Significant Tree Register (refer instead Significant Trees Management Policy 2013); and
- Vegetation on land owned or managed by Council (refer instead Street and Park Tree Management Policy 2011).

### **4. Roles & Responsibilities**

<b>Role</b>	<b>Responsibility</b>
Policy Development	Manager Amenity Protection
Policy Implementation	Coordinator Investigations
Policy Evaluation	Manager Amenity Protection
Policy Review	Manager Amenity Protection with Coordinator Investigations
Decision Making – Tree pruning and removal permits	As per section 7.5
Tree replacement	As per section 8

## 5. Monitoring, evaluation & review

The effectiveness of the *Local Law Tree Permit Policy* will be reviewed by the Amenity Protection Department and will consider input from community stakeholders. Information on applications and decisions will be maintained in Council's record management system.

## 6. Policy statement

Bayside City Council has committed to providing high-quality living environments for residents, ratepayers and visitors.

Bayside's vegetation makes an important contribution to local amenity, sense of place, neighbourhood character, landscape values and cultural heritage. It enhances local climatic conditions by providing shade, wind protection and relief from the urban heat island effect. In some locations, vegetation also contributes to native fauna habitat and local biodiversity.

Bayside City Council is committed to protecting and enhancing vegetation cover because it is regarded as integral to municipal identity and underlying land values. Recent research has confirmed that the tree canopy is gradually being eroded. Large trees are being lost due to land development, risk aversion, infrastructure and property maintenance, climate variability, natural attrition, pests and disease.

A proactive approach to protecting and enhancing vegetation cover is required in order to maintain the high levels of amenity and distinctive character of Bayside's suburbs.

Council applies a range of regulatory and operational measures aimed at protecting vegetation on both private and public land. In relation to private land, two legal instruments facilitate vegetation protection and replacement:

- Neighbourhood Amenity Local Law 2021 (Clause 21 – Tree Protection)
- *Bayside Planning Scheme* (under provisions listed in Section 3 of this policy and through the use of planning permit conditions).

## 7. Tree removal permit

A Permit is required to remove a tree described in Clause 21 of the Local Law. Applications are made in writing using a standard template and must be adequately supported with the nominated information.

Tree removal applications need to include a plan for planting suitable replacement canopy tree or trees (information in section 8). Approved replacement trees may be subject to inspection by Council Officers after planting and failure to plant or removal shall be considered a breach of permit.

### 7.1 Assessment

The preliminary assessment includes inspection of the tree's health and structure to determine if the tree is dead or structurally unstable. Permits are granted to remove dead or hazardous trees. Refer to Attachment A, Preliminary Assessment.

For trees not identified as structurally unstable or dead, a full tree removal assessment is undertaken. Refer to Attachment B, Tree Removal Assessment.

A **Quantified Tree Risk Assessment (QTRA)** is only completed to assess a tree's risk where it is identified on the application form that the tree removal is required as it poses a danger to people or surrounding infrastructure. When a tree is assessed using the QTRA and an unacceptable risk of harm is identified, a Permit to remove the tree will be issued.

For a tree-failure hazard to exist there must be potential for failure of the tree and potential for injury or damage to result. The assessment will consider the likelihood of a combination of

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tree failure, harm to people and property and the likely severity of the harm. Refer to Attachment C.

**Other considerations:**

Officers assessing applications are to take into consideration all relevant matters, and specifically, any evidence supplied in the form of:

- a) a report by a qualified Arborist where the report assesses the tree as posing an unacceptable risk;
- b) a report by a Structural Engineer where the report assesses that the tree is the primary cause of damage to the structure; and
- c) a landscaping proposal that includes suitable canopy tree replacements, for trees proposed to be removed.

When considering a) and b) above the report MUST contain verifiable information on which the conclusions are drawn.

**7.2 Pruning trees on private property**

Pruning should be carried out by a qualified Arborist in accordance with the relevant Australian standard (the current standard is Australian Standard 4373:2007 Pruning of Amenity Trees). This standard encourages pruning practices and procedures that reduce the potential for a tree hazard developing, branch failure, fungal infection or premature tree death. Local Law 2021 states that a permit is required for a tree described in clause 21 of that local law to be cut, trimmed, lopped or pruned. Applications should be in the standard form and be adequately supported with relevant information.

A permit is not required:

- where pruning is carried out by a qualified arborist in accordance with the relevant Australian Standard (4373:2007) who certifies his work, including photographs before and after work; or
- in an emergency, any part of a tree that is an immediate threat to life and or property may be removed.

Lopping, topping or flush cutting are not promoted practices as the indiscriminate removal of trunks or leaders at internodal points in the crown may lead to the development of poorly attached epicormic growth.

**7.3 Tree pruning / removal in emergency circumstances**

In an emergency, that part of a tree that is an immediate threat to life and or property may be removed without a permit.

**7.4 Branches overhanging properties**

Where a permit is required to cut, trim, lop or prune limbs that overhang a property boundary, the owner of the tree (if not the applicant) will be provided with a copy of any permit issued.

It is noted that a permit does not change any common law rights and obligations relating to overhanging branches.

**7.5 Decision making for Tree Removal and Pruning Permits**

Tree assessments are undertaken by Council's arborist in accordance with section 7.1, 7.2, 7.3 and 7.4. The Coordinator Investigations will inform the applicant of the decision made by Council.

If an applicant is dissatisfied with the decision in relation to the application, the applicant may apply in writing for an internal review of the decision. The internal review will be conducted by the Manager Amenity Protection.

The applicant can appeal the decision made by the Manager Amenity Protection not to grant a tree removal permit to Council under the Local Law 2021 clause 88

### 7.6 Tree Assessment Definitions

The tree assessment definitions are provided in Attachment D and section 10 of this Policy.

### 8. Replacement Planting

In order to enhance the overall tree canopy cover, Council aims to:

- achieve a net increase in the number of canopy trees on both private and public land; and
- encourage the planting of canopy trees of sufficient scale to contribute to the diversity of the canopy.

#### Preferred tree planting ratios and scale

Application type	Preferred number of canopy trees	Preferred scale of trees
1. Tree removal under <i>Neighbourhood Amenity Local Law 2021</i>	A minimum of one canopy tree for every canopy tree removed.	Replace canopy trees with new trees expected to mature to achieve the heights specified below.

#### 8.1 Tree Replacement Planting Height

- Where the existing tree is 20 metres or less, the existing tree will be replaced with a tree capable of achieving a minimum of 75% of the existing tree's size; or
- Where the existing tree is 21 metres or greater, the existing tree will be replaced with one tree capable of achieving a minimum of 75% of the existing tree's size, or with two trees, one of which is capable of reaching a minimum height of 15 metres at maturity.

Applications are assessed and consideration will be given to site constraints and available tree replacement planting zones (refer to information in section 8.2 and 8.3). Alternative canopy heights may be approved in exceptional circumstances, for example where there are existing medium to large trees (greater than eight metres) on the site or there is insufficient set back to accommodate the tree root zone of a larger canopy tree.

Replacement trees that have been approved by Council may be inspected. Failure to plant, or removal, of the approved replacement tree will be considered a breach of permit.

#### 8.2 Site constraints

Canopy trees should be included on all Replacement Planting Plans unless evidence is provided by a suitably qualified professional to the satisfaction of Council, that:

- there is insufficient soil volume to support the long-term viability of a canopy tree suitable to the locality; and
- the planting of a tree in a particular location would likely cause damage to property or infrastructure services, a substantial nuisance to adjoining property owners, or a traffic hazard that cannot be avoided or mitigated without unreasonable expense.

#### 8.3 Tree Planting Zone

New canopy trees need to be carefully located and managed in order to promote tree growth and vitality; and to reduce the likelihood of long-term damage to buildings and infrastructure.

In order to ensure optimal conditions a Tree Planting Zone must be identified around each proposed new canopy tree and around canopy trees that are to be retained. The size of the Tree Planting Zone is based on the tree canopy spread (width) at maturity.

Tree Planting Zones should be sited and designed in accordance with the following guidelines:

- trees should be planted in locations where they will have access to sunlight and water;
- trees should be centred within their Tree Protection Zones in order to encourage even growth;
- trees should be planted outside of easements and in accordance with service authority guidelines (e.g. near sewer and water mains and power lines);
- overlapping of Tree Protection Zones should be minimised;
- Tree Protection Zones should be clear of buildings, hard surfaces and clothes lines. Where buildings or hard surfaces do encroach, applicants must demonstrate how healthy tree growth will be promoted and structural damage avoided;
- paved surfaces should be constructed of water-permeable materials;
- mulching to a minimum depth of 50mm should be installed throughout the majority of Tree Protection Zones. Mulched areas may include understorey planting; and
- where tank water is available, the installation of automatic drip irrigation is encouraged.

#### 8.4 Species selection

The structure and mass of a tree's canopy is one of the most defining aspects of the character that it contributes to an area. Refer to Attachment E for a list of tree species.

Reports regarding vegetation character can be found at

[http://www.bayside.vic.gov.au/search\\_results.php?q=vegetation+character+assessment](http://www.bayside.vic.gov.au/search_results.php?q=vegetation+character+assessment)

These reports identify significant vegetation characteristics that form a major element of a distinctive urban character in the municipality, particularly in Beaumaris and Black Rock. Replacement trees are to be approved by the Manager Amenity Protection.

**9. Related documents**

<b>Policies</b>	Significant Tree Management Policy 2013
<b>Legal</b>	Bayside City Council, Neighbourhood Amenity Local Law 2021 Victorian Human Rights Charter
<b>Procedures</b>	
<b>Guidelines</b>	Customer Focus Guideline

**10. Definitions & Abbreviations**

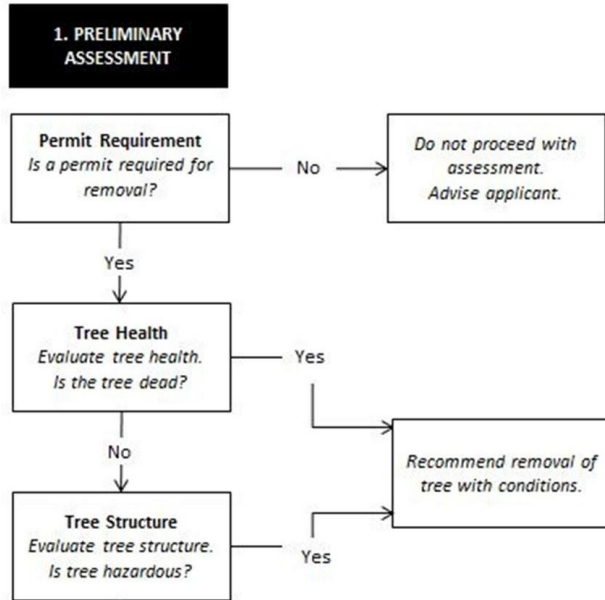
<b>Term</b>	<b>Meaning</b>
Protected Tree	A Protected Tree is a tree with a single trunk circumference or combined trunk circumference greater than 155 centimetres measured at one metre above ground level but excluding species which are declared Noxious Weeds.
Significant Tree	Are located on private property and public land or a tree listed on the Significant Tree Register.
Tree	Any perennial plant having one or more permanent, woody, self-supporting trunks and with branches forming a crown, and includes all parts of the plant whether above or below ground.
Canopy tree	A tree which has, or at maturity is likely to have, sufficient height and canopy characteristics to make a positive contribution to local amenity, sense of place, microclimate and/or biodiversity. Minimum 8 x 4 metres.
Indigenous tree	Native species that were present in the original vegetation communities of the suburb, excluding cultivars and varieties thereof.
Native tree	Species that are endemic to Australia, may include indigenous (including cultivars and varieties of indigenous species).
Exotic tree	Species whose natural habitat is exclusively outside of Australia.
Weed species	Species identified as: (a) a State prohibited weed; (b) a regionally prohibited weed; (c) a regionally controlled weed; or (d) a restricted weed; under State catchment and land protection regulations.

**Please note:** This policy is current as at the date of approval. Refer to Council's website ([www.bayside.vic.gov.au](http://www.bayside.vic.gov.au)) or staff intranet to ensure this is the latest version.



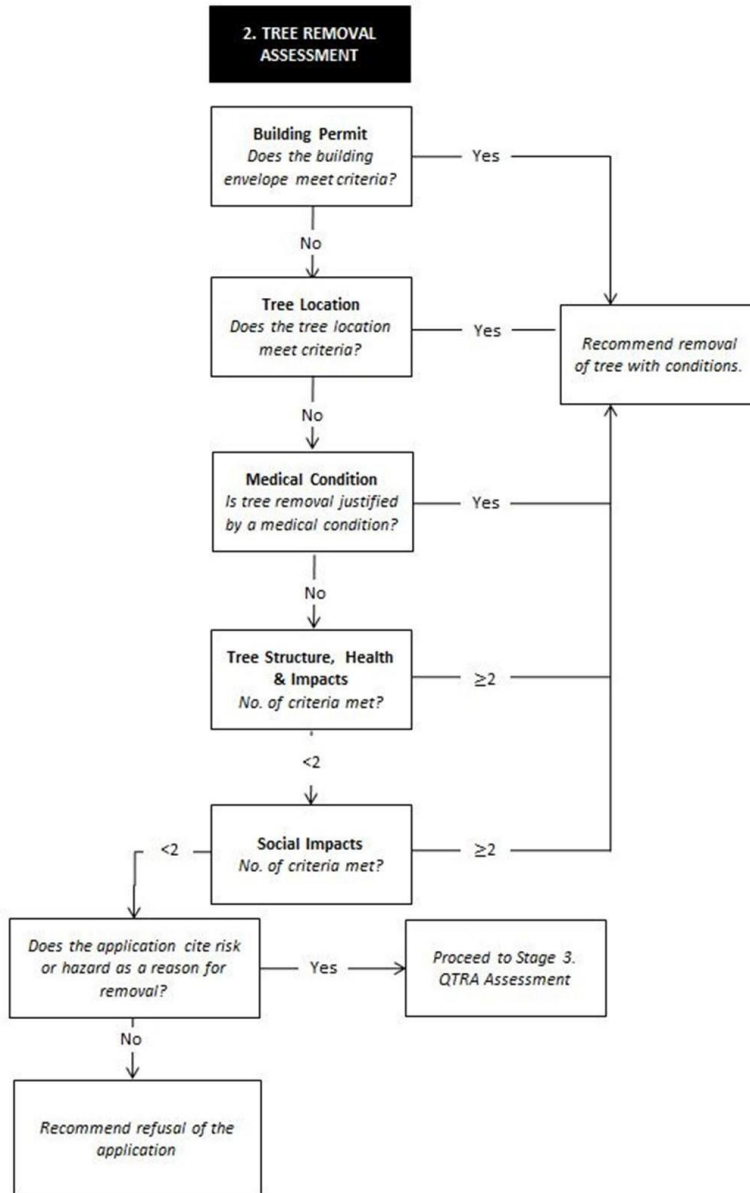
Preliminary Assessment

ATTACHMENT A



Tree Removal Assessment

ATTACHMENT B



**Additional Assessment Criteria for Tree Removal Permit Applications**

**1 Building Permits**

Where a building permit has been issued under the *Building Control Act 1993* and the permitted building(s) and/or construction works:

- are located in such a position that the subject tree is within the envelope of the permitted buildings or works;
- encroach on the tree protection zone of an existing tree by more than 40%; or
- encroach on the structural root zone of an existing tree.

A permit will be issued to remove the affected trees with Conditions, which include a requirement for replacement tree/s.

Where a Building Permit has been issued under the *Building Control Act 1993* and the above criteria do not apply the application must be assessed in accordance with Table 1.

**Table 1. Assessment method for tree removal**

Works proposed	Assessment	Recommendation
New dwelling, or alterations and additions to existing dwellings including extensions to the dwelling or garages built as part of the house.	The applicant can demonstrate to Council's satisfaction that: <ul style="list-style-type: none"> <li>• the proposed works cannot be redesigned;</li> <li>• appropriate arboricultural techniques as detailed in the submission of an arborist report cannot be employed in order to retain the tree; and</li> <li>• compensatory replacement planting can be established on site.</li> </ul>	<b>Approval</b> Subject to a condition requiring replacement tree/s.
	The applicant cannot satisfy the above requirement.	<b>Refusal</b>
Tennis courts, patios, decks, and carports.	The proposed works cannot incorporate retention of the subject tree.	<b>Refusal</b> Where Building Permit not granted.

**2 Tree Location**

A Permit will be issued where a report from a licensed and/or qualified person in their field provides evidence that the tree is causing structural damage to a building, services or infrastructure or is a risk to people or property, which can only be overcome by implementing a remedy that is unreasonable or greatly disproportionate to the value of the tree or the risk posed by the tree (assessed by QTRA).

Trees located in close proximity to dwellings, garages, intersections and crossovers must be assessed in accordance with the criteria outlined in Table 2. The recommendation to the Coordinator Investigations should be consistent with the Table, unless subsequent steps in the procedure warrant a different recommendation.

Table 2

Tree Location	Recommendation
Within two metres of a dwelling	Removal recommended if any part of the tree trunk is within two metres of an existing dwelling.
Within one metre of a garage or carport	Removal recommended if the tree will outgrow the location and/or is causing damage to an existing garage or carport.
Crossover	Removal recommended if a crossover is approved within the structural root zone of the tree.

Conditions will include a requirement for replacement tree/s.

### 3 Medical condition

Where an application for tree removal:

- Where a medical certificate is provided from a doctor or specialist in the relevant field to certify that a specific tree is causing a specific allergenic problem for a resident that significantly diminishes the quality of life of that person and there is no other way of managing the problem.

A permit would be issued for removal under delegated authority, subject to referral to the relevant Manager Amenity Protection and the inclusion of appropriate conditions. Conditions will include a requirement for replacement tree/s.

### 4 Tree health, structure and impacts

A tree removal permit will be granted where a referral report by Council's Environmental Health, Assets, Traffic or other relevant Council Employee at Coordinator or Management level, or higher, confirms the tree has a detrimental impact on the surrounding environment/public health.

If any two of the tree health, structure and impacts criteria nominated below apply a recommendation for tree removal should be made to the Coordinator Investigations by the Arborist assessing the tree. Conditions for replacement tree/s would be included.

If none of the criteria apply, a recommendation for refusal of the application should be made to the Coordinator Investigations.

#### Criteria

Tree health, structure and impacts criteria:

- the health of the tree is classified as poor (definition included in **Attachment D**);
- the structure of the tree is classified as poor (definition included in **Attachment D**);
- the sustainable life expectancy of the tree is assessed at less than 5 years.

### 5 Social considerations

If any two of the 'Social considerations' criteria apply a recommendation for tree removal should be made to the Manager Amenity Protection subject to conditions. Conditions should include a requirement for replacement tree/s.

If less than two of following criteria apply, a recommendation for refusal of the application should be made.

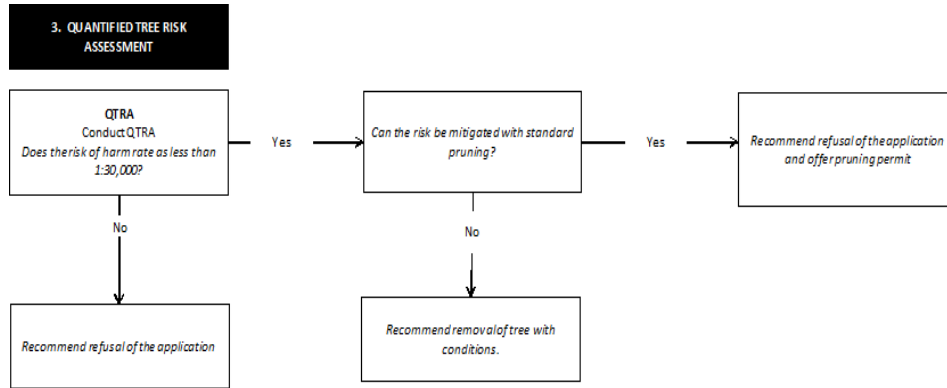
**Criteria**

Social considerations criteria:

- the amenity or character value of the tree is classified as moderate or low (definition included in **Attachment D**);
- there are at least two other trees on the property that:
  - require Council permission to remove;
  - are classified as having an amenity or character value of moderate or high;
  - have a sustainable life expectancy of more than 10 years;
  - are not subject to a current removal permit application or existing permit;
- there are written letters supporting tree removal from property owners/tenants and adjacent to and opposite the property (at least four individual properties);
- demonstrate financial hardship and inability to undertake routine maintenance - the applicant has no source of income to pay for the maintenance and is receiving Centrelink benefits.

ATTACHMENT C

Tree Removal Assessment



**Quantified Risk Assessment**

Tree safety management involves limiting the risk of harm from tree failure while maintaining the benefits conferred by trees.

The Quantified Tree Risk Assessment (QTRA) system quantifies the risk of significant harm from tree failure in a way that enables tree managers to balance safety with tree values and operate to predetermine limits of tolerable or acceptable risk. Council's Arborist's have a licence to undertake a QTRA.

By quantifying the risk from tree failure as a probability, Quantified Tree Risk Assessment (QTRA) enables a tree owner or manager to manage the risk in accordance with widely applied and internationally recognised levels of risk tolerance. It provides a risk level against which mitigation strategies can be balanced to determine appropriate actions

**QTRA advisory risk thresholds**

Threshold	Description	Action
1/1- 1/9,999	Unacceptable (where imposed on others) Risks will not ordinarily be tolerated	<ul style="list-style-type: none"> <li>Control the risk</li> <li>Review the risk</li> </ul>
	Tolerable (by agreement) Risks may be tolerated if those exposed to the risk accept it, or the tree has exceptional value	<ul style="list-style-type: none"> <li>Control the risk unless there is broad stakeholder agreement to tolerate it, or the tree has exceptional value</li> <li>Review the risk</li> </ul>
1/10,000 – 1/999,999	Tolerable (where imposed on others) Risks are tolerable if as low as reasonably practical (ALARP)	<ul style="list-style-type: none"> <li>Assess costs and benefits of risk control</li> <li>Control the risk only where a significant benefit might be achieved at reasonable cost</li> <li>Review the cost</li> </ul>
1/1,000000 or less risk	Broadly Acceptable Risk is already ALARP	<ul style="list-style-type: none"> <li>No action currently required</li> <li>Review the risk</li> </ul>

## ATTACHMENT D

**Tree assessment definitions****Origin****(I) Indigenous**

The tree is endemic to the local area and has been naturally occurring since recordings of flora commenced.

**(V) Victorian**

The tree is endemic to the state of Victoria and has been naturally occurring since recordings of flora commenced.

**(A) Australian**

The tree is endemic to mainland Australia and has been naturally occurring since recordings of flora commenced.

**(E) Exotic**

The tree is not endemic to any part of mainland Australia.

**Health**

Tree health is based on vigour and vitality. In assessing health, observations are made of the following:

- foliage characteristics
- extension growth
- wound wood development
- extent of predation or disease

In many instances correct application of arboricultural management practices can revitalise a tree and extend its ability to provide a value to the community.

**(G) Good**

- Tree displays 71-100% live canopy mass
- Foliage exhibits near optimal foliage characteristics in size, colour and density
- Tree may have low levels of tip dieback
- Tree may exhibit low levels of pest/pathogen infestation that is not expected to have a significant impact on the long term health of the tree

**(F) Fair**

- Tree displays 51-70% live canopy mass
- Foliage may be stunted or discoloured
- Tree exhibits less than optimal extension growth
- Tree has moderate pest/pathogen infestation which may be retarding growth and impacting on health levels, it is expected that the tree can recover with or without intervention

**(P) Poor**

- Tree displays <50% live canopy mass
- Tree exhibits low levels of extension growth
- Tree has extensive pest/pathogen infestation and is not expected to recover from such infestation even with intervention
- Tree may be senescent

**(D) Dead**

- Tree has no live vascular tissue

**Structure**

Structure refers to the physical integrity of the tree.

Natural species form may not constitute poor structure.

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Pest/pathogen damage is not directly a structural issue, however may contribute to structural issues/faults.

In assessing structure, observations are made of the following:

- Branch attachment and union formation
- Damage to trunk/roots/unions/branches
- Trunk/scaffold/tertiary branch taper

In many instances correct application of arboricultural management practices can reduce likelihood of failure to an acceptable level and extend a tree's ability to provide a value to the community.

**(G) Good**

- Tree has good branch attachment and well-formed unions
- Tree has good trunk and scaffold branch taper
- Tree may have poor tertiary branch taper
- Tree may exhibit structural defects on tertiary branches and attachments
- Complete tree failure or major structural failure under normal environmental conditions is unlikely
- Remedial pruning works may improve the structural rating of the tree

**(F) Fair**

- Tree may have poor scaffold branch/stem taper
- Tree may have poor tertiary branch taper
- Tree may have minor structural root damage/severance
- Tree may exhibit structural defects to the trunk or scaffold branches
- Majority of structural defects may be managed through current recognised arboricultural practices

**(P) Poor**

- Tree may exhibit major structural defects to trunk and/or scaffold branch attachments and/or roots

**(H) Hazardous**

- Complete or major structural failure is imminent

**Amenity Value**

The visual contribution the tree makes to the neighbourhood character.

**(L) Low**

- Tree has poor health and/or
- Tree provides little visual contribution to the neighbourhood character

**(M) Moderate**

- Tree has fair/good/excellent health and/or
- Tree is easily viewed from the street

**(H) High**

- Tree has fair/good/excellent health
- Tree is highly visible from the street
- Tree is visible from other streets in the area

**(N/A) Not Applicable**

**Useful Life Expectancy**

The period of time that the tree is expected to maintain a positive contribution to the neighbourhood character.

**20 yrs +**

Tree is likely a semi-mature or mature tree that is in good health and structure and is expected to maintain current levels of amenity for a minimum of 20 years.

**10-19 yrs**

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Tree is likely a mature tree that is in good health and/or structure and is expected to maintain current levels of amenity for a minimum of 10 years.

**4-9 yrs**

Tree is likely a mature tree that is in fair health and/or structure and is likely declining. It is expected that the tree is not likely to maintain current levels of amenity for more than 9 years.

**0-3 yrs**

Tree is likely a mature tree that is in poor health and/or structure and is likely declining. It is expected that the tree is not likely to maintain current levels of amenity for more than 3 years.

**Retention Value**

The value of the tree when considering the tree as a whole. The health, structure, amenity value and life expectancy are considered when determining this factor. The tree location on the subject site or a development proposal is not a consideration for determining retention value.

**(H) High**

The tree is generally in good health and structure, provides high levels of amenity and is likely to do so for more than 20 years. Tree may have historic or cultural significance.

**(M) Medium**

The tree is generally in fair to good health and structure, provides high levels of amenity and is likely to do so for up to 20 years.

**(L) Low**

The tree is generally in fair health and structure, provides low levels of amenity and may do so for up to 10 years. The tree may be juvenile or otherwise small and easily replaced by advanced plantings or plantings that will provide similar amenity value in a reasonable timeframe.

**(N) None**

The tree has no features that would promote retention for any reason, such as a dead tree or one that provides no amenity value.

**(O) Trees on other property**

Any tree located outside the subject site is to be retained and protected.

## ATTACHMENT E

**REPLACEMENT TREES – COMMONLY ACCEPTED HEIGHTS AND WIDTHS AT MATURITY IN THE BAYSIDE REGION**

The structure and mass of a tree's canopy is one of the most defining aspects of the character that it contributes to an area.

The Vegetation Character Assessment (March 2000) report identifies significant vegetation characteristics that form a major element of a distinctive urban character in the municipality, particularly in Beaumaris and Black Rock. These should be considered when selecting appropriate species.

**Indigenous**

Botanic Name	Common Name	Height	Width	Evergreen/ Deciduous
<i>Acacia implexa</i>	Lightwood	8	6	E
<i>Acacia mearnsii</i>	Black Wattle	8	6	E
<i>Acacia melanoxylon</i>	Blackwood	8	6	E
<i>Allocasuarina littoralis</i>	Black She-oak	8	6	E
<i>Allocasuarina verticillata</i>	Drooping She-oak	10	8	E
<i>Banksia integrifolia</i>	Coast Banksia	15	12	E
<i>Eucalyptus camaldulensis</i>	River Red Gum	15-25	12-18	E
<i>Eucalyptus melliodora</i>	Yellow Box	15-20	10-15	E
<i>Eucalyptus ovata</i>	Swamp Gum	15	12	E
<i>Eucalyptus pauciflora</i>	Snow Gum	10	8	E
<i>Eucalyptus viminalis</i> subsp. <i>pryoriana</i>	Rough-barked Manna Gum	15	10-15	E
<i>Eucalyptus radiata</i>	Narrow-leaved Peppermint	15	10	E

**Native**

Botanic Name	Common Name	Height	Width	Evergreen/ Deciduous
<i>Acacia pendula</i>	Weeping Myall	8-10	6-7	E
<i>Agonis flexuosa</i>	Weeping Willow Myrtle	10-12	10-12	E
<i>Allocasuarina torulosa</i>	Rose She-oak	10	7	E
<i>Angophora costata</i>	Smooth-barked Apple	15-20	10-15	E
<i>Angophora floribunda</i>	Rough Barked Apple	12-15	10-12	E
<i>Corymbia ficifolia</i>	Red-flowering Gum	10-15	10-15	E
<i>Corymbia exima</i>	Yellow Bloodwood	15	10-12	E
<i>Corymbia maculata</i>	Spotted Gum	18-22	12-15	E
<i>Elaeocarpus reticulatus</i>	Blueberry Ash	8	3-5	E
<i>Eucalyptus cephalocarpa</i>	Silver-leaved Stringybark	8-15	8-12	E
<i>Eucalyptus cinerea</i>	Mealy Stringybark	12	7-10	E
<i>Eucalyptus cornuta</i>	Yate	8-12	10	E
<i>Eucalyptus crenulata</i>	Silver Gum	8	6	E
<i>Eucalyptus largiflorens</i>	Black Box	10-15	8-12	E

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<i>Eucalyptus leucoxylon</i> subsp. <i>connata</i>	Yellow Gum	12	10	E
<i>Eucalyptus mannifera</i>	Red Spotted Gum	12-15	8-12	E
<i>Eucalyptus microcarpa</i>	Grey Box	15	10	E
<i>Eucalyptus nicholii</i>	Narrow-leaved Black Peppermint	10-15	10	E
<i>Eucalyptus polyanthemos</i>	Red Box	15	8-12	E
<i>Eucalyptus pulchella</i>	White Peppermint	15	7	E
<i>Eucalyptus rubida</i>	Candlebark Gum	15	12	E
<i>Eucalyptus saligna</i>	Sydney Blue Gum	15-25	12-18	E
<i>Eucalyptus scoparia</i>	Wallangarra White Gum	8-12	5-10	E
<i>Eucalyptus sideroxylon</i>	Red Ironbark	12-18	10-15	E
<i>Eucalyptus tereticornis</i>	Forest red gum	15-20	12-15	E
<i>Lophostemon confertus</i>	Brush Box	10-15	8-12	E
<i>Melaleuca quinquenervia</i>	Broad-leaved paperbark	10-15	8-12	E
<i>Tristaniopsis laurina</i>	Water Gum	8	6	E
<i>Waterhousia floribunda</i>	Weeping Lilly Pilly	10-12	8-10	E

**Exotic**

Botanic Name	Common Name	Height	Width	Evergreen/ Deciduous
<i>Acer cultivars</i>	Maple	10-20	10-15	D
<i>Araucaria heterophylla</i>	Norfolk Island Pine	20-25	10-20	E
<i>Arbutus unedo</i>	Irish Strawberry Tree	8	8	E
<i>Catalpa bignonioides</i>	Indian Bean Tree	10-12	10-12	D
<i>Cedrus deodara</i>	Deodar Cedar	15-25	12-18	E
<i>Celtis occidentalis</i>	Hackberry	7-12	6-10	D
<i>Fraxinus 'Raywood'</i>	Claret Ash	12	9	D
<i>Fraxinus excelsior 'Aurea'</i>	Golden Ash	8-12	7	D
<i>Fraxinus pennsylvanica</i>	Green Ash	10-15	8-12	D
<i>Gleditsia tricanthos</i>	Honey Locust	10-15	8-15	D
<i>Jacaranda mimosifolia</i>	Jacaranda	8-12	8	D
<i>Liquidambar styraciflua</i>	American Sweetgum	12-22	12-15	D
<i>Magnolia grandiflora</i>	Bull Bay	8-15	8-12	E
<i>Metrosideros excelsior</i>	Pohutukawa	8-10	8-10	E
<i>Platanus x acerifolia</i>	London Plane	14-22	12-18	D
<i>Pyrus cultivars</i>	Flowering Pear	8-12	4-8	D
<i>Quercus coccinea</i>	Scarlet Oak	12-15	12-15	D
<i>Quercus palustris</i>	Pin Oak	15-22	12-18	D
<i>Quercus rubra</i>	Northern Red Oak	12-20	12-20	D
<i>Schinus molle</i>	American Pepper	8-15	10-15	E
<i>Tilia cordata cultivars</i>	Small-leaved Linden	15-20	12-20	D
<i>Ulmus glabra 'Lutescens'</i>	Golden Elm	10-15	12-15	D
<i>Ulmus parvifolia</i>	Lacebark	12-15	10-15	D
<i>Ulmus procera</i>	English Elm	12-20	12-15	D
<i>Zelcova serrata</i>	Japanese Zelkova	15-20	12-15	D

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# Removing protected trees on your property

Community engagement summary report  
October 2023



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## Overview

A key action of Bayside's Urban Forest Strategy includes superseding the Management of Tree Protection on Private Property Policy to increase protection of more trees and strengthen alignment between planning and Local Law permit applications and the Bayside Landscape Guidelines.

This report presents the findings of community engagement undertaken between 5 July and 13 August 2023 on the reviewed considerations for assessing Local Law tree pruning and removal permit applications on private property and permit replanting requirements.

There were 287 participants in the engagement program. Engagement activities included online engagement through Have Your Say, with an opportunity to ask questions and provide feedback; correspondence including email, phone mail and individual resident meetings; and meetings with key stakeholders including the Bayside Healthy Ageing Reference Group and Disability Access and Inclusion Advisory Committee.

In summary, community engagement found:

- There was overall support for assessment criteria that includes access safety, disability, financial hardship or complex medical needs, and a permit should be approved if:
  - Tree impacts accessibility at the property with disability – 76% support
  - Homeowner/resident has medical/health impacts from tree – 75% support
  - Tree has a life expectancy of less than three years – 73% support
  - Homeowner/resident is physically unable to maintain the tree or property – 66% support
  - Homeowner/resident has financial hardship meaning cannot afford to maintain the tree – 66% support
- A majority (73%) felt that Council should consider letters of support from neighbours for tree removal permits, demonstrating that trees have an impact on a neighbourhood and individual properties are not isolated.
- Respondents were divided as to whether other protected trees on a property should be a permit consideration, with 51% stating it should not be considered.
- The vast majority (84%) strongly (70%) or somewhat (14%) supported Council facilitating support services for vulnerable residents to retain a protected tree.
- Respondents were also divided on the proposed replating requirements, with a majority (54%) opposed. Common themes included that tree and vegetation selection should be the owners' choice on private property; issues may be repeated if a too-large tree is replanted; and a more individualised 'case by case' approach is needed.

## Next steps

The findings of this report will be considered by Council at its November 2023 meeting.

## 1. Background

This report summarises stakeholder and community feedback on proposed changes to the local law regarding removal of protected trees on residential property.

Bayside City Council is striving to increase the protection of trees in order to grow the urban forest and maintain the leafy character of the municipality. Bayside's tree canopy is protected through the Bayside Planning Scheme Vegetation Protection Overlay (VPO) and the Neighbourhood Amenity Local Law. Residents currently need a permit to remove a tree



on their property that has a single or combined trunk circumference greater than 155 cm at a measurement taken at 1m above the ground.

The updated Local Law guidelines will be used when assessing tree removal permit applications, superseding the current Management of Tree Protection on Private Property Policy.

### 1.1 Project scope

Proposed changes to the Local Law Guidelines affect homeowners across the municipality. Other significant stakeholders include arborists, environmental groups, Bayside community and advocacy groups and First Nations people.

What is staying the same:

- The size criteria of a tree that requires a Local Law permit to remove.
- Situations where a Local Law permit is not required.

Minor changes proposed:

- Introducing special considerations for disability, access safety, financial hardship or complex medical needs to support vulnerable residents either retain their tree(s) or permit tree removal.
- Protecting more trees by removing some permit assessment considerations, such as consideration for the number of other protected trees on the site, or neighbours' support for removal.
- Clearer and increased replanting requirements for every tree removed to increase canopy and middle/understorey planting.
- Ensuring the Bayside Landscape Guidelines and Urban Forest Strategy Precinct Plans inform replanting requirements, such as appropriate species selection for the area.
- Assessing the tree for its habitat value to native wildlife.
- Replacing the Management of the Tree Protection on Private Property Policy with updated Local Law guidelines for Tree Protection.

## 2. Consultation process

Bayside City Council sought community and stakeholder feedback on the proposed changes to assessment criteria for Local Law tree removal permits. The following is what could be informed and influenced through the consultation and what was out of scope.

### What can the community influence?

- Permit assessment considerations.
- Considerations needed to support residents with disability, or special considerations for access safety, financial hardship or complex medical needs in the event they can not maintain trees.
- Proposed replanting requirements for trees removed.
- Application of the Bayside Landscape Guidelines and Urban Forest Strategy.
- Replacing the Management of the Tree Protection on Private Property Policy with updated Local Law guidelines for Tree Protection.

### What can't the community influence?

- The size criteria of a tree that requires a Local Law permit to remove.
- How risk and relevant arboriculture matters are assessed.
- Implications of Building Permits necessitating removal of a tree.

## 2.1 Consultation methodology

This community engagement program began on 5 July 2023 and ran for just over a month until 13 August 2023. It is estimated that 287 participants contributed to the engagement across the *Have Your Say* online survey and written statements. Feedback was also provided by Bayside's Healthy Ageing Reference Group and Disability Access and Inclusion Committee. Some participants may have participated in more than one engagement activity, which may affect the overall numbers.

The opportunity to participate in the consultation was promoted via a direct email to Have Your Say subscribers, This Week in Bayside e-newsletter, social media and Council's website. Following is a summary of participation by engagement activity.

Details	Activity
5 July 2023 - 13 August 2023 <b>n=278 (Survey)</b>	<b>Have Your Say Project Webpage</b> Project information Online survey Q&A forum
5 July 2023 - 13 August 2023 <b>n=9 (Written statements)</b>	<b>Written Statements and Other Correspondence</b> Email notifications to Have Your Say subscribers and key stakeholder groups. Council website and <i>This Week in Bayside</i> e-newsletter. Direct email to key stakeholders.
31 July 2023	<b>Presentations to stakeholder committees</b> <b>Bayside Healthy Ageing Reference Group</b> <ul style="list-style-type: none"> <li>• Overall support for reviewed assessment criteria</li> <li>• Some comments related to actioning pruning requests and tree debris reports</li> <li>• Community safety needs to be prioritised over trees</li> <li>• Tree risk assessment matrix is complex to understand</li> <li>• Request for Council to letterbox residents requesting their trees are pruned.</li> <li>• Council to consider impact of higher temperatures when planting new trees.</li> </ul> <b>Disability Access and Inclusion Advisory Committee</b> <ul style="list-style-type: none"> <li>• Feedback included that definition of disability should reflect the Disability Discrimination Act rather than specifics, eg allergy or a medical condition.</li> </ul>
5 July 2023 - 13 August 2023 <b>4 individuals</b>	<b>Bookable meetings with a Council Officer</b> 4 meetings were requested and held with residents. Feedback related to individual tree issues or no payment required for permit applications from pensioners.

## 3. Participant profile

Demographic data was collected in the online survey on *Have Your Say* and the written statements that were submitted to Council. The majority of engagement participants were residents of Bayside and followed a similar pattern of distribution by suburb as the 2021 census data. There were more females than males and just over 50% of participants were in the 50-69 years age bracket.

	Demographic	Bayside 2021 Census	Participants (%)*
<b>Gender</b>	Male	47.8%	36.6
	Female	52.2%	42.5
	Unknown	-	20.2
	Other identity	-	0.7
<b>Age</b>		15-24 - 0	Under 18 - ^
		25-39 - 7.8%	18 - 24 years - 0^
		40-49 - 7.8%	25 - 34 years - 2.4^
		50-59 - 19.4%	35 - 49 years - 17.4^
		60-69 - 15.7%	50 - 69 years - 50.2^
		70-84 - 12.1%	70 - 84 years - 24.7^
		85+ - 12.2%	85+ years - 0.3^
	Undisclosed 3.4%	Undisclosed - 3.5^	
<b>Suburb</b>	Beaumaris	13.84%	14.3%
	Black Rock	6.3%	8.7%
	Brighton	22.95%	14.6%
	Brighton East	16.32%	5.9%
	Cheltenham	23.68%	9.4%
	Hampton	13.34%	12.5%
	Hampton East	5.0%	5.2%
	Highett	11.86%	7.3%
	Sandringham	10.78%	7.7%
	Prefer not to say	-	1.4%
	Outside Bayside	-	0.3%

\*demographics based on the online survey and submitted statements (n=287).

^given the different age brackets in comparison to the Census 2021 data percentage of age is based on percentage of participation in the project.

## 4. Consultation findings

The following section summarises the key themes which arose in community feedback on the removal of protected trees on residential property. In the interest of stakeholder and community privacy, individual quotes have not been included within this public document. Where there was more than one mention of a topic or item, the number of mentions has been specified in brackets and italics. The majority of feedback presented is from the online survey, feedback collected from direct submissions to Council and stakeholder reference groups is included where it relates to the topic being discussed and is indicated as such.

### 4.1 Considerations of refusing or approving a permit

This section summarises themes of the impacts of protected trees on the individual. Community and stakeholder feedback is given through quantitative and free text responses.

#### 4.1.1 Personal considerations

Participants who completed the online survey were asked 'Do you think Council should consider approving or refusing a permit to remove a protected tree in these situations?' The five different situations are listed on the following table in descending order of votes for approving permit.

Disability and medical/health impacts were the top two considerations for approving a permit. The most frequent comment that expanded on this was that 'the safety of those living on the property and their ability to take care of the tree' should be priority.

Considerations of refusing or approving a permit	Approve %	Refuse %	Unsure %	TOTAL %
Tree impacts accessibility at the property for people with disability	76.3	12.6	11.2	100
Homeowner/resident has medical / health impacts from the tree	75.2	14.0	10.8	100
Tree has a life expectancy of less than three years	72.7	14.7	12.6	100
Homeowner/resident is physically unable to maintain the tree or property	66.2	28.1	5.7	100
Homeowner/resident's financial hardship means they can't afford to maintain the tree	66.2	27.0	6.8	100

Data source: online survey.

Participants were also asked an optional free text question - 'What are the reasons for your responses?' This question could relate to one or more of the situations in the previous table, giving participants an opportunity to expand on their reasoning for why they think Council should approve or refuse a permit. The topic with the most feedback was 'changes to eligibility for removal permit'.

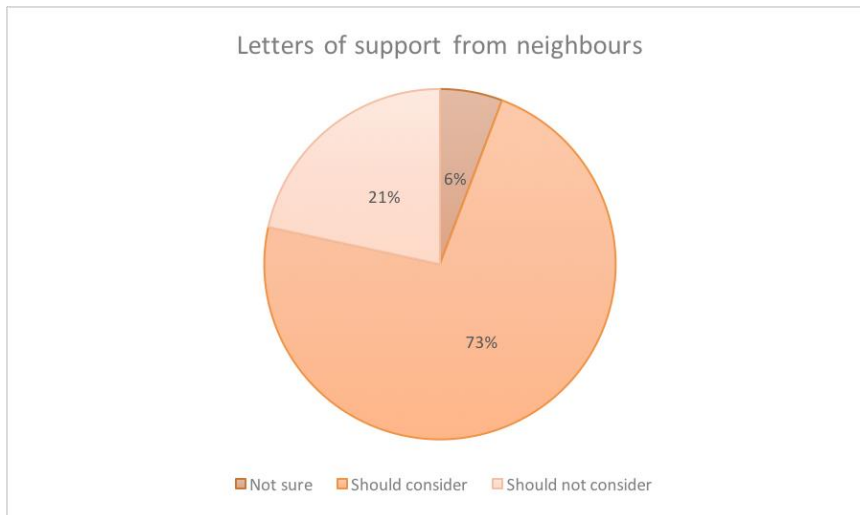
Topic	No. of comments	Community feedback
Changes to eligibility for removal permit	28	Rights of property owner Council regulations (15 mentions). Barriers for removal of the tree - technology, money, accessibility, complexity of rules/laws (5 mentions). Developers should have to follow the same rules as homeowners regarding trees (3 mentions). Tree becomes the responsibility of the community instead of being removed (2 mentions).
Financial/Council assistance	27	Hardship scheme accessible to people in need of financial assistance from Council (15 mentions). Unless Council agrees to ongoing maintenance it would be best to prune or remove said tree (2 mentions). More accessible information from BCC regarding the protection of trees. Council should consider buying the tree to compensate the owner of the property if they want to retain it.
Risks associated to large trees	24	Hazards of large trees that aren't listed in current reasons for removal that consider homeowners needs and damage to persons/property (12 mentions). Damage to property was evident from said tree yet the senior arborist insisted on replacing it with another tree of a similar size. Option to replant with a smaller tree (4 mentions).
More specific criteria	10	Statements can be manipulated by an applicant claiming exemptions when they are not eligible (5 mentions). Criteria to approve a permit needs to be more specific eg. define 'structural damage'. Should be considered when the homeowner bought property that may indicate whether they could reasonably have known that they had an obligation to maintain the tree.
Increased protection of canopy and native trees	8	Large, older trees are irreplaceable and provide a habitat and breeding ground for many species of fauna (5 mentions). Housing development is removing native tree species at a large scale (2 mentions). More trees should be planted and protected by Council in public areas.
Reduction of Urban Heat Island effect	2	Benefits of trees including the reduction of the UHI need to be considered in navigating other options than removal of trees (2 mentions).

Data source: online survey.

### 4.1.2 Wider neighbourhood considerations

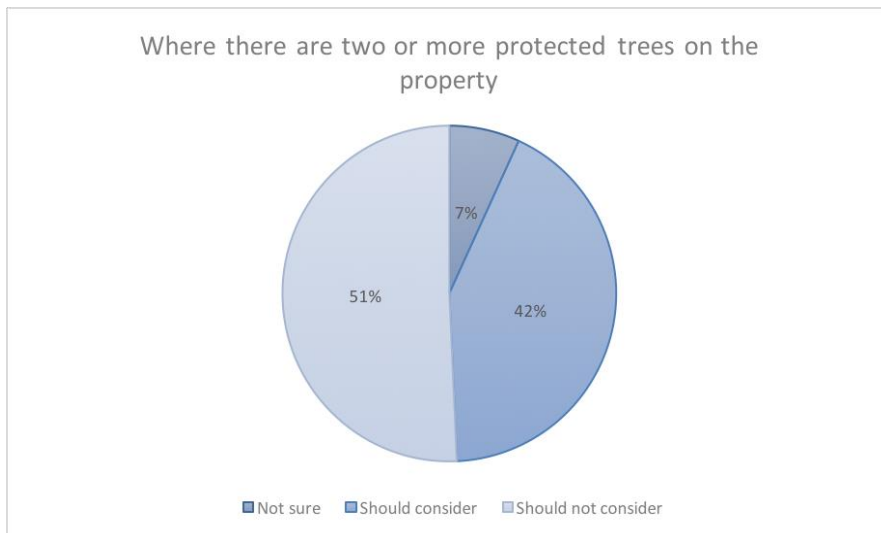
Online survey participants were asked about specific permit considerations. One being if supporting evidence should be taken into consideration including 'letters of support from neighbours'; the other being should the number of protected trees on the same property be a consideration when approving or refusing a permit.

Seventy-three percent (n=202) of participants voted that Council 'should consider' letters of support in respect to tree removal demonstrating both the value and impact trees have on a neighbourhood and what happens on an individual property is not isolated.



Data source: online survey.

Fifty-one percent of participants (n=141) felt consideration should not be given to the number of trees 'where there are two or more other protected trees on the property'. 'Should consider' had 118 votes, meaning this issue had less of a majority of clear support than letters of support from neighbours.



Data source: online survey.

Community feedback collected in response to the two neighbourhood amenity considerations are expanded on in the following table:

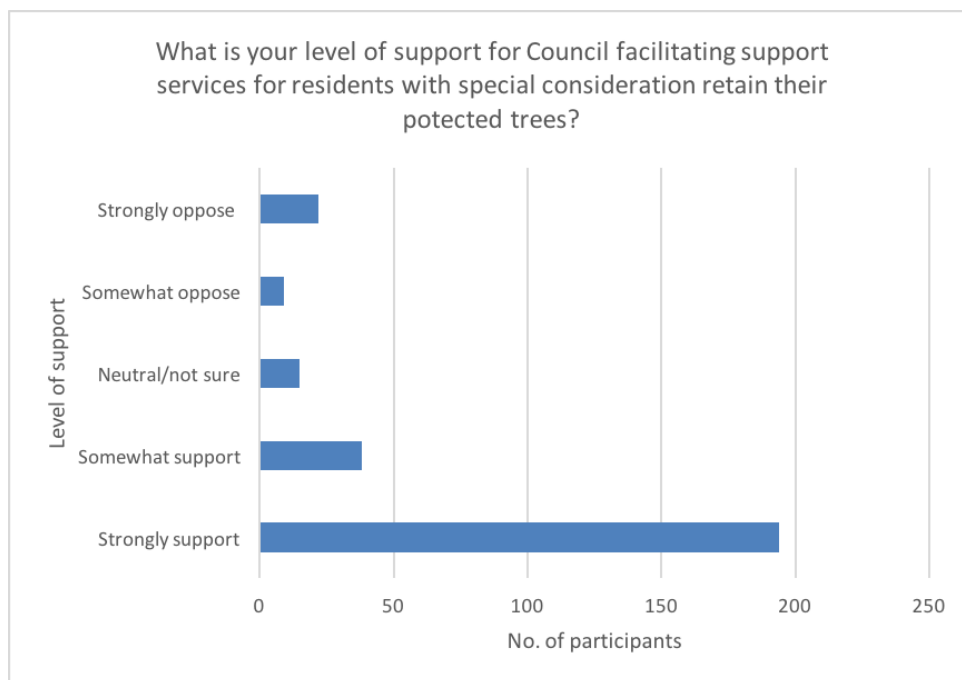
Topic	No. of comments	Community feedback
Impact on neighbourhood	43	Trees/removal of trees affect surrounding properties (15 mentions). Need to consider letters for and against tree removal (2 mentions). The management of trees on site must be coordinated with the other assets on site and the surrounding area. Neighbour's reasoning needs to be fully explained to all parties.
Multiple protected trees as a consideration	13	If there are 3 or 4 large trees on a standard block then removing one will not negatively impact the overall treescape. People with multiple trees on their block should have a right to cut one down.
Tree should be assessed on its own basis	9	It is the property owner's business unless it is a danger to neighbouring properties. If the tree is on one person's property, the neighbours should not be involved. The removal should come down to the guidelines, not a vote of popular opinion.
Benefit of trees/ Urban Forestry Strategy	9	Tree canopies provide cooling for residents and animals (2 mentions). Visual/community amenity (2 mentions). Protecting large, healthy trees to deliver Urban Forestry Strategy (statement).
Easily manipulated criteria	3	Neighbours could have an emotional rather than rational agenda (statement). Needs clarification about what developers refer to as 'weedy trees'.

Data sources: online survey and submitted statements.

#### 4.1.3 Considerations to support those in need

Participants in the online survey were asked to indicate their level of support for Council facilitating support services for residents with special consideration to retain their protected trees. The majority of respondents (n=194) strongly agreed with this consideration being given, however 22 participants were opposed to the idea. Providing the following feedback:

- Homeowners should be aware of the responsibilities that come with their property when they buy it - 'the tree was already there' (3 mentions).
- Do not want their rates spent on assisting people with tree maintenance as rates are already too expensive (2 mentions).
- It should be the homeowner's decision about what happens on their private property (2 mentions).
- Council should focus on their own assets rather than private property.
- Residents pay a premium to live somewhere with trees.



Data source: online survey.

Participants were also asked whether there were any other special considerations when assessing tree removal permits. A range of specific concerns were raised during the consultation regarding this item are shown in the table below.

Topic	No. of comments	Community feedback
Potential impacts of tree	28	Tree size, roots, age and likelihood of causing damage to property or injury to residents (17 mentions). Safety in the removal of a tree (2 mentions). Shading of solar panels, vegetable gardens and cost of maintenance Potential of future damage exacerbated by increased storms from climate change
Council support	19	Support services to assist residents maintaining trees (survey=8 mentions, statement=1 mention). Tree register so the community can support residents who have trees on their property. Support services could include arborist assessment/advice and garden and property maintenance. Council should support protected smaller/pruned trees. Assessments should be done by a Council contractor.
Supporting older residents / health and	15	Safety of those living on the property and their ability to take care of the tree (4 mentions).



Topic	No. of comments	Community feedback
wellbeing of owner		
Owners choice of tree removal	5	Owner should have the choice if they want assistance or if they want to remove the tree (3 mentions). Assess each case on individual merit.
Cost/level of maintenance	8	The cost of maintaining a mature tree can become a financial burden (survey=3 mentions, statement=2 mentions).
Review onus of tree protection on owners vs developers	7	Property owners have the onus of maintaining/replanting protected trees while new developments do not appear accountable to this law (survey=3 mentions, statement=1 mention). The penalty should be tougher for developers who do not follow these rules (survey=1 mention, statement=1 mention). Developers willing to pay a fine for protected tree removal (statement=2 mentions).
Existing skyline and beauty of Bayside and native habitats	6	Maintain the skyline and natural beauty of Bayside. Long term plan for rejuvenating urban forest rather than focusing on residential trees. New trees being planted in appropriate places with more appropriate species. Assess the tree for its habitat value (statement).
Incentivise owners contributing to tree canopy	5	Rates discount/other financial benefits for homeowners who contribute to canopy cover (survey=2 mentions, statement=1). Regard large trees as a valuable resource (2).
More considerations for residential and public trees	4	Protection and consideration should extend to public trees and nature strips (2 mentions). More types of trees and trees of a smaller size should be protected (statement).
Integrity of the request (not for sale of property)	2	Council should be discerning about applications made prior to a sale, knowing that it will be difficult for a developer to remove the tree. Read the reasons for removal then make a balanced judgement after consulting the owners of the tree and property.
Council ensuring compliance of tree planting after removal	2	If a tree is removed Council should ensure the compliance of planting plans. Council should consider the number of mature trees in the surrounding area and the owner's commitment to replant smaller trees.
Independent arborists	2	Council should employ arborists rather than them being independent.

Topic	No. of comments	Community feedback
		There should be the opinion of 2 different arborists.
Urban Heat Island effect	2	Trees are valuable resources for providing shade and cooling down neighbourhoods (2 mentions).
Cause of tree decline	1	Determine cause of tree decline. Sometimes roots can be damaged from construction in development.

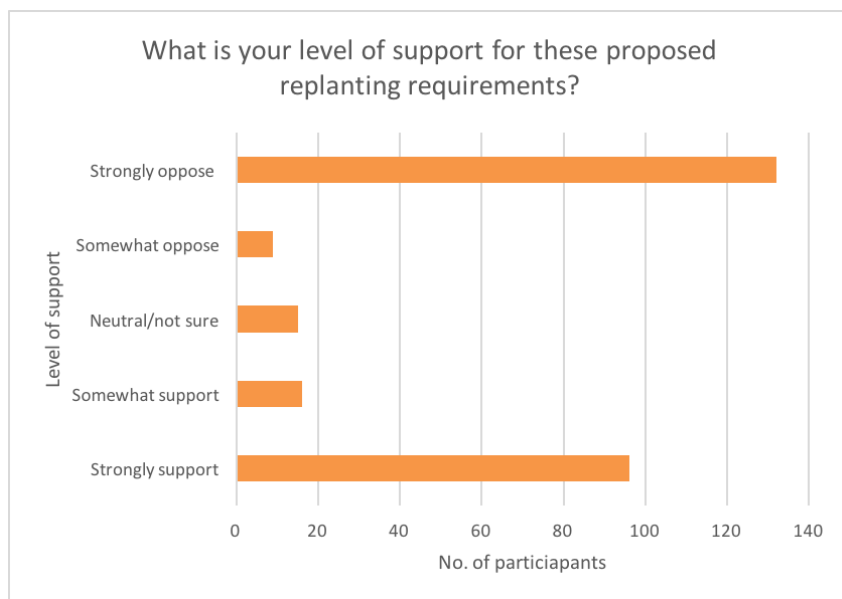
Data sources: online survey and submitted statements.

### 4.2 Replanting requirements

Survey participants were prompted to indicate their level of support of proposed replanting requirements. These include:

- Clearer and increased planting requirements for every tree removed to increase canopy.
- Middle/understorey planting.

Respondents were 'strongly opposed' (n=132). The following chart shows a breakdown of how the responses were distributed:



Data source: online survey.

Participants who selected 'oppose' were asked to expand on their reasoning behind their response. The following table is a summary of their feedback in descending order of number of comments:

Topic	No. of comments	Community feedback
Should be owners choice on private property	18	Owners should have the right to plant what they want on their property ( <i>9 mentions</i> ). Council should encourage residents to plant trees or make a donation to plant trees on public grounds. Medium to large scale development eradicates more trees than on singular dwelling private property.
Size of tree-repeating initial problem	16	The same issue of a tree being too large for the block will repeat itself in the future ( <i>5 mentions</i> ). Replanting should be at the discretion of the owner with options for smaller trees, shrubs and bushes ( <i>2 mentions</i> ). It is unnecessary if there are already multiple trees on the residential block.
Consideration of space, changes in housing density	13	The right type of tree should be considered in relation to the space, property and infrastructure ( <i>5 mentions</i> ). Urban living has changed meaning there is generally less space and higher density on a block ( <i>3 mentions</i> ). Replanting regulations aren't conducive to the need for more housing.
Shouldn't be based on tree canopy	8	Growing the canopy is not dependent on tree removal ( <i>2 mentions</i> ). Sometimes it isn't appropriate to re plant a tree with a larger tree canopy ( <i>2 mentions</i> ). The space of the tree root area would not support the size of the canopy.
Need case by case approach	7	Blanket statement that doesn't suit every circumstance ( <i>4 mentions</i> ). Other factors should be considered such as whether there are already multiple native plants and what was planted originally ( <i>2 mentions</i> ).
Impact of maintenance	2	Maintenance is costly. Vulnerable residents may not have the resources to care for the tree they have to re plant.

Data source: online survey.

### 4.3 Tree removal application experience

Of the 278 survey respondents, 81 had submitted a tree removal permit application and were then asked to explain why the tree or vegetation needed to be removed. Following is a summary of the reasons given for removing vegetation along with reasoning provided by those who directly submitted to Council.

Topic	No. of comments	Community feedback
Risks to safety of people	24	Damaged tree, size of tree or dropping branches (23 mentions).
Causing damage to property	13	Tree causing damage to house, fence, pipes or driveway (11 mentions).
Not maintained / too old to maintain	5	Older age is a barrier to maintaining trees (3 mentions). Tree was hacked from the street.
Building development or other development	4	New construction on property (3 mentions). Developers wanting to build on property
Obstructing light	3	Obstructing light in property (3 mentions).
Location of tree/impacting access	2	Tree was too close to the driveway. If the tree had continued to grow it would have blocked access to the house.
Not indigenous/type of tree	2	Not an indigenous tree. Listed by BCC as a tree they wanted removed.
No reason, comment about process	2	The process was expensive and drawn out. It could have been more streamlined from the beginning (survey=1, statement=1).
Replaced with better tree option	1	Low value and not producing fruit according to an arborist. If removed it could have been replaced with more appropriate vegetation.

Data sources: online survey and submitted statements.

### 4.4 Enforcing this local law

Across the consultation, respondents provided feedback related to the implementation and ongoing enforcement of this local law. Following are the key topics of interest or concern.

#### Local law is not strong enough

- Concern this will not protect large trees on private property.
- Concern that private developers will find a loophole/funds to remove the tree or not replace vegetation.
- Some participants felt the criteria for permits are too broad and could be easily manipulated.

**Use public land as a benchmark**

- Desire to see this level of protection occur on public land.
- Demonstration of increased canopy through utilisation of green spaces on public land.

**5. Project Evaluation**

Four process measures have been assessed - stakeholder reach, participant age and gender diversity, stakeholder satisfaction with project information provided and communication channels used to inform the community.

Process Evaluation:	Commentary
Stakeholder reach - Did the engagement reach the stakeholders identified during the project planning stage?	<p>The stakeholder engagement was successful and reached stakeholders identified throughout the project planning phase. Participants included Bayside residents, members of a resident 'friends of' or community group, First Nations people, people with a disability or a carer and arborists, landscapers or professional gardeners.</p> <p>For this Strategy, a more proactive communications approach could have ensured more participation from arborists, as they were considered high impact and interest in the Bayside engagement plan overview for the project. Only 1.7% of participants across the online survey and written statements were arborists, landscapers or professional gardeners.</p>
Age and gender diversity (if appropriate)	<p>More females than males participated which is typical of community engagement.</p> <p>The 50-69 year old age range had the largest number of participants (50.2%) while 18-24 years had 0% participation. This reflects the higher interests of an age range that are commonly homeowners.</p>
Stakeholder satisfaction with project information provided	<p>Survey respondents said that project information was very easy to find and understand (38.8%); mostly easy to find and understand (35.9%); mostly hard to find and understand (14.30%); very hard to find and understand (4.2%) and 2.8% were unsure.</p>
Communications channels used	<p>Survey respondents said they found out about this engagement project via:</p> <ul style="list-style-type: none"> <li>• Email (29.5%)</li> <li>• This Week in Bayside e-newsletter (21.9%)</li> <li>• Social media (16.9%)</li> <li>• Word of mouth (16.5%)</li> <li>• Council website (12.9%)</li> </ul>

Data sources: online survey, submitted statements and Council website.

# DRAFT LOCAL LAW GUIDELINE

## **DIVISION 2 - YOUR TREES**

### **21. TREE PROTECTION- GUIDELINES**

The provisions of clause 21 of the Local Law will be administered in accordance with these Guidelines.

In determining whether a tree is protected under the Local Law, whether a tree-protection offence has occurred and/or whether to issue a permit for removal or pruning of a tree, the Authorised Officer or Delegated Officer must have regard to the following matters:

- (1) When measuring whether or not the single or combined tree trunk circumference is 155 centimetres or more at one metre above ground level, the instrument used for measuring the trunk circumference or combined trunk circumference should be placed at a 90 degree angle to the growth direction of the trunk;
- (2) Any tree is exempt from protection if it is of a species which is a declared noxious weed species;
- (3) In an emergency, any tree that is an immediate threat to life and or property may be removed without a permit;
- (4) A permit for pruning is not required if the pruning is to be carried out by a qualified arborist, in accordance with Australian Standard No.4373. *2007 Pruning of Amenity Trees*, who certifies his or her work and provides photographs before and after the work;

#### **Permit Application Considerations:**

**Note: An objective of Council's Urban Forest Strategy seeks to ensure we maintain our existing canopy cover across the Bayside municipality and avoid further decline.**

When assessing a permit application to remove, cut, trim, lop or prune a protected tree or significant tree, the following must be taken into consideration:

- (5) Whether a building permit has been issued under the Building Control Act 1993 and the permitted building(s) and/or construction works:
  - (a) are located in such a position that the subject tree is within the envelope of the permitted buildings or works;
  - (b) encroach on the tree protection zone of an existing tree by more than 40%; or
  - (c) encroach on the structural root zone of an existing tree.

- (6) Verifiable evidence of structural damage to a building, services or infrastructure which can only be overcome by implementing a remedy that is unreasonable or greatly disproportionate to the amenity value of the tree;
- (7) Tree risk assessment using an industry standard tree risk assessment methodology undertaken by a minimum AQF Level 5 arborist or equivalent, who is formally trained in a tree risk assessment method and holds a current qualification or licence from that training;
- (8) The retention value of the tree as defined in Appendix 5 of Council's Landscape Guidelines;
- (9) The useful life expectancy of the tree as defined in Appendix 5 of Council's Landscape Guidelines;
- (10) The habitat value of the tree;
- (11) Evidence from Council staff indicating the tree has a detrimental impact on the surrounding environment or public health;
- (12) Special circumstances including medical conditions, disability, access safety or financial hardship, where there is no other reasonably practicable way to manage issues directly related to the tree; following referral to the Manager Community Care or responsible delegate to determine if assistance or supports are available, reasonable and proportionate.
- (13) Any permit granted may contain a condition stipulating that upon removal of a tree, one or more new trees, which may also include suitable middle-story or under-story planting where appropriate, must be planted and maintained to Council's satisfaction in accordance with Council's Landscape Guidelines and area Precinct Plan, or as otherwise required by the permit.

# Equity Impact Assessment (EIA)

Equity Impact Assessments (EIAs) are designed to help organisations think critically about how their policies, strategies, plans, programs and services will meet the diverse needs of our community.

The purpose of EIAs is to create better and fairer outcomes, and to make sure all people have equitable access to opportunities and resources.

This EIA will take you through the following steps:

1. About your initiative
2. Consider potential impacts
3. Explore and understand key focus areas
4. Identify potential actions
5. Finalise your approach

There is a Definitions page at the end of this document that defines key terminology. Additional resources to support you to complete this assessment are available on the intranet and you can also contact the Diversity, Equity and Inclusion Lead for support.

Section 1: About your initiative	
<b>1. Type of initiative (select one)</b>	
	<i>See the Definitions section for definitions of a policy, strategy, plan, program and service.</i>
	<input checked="" type="checkbox"/> policy <input type="checkbox"/> strategy <input type="checkbox"/> plan <input type="checkbox"/> program <input type="checkbox"/> service
<b>2. Name of the initiative</b>	
	Management of Trees on Private property Policy – 2023 review
<b>3. Is this initiative new or scheduled for review?</b>	
	<input type="checkbox"/> New <input checked="" type="checkbox"/> Review
<b>Short description of the initiative and what it aims to address</b>	
<b>4.</b>	<i>Why is this initiative needed? What is the purpose of it? You may have already prepared this information for your Service Plan, PPM Project or Community Engagement Plan – please copy relevant details here.</i>
	Required policy review as per organisational/service commitment.
<b>5. Responsibility for this work</b>	



**Division: City Planning and Amenity**  
**Department: Amenity Protection**  
**Manager: John Coates**  
**Team: Investigations**  
**Responsible Officer: Pat Dunne**

**Section 2: Consider potential impacts**

When undertaking this EIA you are taking the time to consider how your initiative could impact people with a range of diverse backgrounds and experiences.

*Please note: due to the Gender Equality Act 2020, it is a legislative requirement that we assess each of our initiatives **on the basis of gender at a minimum**. When considering which groups are impacted by this initiative, please ensure you consider and identify at least one of the gender 'sub-groups' listed above (e.g. men/boys, women/girls, gender diverse children/adults).*

**How to: Apply an intersectional lens**  
 Watch this [quick video](#) on what a applying an intersectional lens looks like. This will help you to get in the mindset of how projects impact people differently based on their diverse and intersecting identities and experiences.

**Which of the following backgrounds, experiences and characteristics do you think might be relevant to or impacted by your initiative?**

6. *If you aren't sure, do some brief desktop research on groups commonly impacted by or considered with regards to your initiative. Please select at least one 'gender' sub-group as required under the Gender Equality Act 2020.*

- Gender
  - Men / boys
  - Women / girls
  - Gender diverse people
- Age
- Disability
- Neurodiversity
- Aboriginal and Torres Strait Islander identity
- Cultural Diversity
- Religion
- Sexuality
- Socioeconomic status
- Literacy
- Homelessness
- Isolation
- Other

**Are there barriers or have there been barriers that have affected how people with diverse backgrounds and experiences have utilised or engaged with this or similar initiatives in the past?**

7. *Consider: What were these barriers? Do you have any learnings from this experience that may support us to overcome them with this initiative? E.g., Do the different gendered social roles and responsibilities that people take on affect the way they might use or access this initiative? Are there gendered social roles and responsibilities at play? Will men, women and*

<p><i>gender diverse people access our sports grounds at the same rate? Would LGBTQIA+ youth be likely to engage with this program? How might residents over 65 interact with this initiative compared to families aged 35-40? If you aren't sure, do some brief desktop research on who initiatives like this commonly impact and keep track of your resources as this will come in handy for Section 3.</i></p>
<ul style="list-style-type: none"> <li>- Older people, people with a disability and/or health conditions were most affected in the past:</li> <li>- Financial and physical ability to maintain trees on their property as they age.</li> <li>- Access to property due to tree causing barriers to persons with a disability.</li> <li>- Families raising concern regarding risks to young children and their safety.</li> </ul>
<p><b>Based on your responses above, what diverse experiences and identities do you need to consider in greater depth to ensure these groups are included?</b></p> <p><i>For example: Access to culturally safe services for Aboriginal and Torres Strait Islander people, how gendered responsibilities and roles relating to care-giving impact people's use of road and pedestrian areas, creating safe facilities for trans and gender diverse people, reducing language barriers for culturally diverse people accessing Council services etc. Please ensure you consider gender in this summary as required under the Gender Equality Act 2020.</i></p> <p><b>8.</b> <i>It's also valuable to consider intersectionality here. E.g. women with a disability, or Aboriginal gender diverse people, neurodiverse community members over 65 and how they might access the initiative.</i></p>
<ul style="list-style-type: none"> <li>- Growing ageing population in Bayside and greater dependency on support services for isolated individuals.</li> <li>- Ensuring plain language is used in communications with customers to ensure that the local law/policy guideline is not confusing or more complicated than necessary.</li> <li>- Council officers have a greater awareness of trauma-informed interactions and diverse community needs including disability, gender diversity, cultural safety and other areas of health and safety.</li> </ul>

<p><b>Section 3: Explore and understand.</b></p>
<p><b>What research or data is available to better understand the impact of this initiative on the diverse groups you identified above?</b></p> <p><b>9.</b></p> <p><i>Consider internal data, desktop research, community and stakeholder consultation, surveys etc. You can also use the <a href="#">Gender Equality Commission's data resources</a>.</i></p>
<ul style="list-style-type: none"> <li>- Staff stakeholder consultation regarding previous customers and historical applications/cases.</li> <li>- Benchmarking with other LGAs equivalent policies/practices.</li> </ul>

<p>- Relevant legislation regarding human rights, equal opportunity, and discrimination as well as best practice guidelines from relevant commissions and organisations.</p>		
<p><b>10. Review the data sources you identified, what did the research and evidence tell you about how this initiative impacts on these diverse groups? Did your research identify any other groups that you hadn't previously considered?</b></p> <p><i>If you cannot find any relevant data, consider how you might be able to source this in the future. This could be an action as a result of this assessment.</i></p>		
<p>Based on historical cases a new approach was deemed necessary in covering broader considerations beyond just the current "social considerations" and that a referral case by case approach was seen as preferable going forward to ensure there was no 'one size fits all'.</p> <p>It showed that some situations when a practice or condition might appear neutral may have the effect of disadvantaging people (such as older people etc) and so a referral process was needed.</p>		
<p><b>11. How could you engage people with lived experience in providing feedback and input on the development of this initiative? If you can't engage with them directly, can you find any resources or guides that have been developed by people with lived experience?</b></p> <p><i>Please note: It is important that staff take a trauma-informed approach to seeking out lived-experience and don't place undue burden or expectation on those with lived experience to provide feedback and input. Seeking out lived experience feedback and input might involve sourcing research written by people with lived experience, engaging a consultant who has lived experience relating to the focus area you have identified (e.g. engaging a trans and gender diverse consultant to inform the development of safe and accessible gender neutral public toilets) or working with the DEI Lead and Community Engagement team to appropriately seek feedback from community members or staff on the initiative.</i></p>		
<p>If the Engagement team could assist, we would seek to get feedback from past customers in a planned and careful way based on the sensitivity of this issue and the trauma it may invoke. Past customers have appealed at Council meetings, etc so this could pose more risk than good.</p> <p>There would be broad visibility of the changes communicated to community and we would ask for feedback.</p>		
<p><b>12. Based on your findings, are there any people who have specific diverse backgrounds or experiences that require additional consideration to ensure the initiative is inclusive?</b></p> <p><i>For example: Historically, public toilets have only offered three options, male, female and ambulant. This does not provide an accessible toilet for trans and gender diverse people and could cause anxiety, discrimination, safety, health and wellbeing concerns.</i></p>		
<p><b>Diverse background / experience</b></p>	<p><b>Needs to be considered</b></p>	<p><b>Is this need currently considered by this initiative?</b></p>

Older people	Isolated, physically unable to cope, financially unable to manage.	Yes – revised criteria
Disabilities and health concerns – all people	Referral process so that Assessment can be done with trauma-informed staff and support is guiding the process.	Yes – revised criteria
Children	More vulnerable to hazards and debris and so educating families is important on how to maintain and what to look for and ensuring children's rights and needs are covered.	No - education and awareness of the policy is a separate department's initiative - sits with arborists and communications.

**Section 4: Identify potential approaches.**

This section is about putting forward options to address inequity in your initiative or to further promote its strengths. Once you have developed your potential approaches, discuss them with your Direct Supervisor before continuing to Section 5.

**13. Based on the research above and the outcomes you are trying to achieve with this initiative, what are some potential approaches to make your initiative more equitable and inclusive?**

*Remember, this could involve building on strengths or addressing potential negative impacts in your initiative.*

1	Removed all considerations
2	Revise considerations and have referral process captured

**14. Are there any benefits, costs or risks associated with the proposed approaches?**

*This is an important step in thinking through what feasible and which approach is will deliver the best outcome.*

Proposed approach	Benefit/Cost/Risk <i>Select one</i>	Details
Revise considerations and have referral process captured	Benefit - Broader capturing of need, not prescriptive only based on allergens and Centrelink.	Means that complex cases can be triaged and supported better, and departments collaborate to ensure the customer is at the centre.
	Minimal cost – staff hours required for referral process	Fees and charges are reviewed on a yearly basis.
	Risk – Increase in appeal applications	Broader scope could mean more people seeking exemption
	Benefit – Decrease in appeal applications	Higher level of customer satisfaction due to more flexible criteria.

<p><b>Section 5: Finalise your approach.</b></p> <p>Having discussed the proposed approaches and the associated benefits, costs and risks identified in Section 4 with your Direct Supervisor, detail your finalised approach below (this can be copied and expanded on if required from Section 4).</p> <p><i>Please note: the details included below will be reported to the Gender Equality in the Public Sector Commission to meet requirements under the Gender Equality Act 2020, so it is important that what is agreed is actioned.</i></p>	
<p><b>15. What approach are you going to take to promote greater equity and inclusion in your initiative?</b></p>	<p>Revise considerations to include “exceptional circumstances” and have referral process captured in guidelines.</p>
<p><b>16. Please provide the rationale for your approach and any mitigation strategies that will be put in place to manage costs and risks identified in Section 4.</b></p>	<p><i>This section is about describing how your approach will contribute to creating more equitable and inclusive outcomes for our community.</i></p> <p>The benefits outweigh the risks. There may be minimal cost, but it will be better overall if there are less appeals and less staff time taken to be in conflict with customers. This approach is a broader capturing of need, it is not prescriptive only based on allergens and Centrelink benefits. It means that complex cases can be triaged and supported better, and departments collaborate to ensure the customer is at the centre. The staff hours may be more in demand but there is minimal cost and fees and charges are reviewed on a yearly basis.</p>
<p><b>17. Describe how you will measure or monitor the impact of your approach on the initiative.</b></p>	<p><i>Think about the outcomes this initiative is trying to achieve and how you could track if meaningful progress is being made. You could also consider how this initiative contributes to our broader outcomes around diversity, equity and inclusion in the Council Plan and link to those.</i></p> <p>Monitored through customer feedback tools, and satisfaction survey data. Tracked by the number of appeals sent to Council in future – if there is a decrease then it is working well. Can also monitored through staff consultation interdepartmentally (Community care and Amenity Protection and Planning).</p>

## Definitions

**Diversity** is what makes each of us unique and includes our backgrounds, personality, life experiences, beliefs, ways of thinking and all the other things that make us who we are.

**Equity** is about acknowledging that advantages and barriers exist that create unequal access to opportunities and taking steps to address these imbalances.

**Inclusion** is when people feel valued and respected and that they belong.

**Initiative** refers to the policy, plan, strategy, program or service you are conducting the pre-assessment or assessment on.

**Intersectionality** describes how people may experience overlapping forms of discrimination or disadvantage based on attributes such as Aboriginality; age; disability; ethnicity; gender identity; race; religion; and sexual orientation. Intersectionality recognises that the causes of disadvantage or discrimination do not exist independently (Gender Equality in the Public Sector Commission, 2023).

**LGBTQIA+** refers to the Lesbian, Gay, Bisexual, Transgender, Queer, Intersex, Asexual + community.

**Lived experience** refers to personal knowledge about the world gained through direct, first-hand involvement in everyday events rather than through representations constructed by other people (Oxford Reference, 2023).

**Plans** set the direction for programs and services by stating priorities, setting actions and shaping budget allocations to achieve future outcomes.

**Policies** are formal or informal principle statements, standards or rules to guide and be followed within our organisation.

**Programs** are one-off projects or 'programs of work' that are contained and not recurring that are not driven by a policy, strategy or plan (if your program is driven by a policy, strategy or plan the GIA will be applied at that point and therefore inform the program of works / one-off projects that follow).

**Services** are ongoing and repetitive works or offerings provided by Council.

**Strategies** set the direction for programs and services by stating priorities and shaping budget allocations to achieve future outcomes.

**Tree Habitat Value Assessment Matrix**

Criteria	Category		
	Indigenous 3 points	Victorian 2 points	Australian/Exotic 0 points
<b>Occupation by native fauna</b>	Occupied by native fauna 5 points	Signs of use by fauna 2 points	No signs of use by fauna 0 points
<b>Diameter of tree trunk (canopy living or dead)</b>	>80cm Living canopy 5 points	<80 – 50cm Living canopy 3 points	<50cm Living canopy 1 point
<b>Hollow bearing tree</b>	Tree bearing a natural hollow. Low to moderate level of maintenance 5 points	Dead canopy 1 point	Dead canopy 0 points
<b>Useful life expectancy</b>	>10 years 5 points	No natural hollow, artificial habitat hollow can be installed. Low to moderate level of maintenance 2 points	No natural hollow and unsuitable for installation of artificial habitat hollow. High level of maintenance 0 points
<b>Wildlife corridors</b>	Within 50 m of a green space, park or reserve 5 points	4 – 9 years 3 points	0 – 3 years 0 points
<b>Impacts on adjacent flora</b>	Removal will have negative impacts on indigenous flora 3 points	Within 0.5 km of a green space, park or reserve 3 points	Greater than 0.5 km from a green space, park or reserve 0 points
<b>Total</b>	<b>X points</b>		

Low habitat value= 0-11 points

Moderate habitat value= 12-21 points

High habitat value= 22-31 points





## 10.6 DOMESTIC ANIMAL MANAGEMENT PLAN 2022–26 ANNUAL UPDATE

City Planning and Amenity - Amenity Protection  
File No: PSF/23/179 – Doc No: DOC/23/333079

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### Executive summary

#### **Purpose and background**

The purpose of this report is to present the progress made against the year one actions of Council's Domestic Animal Management Plan 2022–26; and to provide an update on a review of the controls related to dogs accessing sporting grounds during lighting trials.

#### **Key issues**

The Domestic Animal Management Plan 2022–26 ('the plan') is a four-year plan for Council services, programs, and activities to support responsible animal ownership. Section 68A(3) of the *Domestic Animals Act 1994* requires Council to review its Domestic Animal Management Plan annually and, if appropriate, amend the plan.

The plan has the following objectives:

- Develop a program of regular pop-up stands at Council and community events to support engagement, education, registration, and feedback.
- Improve accuracy of Council pet registration database by contacting microchip registries to obtain details of pets in the municipality that are microchipped. Cross reference Council's registration data with the microchip registry to identify unregistered animals.
- Review policies, procedures, and resourcing to ensure officer patrols are targeted and enforcement action is firm and proportionate.
- Review all Domestic Animal Businesses in the municipality and ensure they continue to be registered with Council.
- Trial the use of outdoor lights at selected sportsgrounds over winter to expand access to open space for dogs off-leash purposes.
- Review dog restriction signage to include QR codes, open space etiquette, impacts of uncollected dog poo and why effective control is important.
- Increase patrols to encourage/promote effective control.
- Animal Management Officer training and development – ensure staff have the necessary technical and interpersonal skills to carry out their roles.
- Managing dangerous, menacing, and restricted breed dogs – effectively manage dogs classified as dangerous, menacing or of a restricted breed and minimise the incidence of dog attacks and rushes in the home and in public places.

#### ***Key issues and Findings***

The review of the year one actions of the plan has involved analysis of performance data, customer and community insights, benchmarking, research data, and assessment of progress against actions in the plan.

It is worth highlighting that the review identified a range of positives in the delivery of animal management service and year 1 actions.

Over the last 12 months, Council Officers have held over 9 Paws and Chat sessions, meeting with over 464 members of the public regarding responsible pet ownership and have installed over 126 Pet Etiquette signs in parks, sporting ovals and along the foreshore to help educate the public on how to share and use the areas responsibly.

Bayside Paws Packs have been introduced for all new animal owners, containing information regarding responsible pet ownership and toys to help introduce the new addition to the family and ensure that new owners are educated on the rules and regulations.

Council Officers have run campaigns on Facebook, Instagram, Let's talk Bayside and Bayside Website to help inform animal owners regarding summer restrictions, sporting times and social interaction.

A video was produced, highlighting the responsibilities for new pet owners, and can be viewed on Council's website on the Animal Registration page.

Council's 2023 Annual Community Satisfaction Survey and Local Government Performance Reporting Framework indicators remain strong. In the 2023 'Bayside City Council Annual Community Satisfaction Survey', Animal Management achieved a satisfaction rating of 8.6 out of 10, which is up 4% and categorised as 'excellent' This is a higher score than the Melbourne Council average of 8.4. Other performance indicators are stable and strong when compared with similar councils.

Benchmarking research identifies that Bayside performs strongly against other Councils and that:

- Bayside has a high proportion of dog ownership per household. However, animal complaint numbers are comparatively low relative to benchmarked councils
- Council's infringement activity is higher than many benchmarked councils
- prosecutions for offences that go directly to court (for example, serious dog attack or serial offender) is consistent with benchmarked councils considering dog populations
- Local Law Officer resources dedicated to animal management issues are comparable with other benchmarked Councils considering Bayside's size and registered dog population.

A summary of progress against the plan and key service and performance statistics is Specific items of note include:

- Council's pet registrations reduced in 2022–23 registration period by 1.89%, to 15,883 (3,355 cats & 12,477 dogs) compared to 2021–22 with 16,189 (3,488 cats & 12,701 dogs).
- Council is continuing to maintain a higher-than-average return rate with 82.9% of dogs and cats impounded are returned to their owners.
- From 1 July, you can register a non desexed dog under 8 months of age at the reduced desexed rate for the first registration period, instead of paying the full fee in the first registration period for a non desexed puppy.
- Council is maintaining additional summer patrols that has increased visibility and compliance on weekends and outside of normal business hours to focus on dog on leash, picking up after pets and responsible pet ownership.
- Sports clubs training rosters continued to be published on our website to aid dog owners with information on training times for sportsgrounds to help plan off-leash access.

- For the 2022–23 period 278 official warnings and 317 infringements were issued. Compared to the previous year, there has been a 48.2% decrease in the number of official warnings issued (537) and a decrease of 18.08% in the number of infringements issued (from 387).

### Lights on for Dogs Trial

Extended hours were trialled at three off-leash sportsgrounds one day a week in winter 2022 and 2023.

Consultation activities included online engagement through Have Your Say, with an opportunity to ask questions and provide feedback; correspondence including email, phone, and mail; and conversations with Local Laws Officer on patrol at sportsgrounds.

A total of 167 community members provided feedback across both years. Stakeholders reached throughout this process were dog owners, dog-owner community groups, resident sports clubs, neighbouring residents as well as the general Bayside community.

The feedback reflected the tension between the interests of sport users and dog walkers; the importance of the program for dogs and their owners, particularly if they work during the day; and the significance of feeling safe for female participants.

In summary the community engagement found:

- a large proportion of participants strongly supported the continuation of the Lights on for Dogs project (2023=49/70 – 70%, 2022=81/95 – 85%)
- “large, well-lit and enclosed reserves” was the most common positive feedback many participants commented on the importance of the facility itself and how the options were dog friendly
- female participants frequently provided positive feedback and talk about lighting regarding safety.

Council’s sports clubs using the grounds open for the trial have expressed a range of concerns and challenges with the program, including the impact on the condition of sports grounds, the increased utility costs (which are the responsibility of the sporting clubs) and the lack of automation, requiring someone to manually turn the lights on and off.

To ensure that the impacts on sportsgrounds and sporting clubs are able to be effectively managed without compromising the safety or condition of the sportsground, it is recommended that in order to continue the Lights on for Dogs program, the following criteria is considered:

- Only include sports grounds where a ‘Halytech’ automated lighting system operates. This will alleviate logistical challenges requiring the manual switching on/off the lights.
- Council allocate budget to offset utility costs for participating sporting clubs. A formula can be developed to support sporting clubs to address utility costs associated with the program as part of the 2024–25 Annual budget.
- Council Local Laws Officers to conduct regular patrols of reserves.
- Reserves which are part of the program to be reviewed by Council’s Open Space and Recreation team each year, having regard to the winter sports schedule, programmed maintenance and required times to allow sportsgrounds to rest and recover.

In the long-term Council could consider identifying sportsgrounds where there is potential for designated, enclosed dog off-leash areas within the reserve but outside the oval. Council has recently created a temporary dog off-leash area at the William Street reserve while that reserve is being reconstructed.

There may be suitable locations at other reserves where similar facilities would be appropriate and it is recommended that Council consider those locations, in consultation with sports clubs, the Bayside Dog Alliance and nearby residents.

### **Recommendation**

That Council:

1. notes this report
2. continues the Lights on for Dogs program on ongoing basis, with locations for the program being selected having regard to ground availability, condition and lighting
3. considers as part of the 2024–25 budget an allocation to offset sportsground lighting utility costs for participating sports clubs
4. identifies potential opportunities for designated dog off-leash areas in reserves containing sportsgrounds, in consultation with the Bayside Dog Alliance and sports clubs as part of the Open Space Strategy review.

### **Support Attachments**

1. Community Engagement Report Lights on for Dogs 2022–23 ↓

## **Considerations and implications of recommendation**

### **Social**

Pets are an important part of the Bayside community and bring significant health, wellbeing and social benefits to owners. The Plan brings a balance between the people in our community who enjoy contact with pets and those who do not wish to have any contact with dogs or cats. This occurs through controls and legislative requirements to ensure the whole community is accommodated for.

### **Natural Environment**

The DAMP provides several tools including education, regulation, and enforcement to ensure that pet owners are managing their animals responsibly and minimising the impact on the natural environment.

### **Climate Emergency**

There are no climate emergency impacts as a result of this report.

### **Built Environment**

Council's sportsground's primary purpose is to facilitate organised sport and as such incorporate a range of subterranean drainage and infrastructure to support active recreation in conditions that are safe and fit for purpose. Bayside's sportsgrounds are under pressure through wear and tear due to high use from sport, schools, dogs, and passive use.

Challenges in relation to dogs digging and urinating and owners not picking up after dogs increases safety issues and maintenance requirements to keep sport grounds safe and fit for purpose.

In 2023, Council closed three sportsgrounds temporarily to ensure the ground could continue to be used safely for active recreation.

Council officers will continue to monitor and respond to the impacts of overuse of these grounds, from both dog behaviour and active recreation use.

### **Customer Service and Community Engagement**

The review considered community and customer insights (for example dog management complaints, customer feedback), Formal engagement was undertaken in 2021 with the preparation of the DAMP annual review. The nature of this report (progress report on progress against initiatives) does not require formal community engagement.

### **Equity Impact**

In undertaking the Annual Report this plan, the requirement for Equity Impact pre-assessment has been completed and an Equity Impact Assessment was not required.

### **Human Rights**

The implications of the report have been assessed and are not considered likely to breach or infringe upon, the human rights contained in the *Victorian Charter of Human Rights and Responsibilities Act 2006*.

### **Governance**

Officers involved in the preparation of this report have no conflict of interest.

## Legal

In accordance with Section 68A (3) of the *Domestic Animals Act 1994*, Council must review its Domestic Animal Management Plan (the Plan) on an annual basis, and if appropriate, amend the Plan if required.

## Finance

During the “Lights on for Dogs Trial” the sports clubs were paying the lighting utility costs. It is recommended that Council offset the costs accrued by clubs in operating the lights for dog walker use.

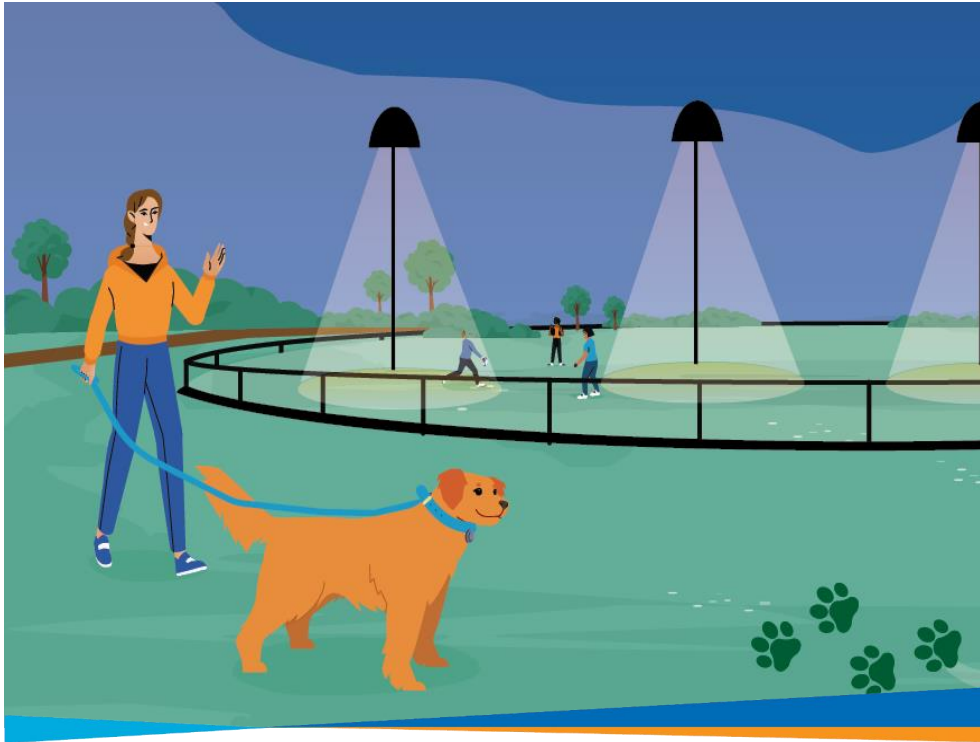
There will be additional costs for the installation of Halytech automated control lighting system to sportsgrounds that currently do not have that system. This could be incorporated as pavilions are upgraded or renewed.

## Links to Council policy and strategy

In presenting this report, Council is achieving its strategic objective of providing an annual review of the Domestic Animal Management Plan 2022–26.

Key considerations of the Domestic Animal Management Plan 2022–26 align with other Council strategies are as follows:

1. Community Plan: Recognises that a priority for the entire Bayside community is to encourage and support people to lead healthier lives.
2. Health and Wellbeing Plan: Recognises the benefits of pets to social cohesion and expanding community networks.
3. Recreation Strategy: Recognises the contribution of pets to an active lifestyle.
4. Ageing Well in Bayside: Recognises the role pets play in keeping older adults in their home and active.
5. Open Space Strategy: There are challenges in providing space for dog owners alongside the recreation needs of other members of the community. This strategy recognises the benefits associated with pets and the benefits of accommodating dog walking and exercise within open space.



## Lights on for Dogs

### Engagement Summary Report

### October 2023



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## Overview

This report presents the findings from the analysis of community feedback from Phase 1 and Phase 2 of Lights on for Dogs (LOFD).

A mixed method approach to community engagement was taken throughout the consultation periods in 2022 (30 May - 19 August) and 2023 (5 June - 2 September).

Consultation activities included online engagement through Have Your Say, with an opportunity to ask questions and provide feedback; correspondence including email, phone, and mail; and conversations with Local Laws Officer on patrol at sportsgrounds included in the trial.

Stakeholders reached throughout this process were dog owners, dog-owner community groups, resident sports clubs, neighbouring residents as well as the general Bayside community.

Across Phase 1 and 2 there were a total of 167 participants.

The feedback reflected the differing interests of sport users and dog walkers; the importance of the program for dogs and their owners, particularly if they work during the day; and the significance of feelings of safety for female participants.

In summary, the community engagement found:

***There was overall support for LOFD project continuing*** – Across both years a large proportion of participants strongly supported the continuation of the project (2023=49/70 – 70%, 2022=81/95 – 85%). All reserves were given an average rating of 4 or more out of 5 for night-time use.

With Phases 1 and 2 of the project complete, this opens up the possibility for extending/expanding the project in the future, such as through alternative nights and locations for the project within Bayside.

***'Large, well lit and enclosed reserves' was the most common positive feedback*** – with a total of 33 mentions across phase 1 and 2. When asked why they gave the reserve this particular rating, most participants commented on the importance of the facility itself and how the options were dog friendly. The selected reserves for 2022 and 2023 could continue to be used by Council in the future or act as a good precedent to expand to other options.

***Positive comments and lighting and safety were most frequently mentioned by female participants*** – female participants were more likely to give positive feedback and talk about lighting in regard to safety. This is reflective of social/societal issues more broadly but should continue to be a consideration when planning similar projects and reaching stakeholders.

***Sports club members were under-represented*** – While all stakeholders were reached in the community engagement both years, there was minimal participation of local sport club members compared to dog walkers.

## Next steps

The findings of this report will be considered by Council at its November 2023 meeting as part of the annual Domestic Animal Management Plan 2022-26 report.

## 1 Background

This document provides a summary of stakeholder and community feedback on the Lights on for Dogs (LOFD) trial during winter in 2022 and 2023.

Lights on for Dogs is an opportunity for Bayside City Council (BCC) to better understand opportunities to facilitate structured and safe community access to Bayside sportsgrounds, on winter evenings outside of training and match allocation times. This is a key action in the Domestic Animal Management Plan (DAMP) 2022-26.

The purpose of the trials was to understand if the increased night-time access to well-lit off-leash dog areas was considered to be of benefit to local dog owners. The trial programs were used to estimate the expected use and understand and address any impacts on sportsgrounds stemming from increased use.

Program information gathered throughout the 2022-23 winter months, including community and stakeholder feedback, is expected to be considered by Council at its November 2023 meeting as part of the DAMP 2022-26.

## 2 Definitions and scope

Council identified three sportsgrounds to trial the program between 30 May and 19 August 2022. To select locations for the trial, sportsgrounds were assessed against three key criteria:

1. Identified Dog Off-leash areas
2. Had no scheduled sporting activity on the selected evening
3. Had available sportsground lighting

The trial was continued in 2023, from 5 June to 2 September, after overall positive feedback from the previous year. Despite Council seeking to include more locations in the 2023 trial, the same locations were selected again because other locations did not meet the above criteria. Each reserve had allocated times for dog walkers outside of scheduled training sessions and match play:

Reserve	2022 times	2023 times
RJ Sillitoe Reserve, Hampton	5:30pm and 8:30pm on Mondays	5pm – 8pm on Mondays
William Street Reserve, Brighton	5:30pm and 8:30pm on Tuesdays	5pm – 8pm on Fridays
RG Chisholm Reserve, Sandringham	5:30pm and 8:30pm on Fridays	6:30pm – 8:30pm on Fridays

In conjunction with community feedback, Local Laws Officers documented observations from regular patrols of each sportsground to provide data on community use and dog owner compliance with responsible pet ownership requirements across both trial periods.

Additionally, routine inspections of sports grounds were conducted to assess the condition and cleanliness – in particular uncollected droppings and holes dug by dogs which require urgent maintenance to prevent sports injury.

## 2.1 Glossary

Within this document, reference is made to stakeholders. These stakeholders are:

- Dog owners
- Dog-owner community groups
- Resident sports clubs
- Neighbouring residents
- General Bayside community

The following is a list of acronyms/abbreviations for frequently used organisations and policies:

Item	Definition
DAMP	Domestic Animal Management Plan
LOFD	Lights on for Dogs program
SLTFD	Sportsground Lighting Trial for Dogs
BCC	Bayside City Council

## 2.2 Related Council documents and consultations

- 2022 Sportsground lighting trial for dogs Community Engagement Report
- [Domestic Animal Management Plan 2022 – 2026 \(DAMP\)](#)

# 3 Consultation process

## 3.1 Consultation purpose

The consultation was designed to receive feedback from the 2022 and 2023 community experiences of the LOFD winter trial. The engagement findings determine if the program should be continued, amended, or expanded.

The condition of sports grounds can naturally deteriorate over the winter season because of weather and increased recreational sports use. Part of the trials therefore included regular monitoring and evaluation, that was balanced against the respective winter sport loading and associated weather conditions that also contribute to deteriorating ground conditions.

The community could influence:

- If the winter program is continued, amended or expanded
- Off-leash sportsgrounds to be considered for future use, should the program continue
- Program amendments

The community could not influence:

- Selection criteria for sportsgrounds
- Duration of the programs
- Days, times, and locations
- Infrastructure changes to sportsgrounds, e.g. provision of gates
- Council also reserved the right to discontinue the delivery of the program without notice and for any reason, however, particular notice will be placed on the condition of sportsgrounds and behaviour of pet owners in regard to responsible pet ownership.

### 3.2 Consultation methodology

The 2022-2023 community consultation fits into a broader process of trialling whether LOFD will be beneficial for the Bayside community and among key stakeholders, in particular.

Project timelines

- Year 1- Winter off-leash sportsground lighting trial 2022: 30 May - 19 August 2022
- Evaluation: September - October 2022
- Year 2-Winter off-leash sportsground lighting program 2023: 5 June - 2 September 2023
- Evaluation: September - November 2023
- Consideration by Council: expected November 2023. Stakeholder and community feedback will be presented to Council to consider sportsground lighting program continuation, amendment, or expansion.

#### 3.2.1 Consultation phase

Evaluation of the program included local community feedback from dog owners, sports clubs, and neighbouring residents to understand their experiences through an online survey, written submissions, online Q&A forums, and special request meetings.

During the consultation phase, the following activities were undertaken:

Details (2022)	Details (2023)	Activity
30 May - 19 August 2022 Online survey (n=95)	1 June 2023 - 2 September 2023 Online survey (n=70)	<b>Have Your Say</b> Online engagement through Have Your Say, including opportunities to provide input for future trials and provide feedback.
N/A	1 June 2023 - 2 September 2023 Online (n=2)	<b>Q&amp;A forum</b> Opportunity for stakeholders/participants who wanted more information about Lighting for Dogs or to ask a specific question about the program.
30 May - 19 August 2022 N/A	1 June 2023 - 2 September 2023 N/A	<b>Correspondence</b> Opportunity for stakeholders/participants to speak to or submit a question to a council officer via email, post or face-to-face.
30 May - 19 August 2022 N/A	1 June 2023 - 2 September 2023 N/A	<b>Officer patrols</b> Local Laws patrols of included sportsgrounds to provide data on community use and dog owner compliance with responsible pet ownership requirements.

## 4 Participant profile

A comparison of the demographics from the 2023 online survey to the 2021 Bayside census data shows significantly more female participation than male or participants with a gender diverse identity. More female participation is typical for community engagement in general. The perceived safety benefits of lighting at nighttime could also affect females more than males.

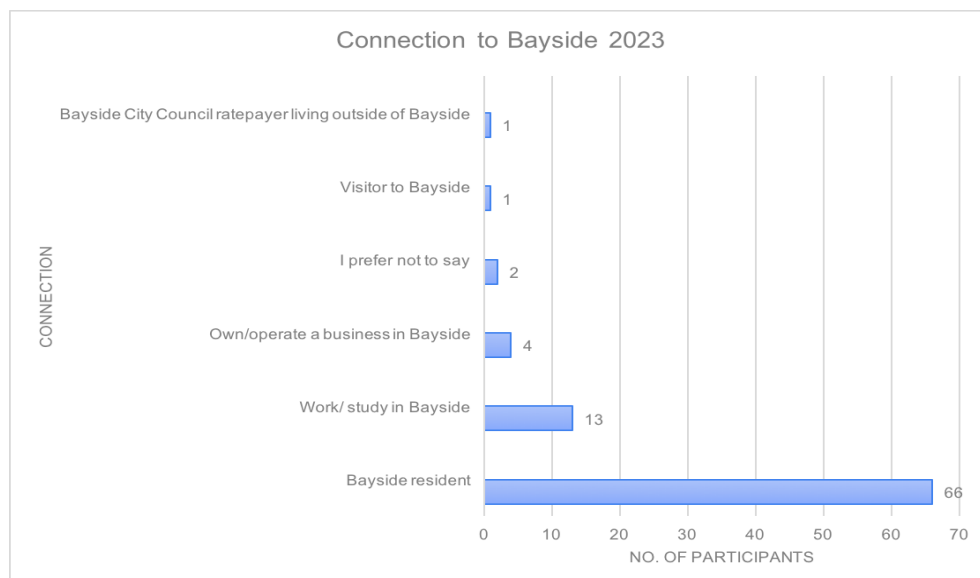
	Demographic	Bayside 2021 Census	Participants (%)
<b>G e n d e r</b>	Male	47.8%	20 (28.6%)
	Female	52.2%	46 (65.7%)
	Unknown	-	4 (5.7%)
	Other identity	-	0
<b>S u b u r b</b>	Beaumaris	12.8%	2 (2.9%)
	Black Rock	6.2%	1 (1.4%)
	Brighton	23.7%	18 (25.7%)
	Brighton East	15.6%	3 (4.3%)
	Cheltenham	3.9%	0
	Hampton	13.6%	27 (38.6%)
	Hampton East*	4.9%	-
	Highett	7.6%	4 (5.7%)
	Sandringham	11.8%	12 (17.1%)
	Outside Bayside	-	3 (4.3%)

Data source: online survey. Age was not listed as a demographic question on the survey.

\*Hampton East was not listed as a suburb on the survey.

To give context to stakeholders and further understand park users, 2023 participants were asked to provide their connection to Bayside. The vast majority of participants were residents, with other interested parties either working or studying in the LGA.

Participant connection is shown in the following graph:



Data source: 2023 online survey. Participants could select more than one answer meaning the total number of responses is more than the number of participants.

## 5 Consultation findings

The following section summarises the key themes which arose in community feedback on LOFD project. In the interest of stakeholder and community privacy, individual quotes have not been included within this public document. Where there was more than one mention of a topic or item, the number of mentions has been specified in brackets and italics.

### 5.1 Scope and methodology

This engagement employed a mixed methods approach combining qualitative and quantitative data through various engagement activities (outlined on page 6). Qualitative data was analysed using thematic analysis employing a coding framework to identify common themes and count responses.

### 5.2 Participation

There was a total of 167 participants in the project, with 95 in phase 1 and 72 in phase 2 (refer to page 10 for the breakdown). Participation according to the reserve, sports club and residential street provides a more holistic picture of the different interests of stakeholders in the project.

Reserve	No. of participants (%) 2022	No. of participants (%) 2023	No. of participants (%) total
RJ Sillitoe Reserve, Hampton	22 (23.2%)	25 (35.7%)	47 (28.5%)
William St Reserve, Brighton	42 (44.2%)	22 (31.4%)	64 (38.9%)
RG Chisholm Reserve, Sandringham	31 (32.6%)	23 (32.9%)	54 (32.7%)
Total	95 (100%)	70 (100%)	165 (100%)

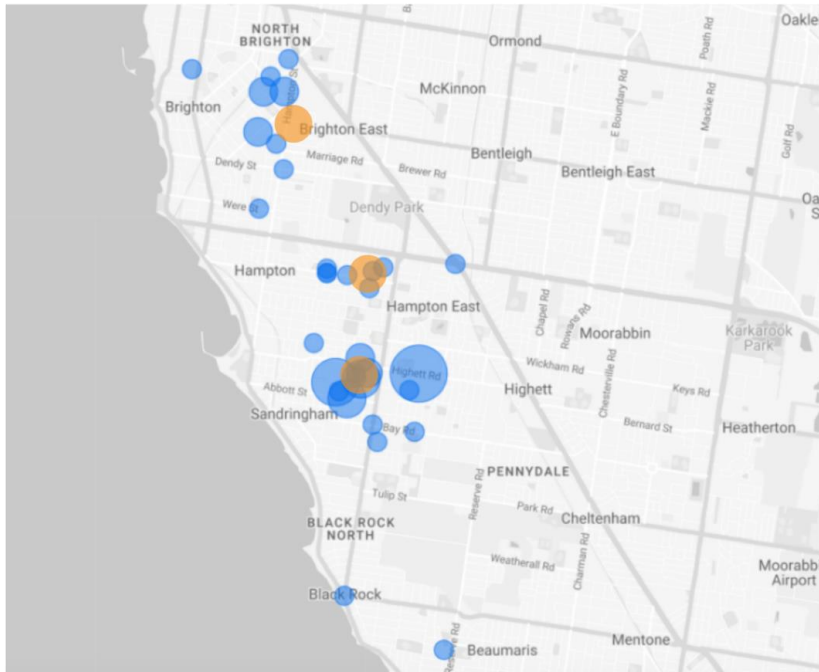
To further understand participants' connection to sportsgrounds, participants were asked to provide the name of their street and the name of their sporting club if they identified themselves as sports club users/members. There was low participation from sports club users across both phases of the engagement.

The following table shows participation from local sports clubs across both trial periods:

Sports Club	No. of participants 2022	No. of participants 2023	No. of participants total
Beaumaris FC	1	-	1
East Sandringham Zebras	5	1	6
East Sandringham Junior FC	-	1	1
Cluden CC	1	2	3
Hampton CC	-	1	1

Residential streets of participants indicated whether they would be affected by the extended hours of lighting. A total of 27 streets were listed across the 2022 and 2023 engagements. The most mentioned streets were Highett Rd (5), Grange Rd (4), Condrington St (3), Duncan St (3), Conifer St (3), Kenneth St (2) Halifax St (2), William St (2) and Edgar St (2).

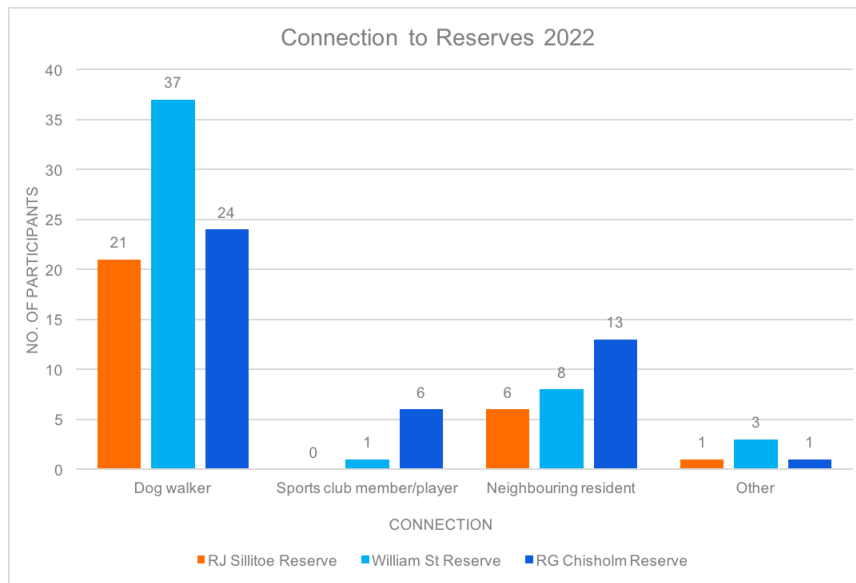
The following heat map shows the residential streets of participants in Bayside:



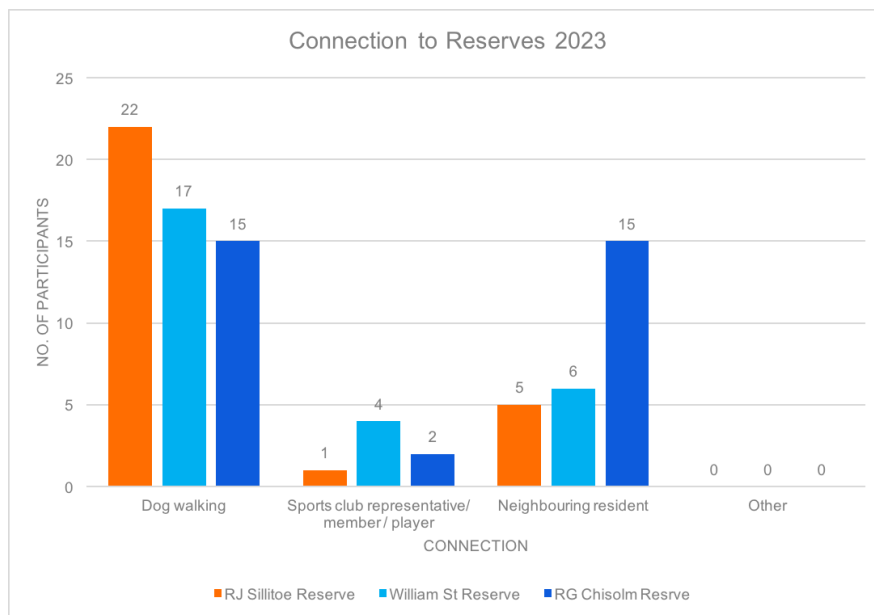
Reserves are represented in orange while the residential streets are represented in blue.

**5.2.1 Connection to reserves**

The following charts show the distribution of participation in the trial according to connection to the reserve for the 2022 trial period as well as the 2023 trial period, respectively.



Data source: 2022 online survey.



Data source: 2023 online survey.

Both years had similar distribution of interests in use of the extended hours at the reserves, with dog walking being the most popular both years. William St Reserve had a decrease from the previous year (2022=37, 2023=17) as did RG Chisholm Reserve (2022=24, 2023=15), however, dog walking remained the most popular connection for participation. It is also important to note that the 2023 trial had lower participation (n=70) than 2022 (n=95).

Sports club representatives/members/players were underrepresented across both years. It is important to consider this as a factor when weighing up the interests of the different stakeholders in the project feedback. The ongoing tension between sports clubs and dog walkers should also be acknowledged as an issue not specific to Bayside alone.



### 5.3 Ratings and feedback

This section summarises participants' experiences using the reserves during the 2022-2023 LOFD program. Community and stakeholder feedback was provided through quantitative and free-text responses.

#### 5.3.1 Ratings

Participants across the two winter trial periods were asked to rate their experiences using the reserves at night. The overall rating for the reserves given were 4.1 (out of 5) for both RJ Sillitoe Reserve and William St Reserve and 4 for RG Chisholm Reserve. Averages were slightly lower in 2023 when compared to 2022. This could be due to more investment in the project from people who used the grounds for sports, or residents in the area who were affected by the lights being on for extended periods in 2023.

Reserve	Average 2022 rating (out of 5)	Average 2023 rating (out of 5)	Overall average rating (out of 5)
RJ Sillitoe Reserve, Hampton	4.1	4.1	4.1
William St Reserve, Brighton	4.4	3.5	4.1
RG Chisholm Reserve, Sandringham	4.2	3.8	4.0

#### 5.3.2 Positive feedback

Participants were asked the open-ended question; 'Why did you give it this rating?', in both the 2022 and 2023 engagements. Overall, there was positive feedback from participants who gave the parks a higher rating (4 or 5), with multiple comments of support for the project to continue.

Overall, comparing the positive comments from 2022 and 2023 engagements, comments surrounding the park features and extended use for dogs in addition to safety benefits from lighting remained consistently important for participants. Positive comments surrounding a space for community was less mentioned by 2023 participants, with increased mentions of lighting as a good way to cater to people who have busy daytime working hours.

The following table shows positive feedback given by all participants. Some comments mentioned more than one topic and have been sorted as such. The total mentions, therefore, does not equal the number of participants.

Topic	2022: 67/84 responses in total 80%	2023: 51/70 responses in total 73%	Community feedback
Large, light, well facilitated enclosed park	(n=19)	(n=14)	Choice of park, fully fenced, well maintained and well facilitated for dogs. (24 mentions) The park is enclosed but large enough for the dogs to have a good walk. (3 mentions) Improved wellbeing from utilising additional hours at park.

Lighting/safety	(n=20)	(n=13)	Feels safer walking the dogs in a park with lighting in the darker winter months. Lights bring more people to improve feelings of security (15 mentions). Safer for dogs (2 mentions) Appeals to more people and provides greater accessibility (4 mentions). Lighting means it's easier to clean up after the dog.
After hours for people who work during the day	(n=3)	(n=10)	Good for full-time workers/ people who don't always get to walk their dogs during daytime (5 mentions). Safer experience of walking the dog after getting home from work (2 mentions). Essential for dogs who require lots of exercise.
Well behaved dogs	(n=10)	(n=8)	Friendly/well behaved dogs (6 mentions). Able to let the dog have a run around and play (3 mentions). Good dog infrastructure (poo bags, water etc) (3 mentions).
Community	(n=14)	(n=3)	Creates a specific time of the evening where dog owners and dogs can meet (4 mentions) Provides a safe, social area for people to walk their dogs. Familiarity with the dogs that use this space is a benefit (8 mentions)
General support for initiative	(n=1)	(n=3)	General positive comments about the initiative.

**5.3.3 Feedback for improvements**

Participants who generally rated their experience a lower score out of 5 (3 or below) raised a number of issues with their experiences across the different sites. This was with the exception of 'fencing issues' which was commented on despite the participants giving a higher rating in two cases.

A range of specific concerns were raised during the consultation regarding use of the reserve. The following table shows the total sum of negative comments for this question across both phases of engagement:

Topic	2022 total responses 23/84 27%	2023 total responses 27/70 39%	Community feedback
Uneven surfaces from dogs causing issues	(n=1)	(n=5)	Council are not fulfilling their obligation to maintain the surface of the sites/enforce

			<p>good dog ownership (3 mentions).</p> <p>Impact on sports clubs with uneven surface (2 mentions).</p> <p>Injury from the uneven surface caused by dogs.</p>
Tension between interests of sports and dog owners	(n=5)	(n=4)	<p>Lighting times clash with sports - dogs are unable to use it (2 mentions).</p> <p>Soccer players are unnecessarily aggressive and do more damage to the ground than dogs.</p> <p>The needs of dog owners are being preferred over sport-players.</p> <p>Creating a boundary in the park is futile when dog walkers are constantly at the park.</p>
Owners not cleaning up after their animals	(n=3)	(n=4)	<p>Dog faeces being left at ground because owner won't pick it up (4 mentions)</p> <p>Have to remove dog faeces or avoid it before playing sport (3 mentions).</p>
Fencing/gate issues	(n=2)	(n=3)	<p>Insert missing gate to make the area fully-fenced (4 mentions).</p> <p>Gaps in fencing.</p>
Lighting issues	(n=0)	(n=3)	<p>Lights are overly bright.</p> <p>Lights are negatively affecting nocturnal wildlife such as bats and owls.</p> <p>The lights being left on at these times disturbs residents and animals other than dogs.</p>
Aggressive dog behaviour	(n=1)	(n=2)	<p>Owners not responding when dogs are overly aggressive.</p> <p>Aggressive dogs scare other dogs at the park (2 mentions).</p>
Extend times or locations	(n=10)	(n=4)	<p>Desire for more hours of lighting (4 mentions).</p> <p>Desire for trial to be extended to other areas for easier</p>

			accessibility in other suburbs (6 mentions).
Park use was impacted during the initiative	(n=1)	(n=2)	Comments surrounding the impact on available space of the park during the trial due to construction (3 mentions).

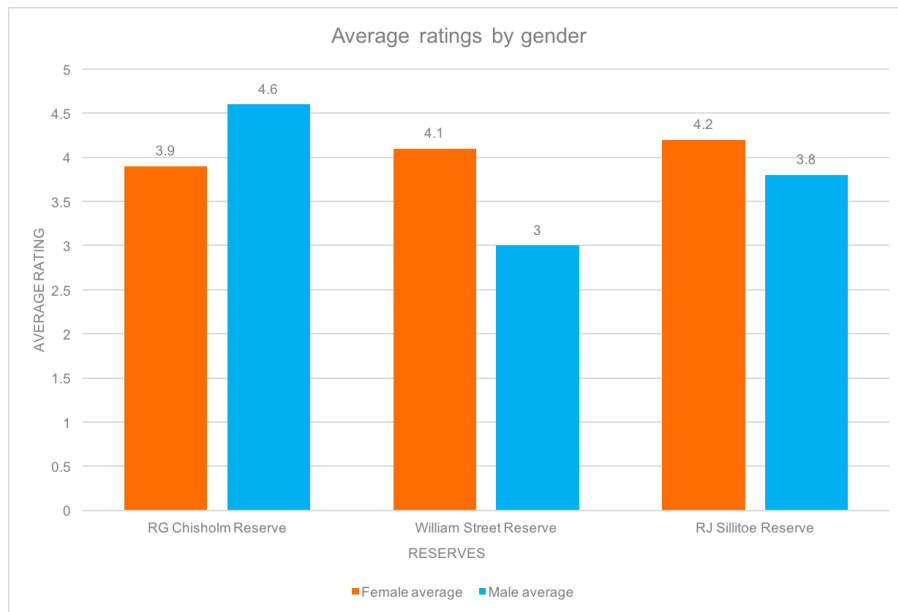
Comparing data between 2022 and 2023, there was a slight decrease in positive comments and increase in negative comments. This reflects community sentiment towards the trial continuing explored in section 5.4.4. This may be due to more interest in the project from participants who played sports and, therefore, wanted the grounds to be kept for sporting only. At the same time, it is also important to consider the fact that participation for the 2023 engagement was slightly lower.

There was a total of 14 'other' comments that did not address the trial itself or could not be sorted into the above categories:

Topic	2022	2023	Community feedback
General comments about parks chosen	1 mentions	2 mentions	Accessibility, maintenance, water etc.
Mixed responses	5 mentions	4 mentions	Comments on the communications surrounding times lights would be on. Negative comments surrounding the engagement process. General comments surrounding the park and dog ownership.

**5.3.4 Considerations shaping feedback - gender**

Participants were asked to give their demographic information in the 2023 survey only. Females were more represented than males in this engagement with 40 female participants, 20 male participants and 4 participants who preferred not to share this information.



Data source: 2023 online survey.

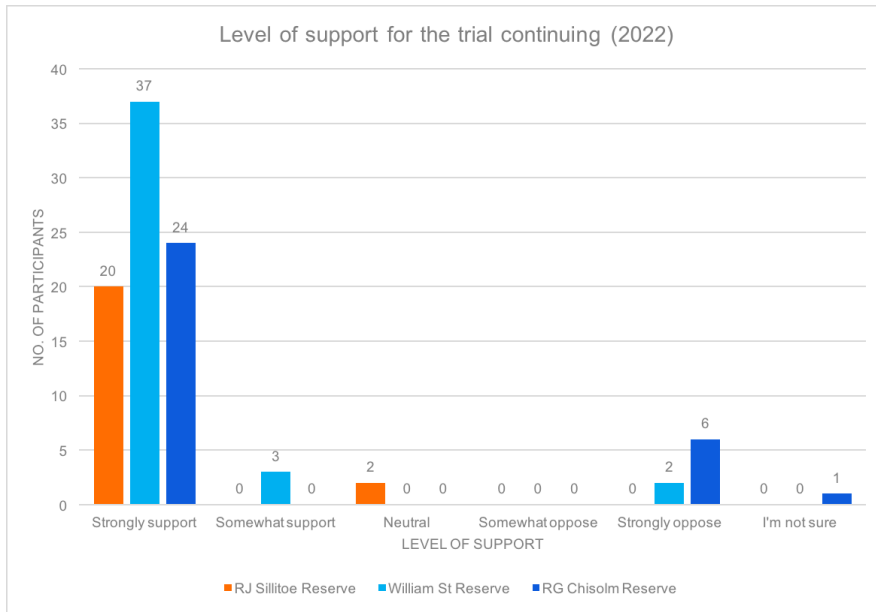
The trial had a more positive reception among those who identified as female than those who identified as male. Males were evenly divided over the trial between positive and negative reflections with the majority of females sharing positive feedback. Women prioritised lighting for safety more frequently than men.

**5.3.5 Continuation**

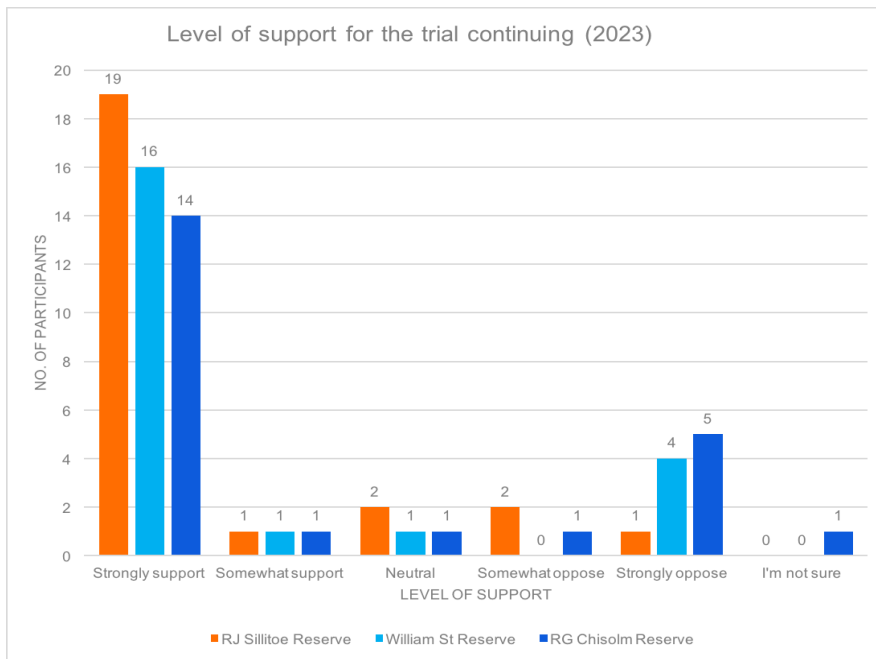
The following section summarises support for the continuation of the trial and anticipated use of the reserves. Community and stakeholder feedback is given through quantitative responses.

**5.3.6 Support**

The following graphs show the level of support for the trial continuing, with ‘strongly support’ being the highest level and ‘strongly oppose’ being the least level of support.



Data source: 2022 online survey.

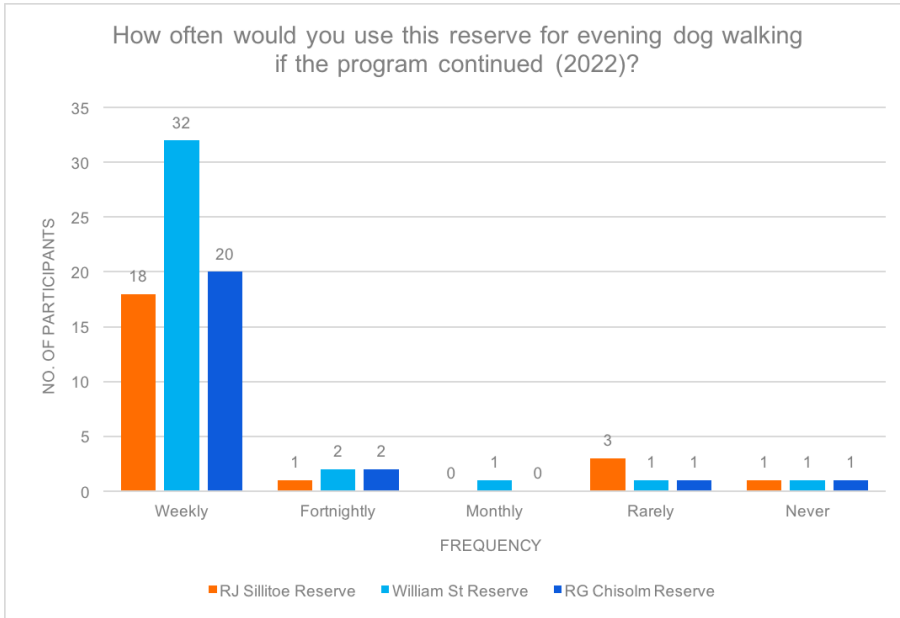


Data source: 2023 online survey.

Overall, 2023 had a large proportion of participants who strongly supported the continuation of the project (49/70). Compared to the 2022 data (81/95), there was a slight decrease in the numbers for 'strongly support' and a slight increase in 'strongly oppose' (2023=10/70), (2022=8/95).

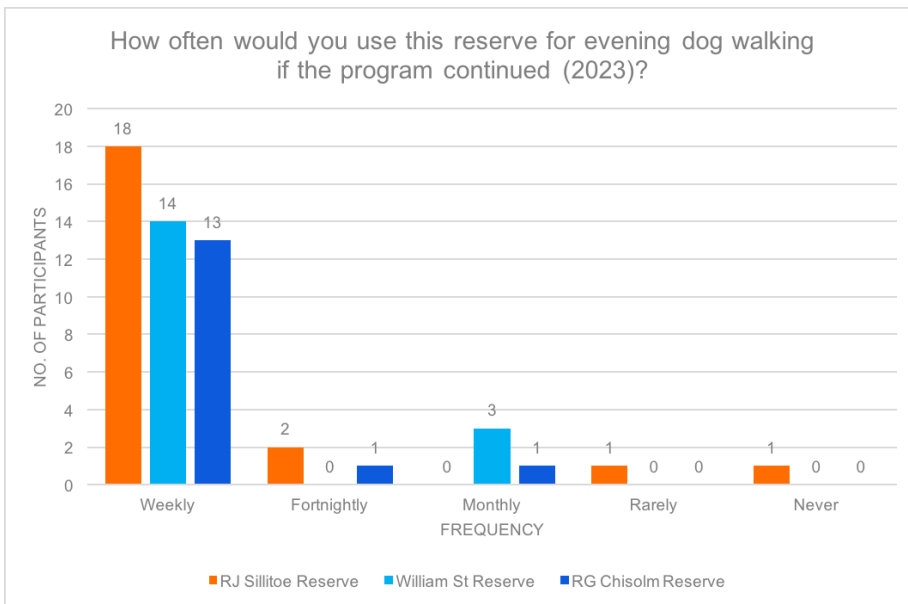
**5.3.7 Frequency of use**

The following graphs use the 2022 and 2023 data respectively to show how often participants would use the reserve for evening dog walking if the program continued.



Data source: 2022 online survey.

The 2022 data demonstrates how the majority of participants (70/95 - 73.7%) across all 3 reserves voted that they would walk their dog 'weekly'. The distribution of numbers in the chart generally correlates to the support for the project continuing into the next year.



Data source: 2023 online survey.

There was a slight decrease in 'weekly' (45/70 - 64.3%) in 2023, however, this was still by far the frequency with the most votes. Again, the pattern follows the overall support for the continuation of the program into 2024. Participants have shown that they not only support the continuation but have also shown that they would frequently use the selected reserves for evening dog walks.

**5.3.8 Dog patrol**

The following section is a breakdown and analysis of the dog patrol observations across the two trial periods in 2022 and 2023, respectively.

**5.3.9 Observations and community feedback- 2022**

The following table is a summary of the observed patrol data during the trial months in 2022:

Reserve	Occasions	Hours of observation data	No. of dogs observed	No. of offences observed	Compliance rate of observed animals (%)
RG Chisholm	6	11 hrs of observational data – sometimes attended 2-up or solo	267	13	95.1
William St	4	9 hrs observational data – sometimes attended 2-up or solo	177	3	98.3
RJ Sillitoe	3	4.3 hrs of observational data – sometimes attended 2-up or solo	149	1	99.3
Total	13	24.3hrs	593	17	Average= 97

**Compliance issues observed across all three parks included:**

- Two instances of owners not picking up after their dog defecated
- Three instances of dog owners being too close to the playground exclusion
- Four instances of dogs entering the reserve already unleashed
- Eight instances of 'other – non specified' listed as 'Not Under Effective Control'

Community feedback was given on two out of three of the reserves for the 2022 trial period:

**RG Chisholm Reserve**

- Positive Feedback for the lighting and extended hours, requested more comms to advertise the extensions via social media – specifically Instagram rather than Facebook.

**William St**

- Positive for the extension, one request was for the lights to come on at 5pm rather than 5:30pm.



- Attendance of officers made some park users feel safer
- Request for more advertisement for the program on socials
- Additional feedback was related to provided gates to the reserve for smaller dogs

**5.3.10 Observations - 2023**

The following table is a summary of the observed patrol data during the trial months in 2023:

Reserve	Occasions	Hours of observation data	No. of dogs observed	No. of offences observed	Compliance rate of observed animals (%)
RJ Sillitoe	4	6.5 hrs of observational data – sometimes attended 2-up or solo	148	2	99
William St	3	3 hrs of observational data – attended solo	63	1	98
RG Chisholm	2	2 hrs of observational data – attended solo	18	0	100
Total	9	11.5 hrs	229	3	Average=99

The compliance rate was slightly higher in 2023 than 2022, however, there were more than double observational hours in the previous year leaving more scope for observed issues. Overall, the compliance rate of dog walkers and other users was very high at 97-99% across the two different years. It is also important to note that the presence of dog patrol officers could have acted as a deterrent. This means that the data is not fully indicative of the compliance rate of the trials as a whole.

**5.3.11 Additional reserves**

Participants across both phases of the engagement were asked the open-ended question: ‘Are there any other off-leash sportsgrounds you would like Council to consider including in a future program?’.

Data analysis across both 2022 and 2023 trial years indicated, in order of preference:

1. Dendy Park
2. Elsternwick Park
3. Banksia Reserve.

The following table lists other sportsgrounds suggested by participants in 2022:

Sportsground	Number of mentions
Dendy Park	14
Banksia Reserve	4
WL Simpson Reserve, Elsternwick park, Hurlingham Park, Donald MacDonald,	2 mentions each

Royal Avenue, Cheltenham Park, Beaumaris soccer oval	2 mentions each
Bailey House, Halifax, Brighton beachside, Merindah, Ludstone St, Outer Cres Reserve, RG Chisholme	1 mention each

Respondents also mentioned other responses to this question including disagreement with the proposal or felt no need to expand further (16 mentions), and participants wanting extended lighting hours or improved facilities for dogs in general (6 mentions).

Participants also mentioned suburbs or locales that they wished the trial be expanded to including: Beaumaris, Sandringham, Highett, Blackrock and Brighton.

The following table lists other sportsgrounds suggested by participants in 2022:

Sportsgrounds	Number of mentions
Dendy Park	13
Elsternwick Park	6
Wishart Dog Park	4
Tulip St, Fewster Rd, Whyte St, Beaumaris Reserve, Tjilatjirrin Reserve, Royal Avenue Off-leash Park, Halifax, Outer Crescent oval, Donald MacDonald Reserve, Chisholm oval	1 mention each

Participants responding to this question also provided other responses including a desire to extend the hours of operation or other park facilities in Bayside parks generally (9 mentions), participants who disagreed with the initiative and did not want to expand lighting to other parks (6 mentions), and participants who desired further enforcement surrounding dogs if this initiative were to be expanded (3 mentions).

Respondents across all open-ended questions commonly mentioned expanding lighting in parks to general neighbourhoods or suburbs. The suburbs most commonly mentioned were Highett, Castlefield, Blackrock and Beaumaris.

## 6 Project evaluation

Process Evaluation:	Commentary (2022)	Commentary (2023)
Stakeholder reach - Did the engagement or research reach the stakeholders identified during the project planning stage?	The stakeholder engagement was successful and reached stakeholders identified throughout the project planning phase. Participants included dog owners, resident sport clubs and neighbouring residents to the reserve.	The stakeholders identified in the planning phase were successfully reached in the community engagement phase. Participants included dog owners, dog-owner community groups, resident sports clubs, neighbouring residents (to reserves) and the general Bayside community. As previously mentioned in the report, sports club members were underrepresented especially in comparison to dog walkers despite the fact they

		are key stakeholders. Only 5 participants across the 2023 trial belonged to this group.
Quality of analysis and reporting - Were the findings of the engagement analysed and presented with clarity to Council/ delegated decision maker?	Phase 1 & 2 allowed for interim findings to integrate into the project for refinement.	The demographic questions in the online survey were compulsory for participants to answer in phase 2. This allowed for more specific data analysis of trends based on gender. The success of the three reserves were also trialed in phase 1 and had positive feedback meaning they were continued as the sites in phase 2.
Reliability of data - Was Council or the delegated decision maker confident in the reliability of data?	An ongoing issue from the previous year was the reliability of observed compliance. The dog patrol officers were an inherent deterrent, meaning there could have been a greater lack of compliance rate than recorded.	Furthermore, phase 2 had less hours of observations than phase 1 and a higher compliance rate. The deterrent effect of officers should again be considered in the outcomes of compliance rate across both years.
Age and gender diversity (if appropriate)	Demographics were not answered by any participants in the 2022 survey, meaning this cannot be commented on for this year.	There was a much higher rate of female participation (65.7%) in the trial over male (28.6%) and self-identifying (0%). A higher level of female participation is generally typical for community engagement. In this project in particular, however, safety and lighting were factors meaning the gender distribution of participants is reflective of gendered social issues.
Stakeholder satisfaction - How satisfied were participants with the consultation process?	Satisfaction questions not included in the survey	Survey respondents said that project information was very easy to find and understand (67.1%); mostly easy to find and understand (22.9%); mostly hard to find and understand (1.4%); very hard to find and understand (0%) and 8.6% were unsure.

<b>Impact Evaluation:</b>	<b>Commentary</b>
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<p>What have been the short-term impacts of this engagement process? Were these the desired impacts?</p>	<p>The engagement process aimed to receive feedback from stakeholders in the LOFD trials in 2022 and 2023. In particular, it was important to get an understanding of whether the benefits of the program outweighed the wear and tear to reserves as well as the impacts on neighbouring residents. While representation from all stakeholder groups was achieved in the community engagement process, sports club members were underrepresented in the data. Additionally, the tension between sports club members and dog walkers was evident in the data from the community engagement. For the program to be continued or expanded there needs to be correct management of the sites to cater to the needs of these different stakeholder groups. Furthermore, there should be a point of consulting female/gender non conforming participants as safety has been identified as a trend by females in the findings from the 2023 online survey. Across phase 1 and 2, there has been overall support for the project and its continuation.</p>
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## 10.7 PROPOSED BICYCLE ROUTE CONNECTING CHELTENHAM AND SANDRINGHAM

Environment, Recreation and Infrastructure - Climate, Waste and Integrated Transport  
File No: PSF/23/176 – Doc No: DOC/23/328916

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### Executive summary

#### **Purpose and background**

This report provides an update on the outcomes of community consultation on the proposed bicycle route connecting Cheltenham and Sandringham and proposes the next steps of the project.

On 2 August 2022, a report was presented to Council containing a concept design for the proposed bicycle route connecting Cheltenham and Sandringham. In response to the report, it was resolved:

*That Council:*

- 1. notes the report and options for delivering an east-west bicycle route connecting Cheltenham and Sandringham*
- 2. undertakes community engagement on stage one of the proposed bicycle route connecting Cheltenham and Sandringham*
- 3. receives a report at a future Council Meeting on the community engagement findings, alongside the final design of stage one of the proposed cycling route connecting Cheltenham and Sandringham.*

As Council did not have sufficient budget to deliver the whole alignment, the decision was made to deliver the project in two stages and to commence community engagement on stage one only. The project was staged as follows:

**Stage 1:** Delivery of the proposed cycling connection between Sandringham Station and the Sandringham Family Leisure Centre located on Tulip Street.

**Stage 2:** Delivery of the proposed cycling connection from the Tulip Street / Reserve Road intersection through to Cheltenham Station.

While the delivery of Stage 1 would not result in the complete connection of the East-West corridor, it would provide for greater connection between the Sandringham Activity Centre and foreshore as well as other key employment and leisure sites within Bayside, providing safer, accessible, and more sustainable options of travel between these locations.

#### **Key issues**

Bayside's streets are significant shared community assets which need to be actively managed to provide a safe, accessible, and efficient transport system. Ensuring the safety of all road users through the reduction of traffic conflicts is the most important aspect of any user-friendly street.

The uptake of walking and cycling is dependent on the provision of safer paths and suitable crossings. Currently, the majority of Bayside roads are dominated by cars and trucks, making it an unattractive and unsafe environment for pedestrians and cyclists.

Improving cycling infrastructure between Cheltenham and Sandringham is an action identified within the Bayside Bicycle Action Plan 2019 and positively contributes towards

addressing the climate emergency. The proposed bicycle route provides for greater connection in our East-West corridor and will offer increased mobility to sections of the community with low rates of car ownership, such as low-income earners, unemployed people, seniors, and to those under 18 years of age.

Transport cycle routes typically tend to follow north–south direction within the municipality, toward the Melbourne Central Business District (CBD). East–west connections are equally important, particularly with the emerging recognition of satellite cities within the suburbs of Melbourne, including Dandenong and Monash.

### Community Engagement

Throughout February and March 2023, community consultation was undertaken on Stage 1 of the project to understand:

1. the level of community support or opposition to the proposed bike route
2. the reasons for supporting or opposing the proposed bike route
3. the potential use of, as well as factors that may encourage additional use of, the bike route
4. any suggestions on how the route could be improved, including potential locations for bike parking hoops, drinking water fountains, and bicycle repair stations.

The consultation included a total of 233 online survey responses, 11 written submissions, nine email submissions, one meeting with residents, a Question and Answer session comprising 31 questions, and three pop-up sessions that engaged with a total of 990 individuals of whom 352 had their say following discussions with Council officers around the proposed alignment and treatments for the proposed bicycle path.

The full Community Engagement Report can be found at Attachment 1.

The following key findings were identified in the data collected through the consultation:

#### *Support / Opposition to the proposed bicycle path / route:*

- A majority (58%) of the 233 online survey respondents either strongly (45%) or somewhat (13%) supported the proposed bicycle route, with an average score of 6.13 out of 10 (i.e., moderate support).
- A majority (52%) of the 45 online survey respondents who were property owners / residents along the proposed route, however, either strongly (48%) or somewhat (4%) opposed the proposed bicycle route, with an average score of 4.43 out of 10 (mild opposition).
- The overwhelming majority (88%) of 352 Pop-Up participants either strongly (77%) or somewhat (11%) supported the proposed bicycle paths, with an average score of 8.61 out of 10.
- Of the 21 participants providing a view in the Q&A sessions, 16 (76%) were generally supportive of the proposed bicycle route, and three were opposed (14%).
- Of the 19 written / email submissions, 11 (58%) were generally supportive of the proposed bicycle route, and six were opposed (32%).

*Reasons for support / opposition to the proposed bicycle path / route:*

- The most common reasons why respondents supported the proposed bicycle path were that it was safer (36%), support with some reservations (15%), better / safer for children (12%), that it encourages a healthy lifestyle (11%), and better visibility for bike lanes (10%).
- The most common reasons why respondents opposed the proposed bicycle path were related to the perception it was unnecessary / no demonstrated need (38%), existing traffic related hazards / safety concerns (37%), waste of money / better use of money on other areas (35%), perception that it was not safe (23%), poor route choice / better choices available (20%), and disruptions to traffic (18%).
- The feedback obtained from the written submissions, Q&A session, and Pop-Ups identified similar issues, both in terms of support, and reasons for opposing the proposal.

*Potential use of the proposed bicycle path / route:*

- Half (50%) of the 233 online survey respondents reported that they were either very (35%), or somewhat (15%) likely to ride on the proposed bicycle path if constructed, with leisure (75%), exercise (68%), and running local errands (36%) the most common reasons. This implies a mix of recreational and commuting uses for the proposed bicycle route.
- The most common reasons why online survey respondents were unlikely or unsure as to whether they would use the path were that driving was more suitable for them (39%), they walk to destinations along the route (27%), and that they don't feel safe riding on roads / shared paths (26%).
- The main factors that may encourage use of the proposed bicycle path were an increase in off-road paths (55%), safer bicycle and walking infrastructure (54%), safer road crossings (46%), improved bike lane markings on the roads (44%), and improved lane markings on shared paths and pedestrian paths (34%).

*Suggestions to encourage community use of the proposed bicycle paths:*

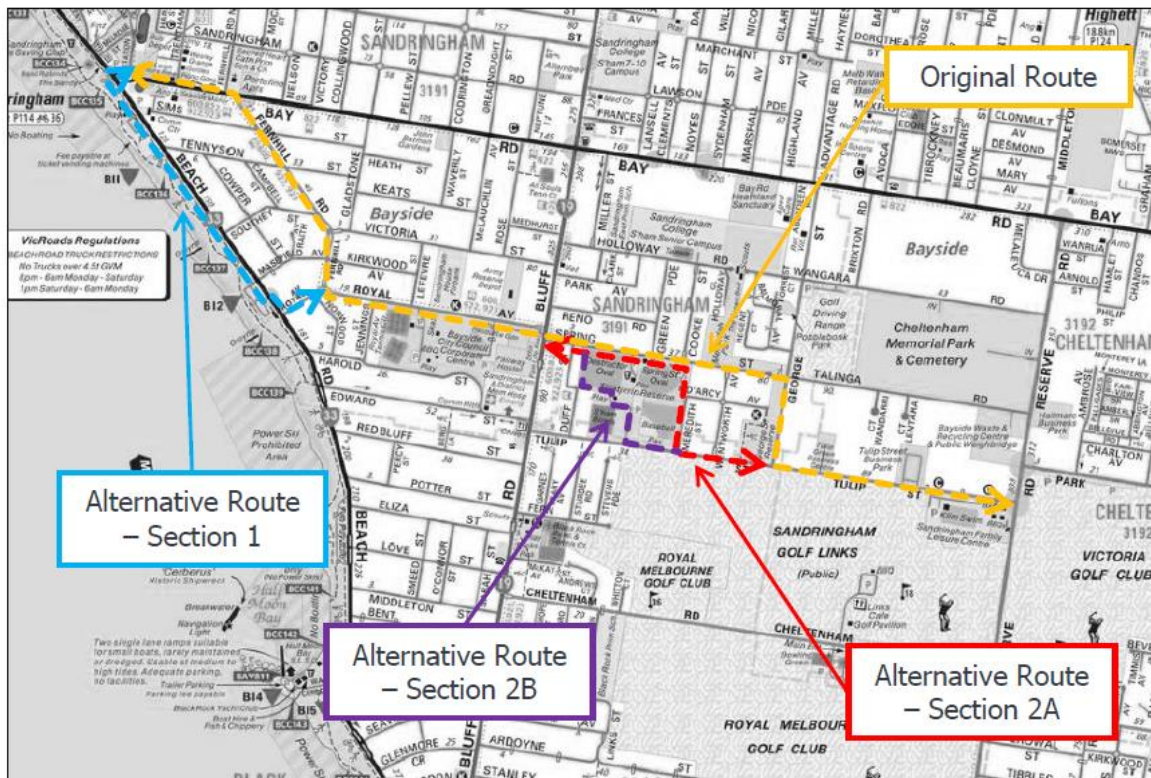
- Almost half (46%) of the 233 online survey respondents provided at least one suggestion as to features or installations that would encourage community use of the proposed bicycle path, covering a wide range of issues.
- The most common suggestions were related to more segregated / protected bike lanes (10%), safer crossings / signals / traffic lights (9%), using existing high-use bicycle routes / alternative routes (6%), and traffic calming measures along the proposed route (6%).
- The feedback obtained from the written submissions, Q&A session, and Pop-Ups were generally in line with the responses from the online survey.

Proposed Stage 1 Alignment Changes

The feedback revealed that some members of the community felt there were other alignment options that should be considered. In particular, there was a strong desire for further off-road infrastructure be introduced to improve safety.

Following the community engagement period, a critical review of the proposed alignment and proposed infrastructure treatments was undertaken.

The below image shows the route which was presented in the community consultation (“Original Route”), and some alternative route options which were subsequently investigated.



These options were then further refined to confirm a preferred route.

The alteration to the route means that the scope of works for Council to deliver the proposed cycling route will be limited to roads which are managed and maintained by Council (noting that there are some crossing points over arterial roads not managed by Council).

The revised alignment has been developed with the following principles:

- Utilising existing infrastructure where available, suitable, and safe.
- Minimise the loss or reallocation of on-street parking spaces.
- Expansion of shared path and dedicated cycle path infrastructure.
- Distance and connectivity to locations of interest along the route.
- Facility quality, with the interventions balancing the need of safety, amenity and environmental impacts.

Engagement with the Department of Transport and Planning (DTP)

Council has undertaken a Road Safety Audit (RSA) of the proposed updated alignment and interventions, and a number of risks were identified.

The key risk identified through the RSA, as well as officer review and feedback from the community, relates to the crossing of Bluff Road. The proposed alignment has this crossing occur at the Royal Avenue and Spring Road intersection.

A formal signalled crossing on Bluff Road is required to ensure that cyclist and pedestrian safety is maintained.



As Bluff Road is an arterial road, it is under the jurisdiction and management of DTP. Council Officers have engaged heavily with DTP with the objective of seeking commitment for several safety improvements on Bluff Road, including a speed reduction to 40km/h through the hospital and shopping area, and the signalised crossing point.

DTP has shown indicative support for the lowering of the speed limit in this section to 40km/h.

However, DTP has also advised that at this point in time they are unable to confirm whether they would support the introduction of a pedestrian and cyclist crossing treatment at the intersection of Bluff Road / Royal Avenue / Spring Street.

DTP has indicated a general level of support for signalisation on Bluff Road in the area but has indicated a preference for the treatment to be located at or near the Bluff Road / Tulip Street intersection.

While DTP has not ruled out an additional treatment at Bluff Road / Royal Avenue / Spring Street, it is unclear whether it would support the siting of an additional signalised intersection within close proximity to its preferred Tulip Street location.

In addition, at the time of preparation of this report DTP, could not confirm when a signalised crossing point would be introduced at either location.

Without a firm commitment from DTP in relation to the required intervention for the safe crossing on Bluff Road, it is recommended that Stage 1 be split further and that sections of the delivery be delayed until there is a clear commitment from DTP.

#### Stage 1 - Section 1 & 2

It is recommended that Stage 1 of the project be further split into Section 1 and Section 2. The recommended split is shown in Attachment 2.

**Section 1** is the part of the route from Sandringham Station to Royal Avenue, and **Section 2** is the part of the route from Spring Street to the Sandringham Family Leisure Centre.

The RSA highlighted a number of risks within the current road and cycling network that should be rectified, regardless of whether the full Stage 1 alignment proceeds, and addressing these is a focus of Section 1.

The detail for Section 1 is shown in Attachment 3, noting that this is conceptual and subject to changes at the detailed design stage.

Section 1 of the alignment is proposed to be implemented in the current financial year at a cost of \$135,387.20.

The Section 1 works involve line marking on Melrose Street, a pedestrian refuge island on Melrose Street, a shared path along the existing footpath on Beach Road between Melrose Street and Bay Road, minor works on Royal Avenue near Beach Road, linemarking at the intersection of Royal Avenue / Fernhill Street, and linemarking on Royal Avenue.

A speed reduction is also proposed on Royal Avenue and Fernhill Street from 60km/h to 50km/h between Bay Road and Bluff Road, subject to DTP approval.

Importantly, the delivery of Section 1 would not impact the ability to amend the alignment of Section 2 if DTP ultimately decides that the required signalised crossing at Bluff Road / Royal Avenue / Spring Road will not occur. The alignment can then be adjusted to utilise the planned signalised crossing on Bluff Road at or near Tulip Street.

It is recommended that the remaining budget allocated for Stage 1 be deferred to the 2025-26 financial year, for integrated delivery of Section 2 and Stage 2.

A total of \$2.1 million has been foreshadowed in the FY2025–26 capital budget for delivery of Stage 2.

#### Recommendation

It is proposed that Council deliver Stage 1, Section 1 of the cycling connection in the current financial year at a cost of \$135,387.20 and delay the delivery of Stage 1, Section 2 of the project until the 2025/26 financial year.

This delay will enable Council officers to continue discussion with the DTP about establishing a suitable crossing point on Bluff Road and will mean that the remainder of Stage 1 and Stage 2 of the project can be delivered concurrently.

Targeted community consultation will be undertaken with directly impacted properties prior to the delivery of Section 1.

#### **Recommendation**

That Council:

1. notes the outcomes of community engagement on the proposed east-west bicycle route connecting Cheltenham and Sandringham
2. postpones the delivery of Stage 1, Section 2 of the project until the 2025–26 financial year
3. implements the interventions for Section 1 of the alignment, being Sandringham Station to Royal Avenue, Sandringham.

#### **Support Attachments**

1. Bicycle Route Connecting Sandringham and Cheltenham - Community Engagement Report ↓
2. Sandringham to Cheltenham Cycling Connection - Sections 1 & 2 ↓
3. Sandringham to Cheltenham Cycling Connection - Stage 1, Section 1 Detail ↓

## **Considerations and implications of recommendation**

### **Social**

Cycling provides economic and independent travel for those who might otherwise have their travel options restricted. It offers increased mobility to sections of the community with low rates of car ownership, such as low-income earners, unemployed people, seniors and to those under 18 years of age.

### **Natural Environment**

When people choose to ride instead of drive, they reduce greenhouse gas emissions, noise, and congestion, and allow greater capacity on public transport. Cycling provides mental and physical health benefits, and with the right infrastructure, it can be great fun. It is in everyone's interest that people ride (and walk) as much as possible. Impacts to the natural environment associated with the implementation are documented within Attachment 1 and 2 of this report.

There are internal funding opportunities to increase the amount of landscaping and vegetation along the proposed route to make it a more attractive route for our community.

### **Climate Emergency**

The provision of better cycling infrastructure and connectivity contributes positively towards addressing climate change. The Climate Emergency Action Plan requires an urgent shift to cycling, walking and other forms of active transport, as well as electric vehicles, public transport powered by renewable energy, and increased public transport use. Actions in Theme 3 of the Climate Emergency Action Plan '*Move to zero carbon transport*' support better cycling infrastructure.

### **Built Environment**

Provision of bicycle paths and/or infrastructure will impact on the existing streetscape. The implications to the built environment associated with the implementation are documented within Attachment 2 of this report.

The proposed treatments focus on utilising existing infrastructure where possible, and where new infrastructure is proposed, impacts on parking and nature strip trees are kept to a minimum where possible.

### **Customer Service and Community Engagement**

Council undertook Community Engagement on the concept design of this cycling path as per the requirements of the Community and Stakeholder Engagement Policy 2021.

Engagement was undertaken through February and March 2023 to understand:

1. The level of community support or opposition to the proposed bike route.
2. The reasons for supporting or opposing the proposed bike route.
3. The potential use of as well as factors that may encourage additional use of the bike route.
4. Suggestions on how the route could be improved, including potential locations for bike parking hoops, drinking water fountains, and bicycle repair stations.

## Equity Impact

The implications of this report have been assessed and are compliant with the requirements of the *Gender Equality Act 2020*.

## Human Rights

The implications of the report have been assessed and are not considered likely to breach or infringe upon, the human rights contained in the *Victorian Charter of Human Rights and Responsibilities Act 2006*.

## Governance

Officers involved in the preparation of this report have no conflict of interest.

## Legal

Under the *Road Management Act 2004*, Council is responsible for the provision of appropriate bicycle infrastructure and has a duty of care for all road users within the local road network of Bayside.

## Finance

The complete proposed Stage 1, section 1 cycling connection, will cost approximately \$135K. There is currently \$1.2M allocated in the 2023–24 budget with the remaining funds proposed to be carried forward.

It is proposed that delivery of this project be structure as follows:

Financial Year	Stage One Deliverables
FY 2021–22	<i>Preliminary Investigation - Complete</i>
FY 2022–23	<i>Engagement, Communication, Design – Partially Complete</i>
FY 2023–24	Communication, Engagement, Stage 1 – Section 1 Works
FY 2024–25	Remaining Stage 1 – Section 1 Works, Further Planning, Design, and Advocacy to DTP
FY 2025–26	Stage 1 – Section 2, and Stage 2 Works

\$2M is foreshadowed in the four year capital program for the delivery of Stage 2.

## Links to Council policy and strategy

1. Community Vision 2050
  - Theme 3 Transport, Walkability and Rideability – Bayside will support provision of effective, sustainable and inclusive transport services and infrastructure.
2. Council Plan 2021–25:
  - Goal 3, Our Place – Transport planning and infrastructure facilitates a well-connected, accessible, safe and convenient transport system that contributes to a zero-carbon future and Wellbeing.
  - Strategic Objective 3.4 – Transport planning and infrastructure facilitates a well-connected, accessible, safe and convenient transport system that contributes to a zero-carbon future and Wellbeing.
3. Bayside’s Integrated Transport Strategy sets out the following strategic direction for cycling:

- Strategic Direction 8 – Develop a culture of cycling within Bayside that encourages people to ride a bicycle.
  - Strategic Direction 9 – Improve and expand the bicycle network to support both utility cycling and recreational cycling to key destinations in Bayside.
  - Strategic Direction 10 – Improve the integration of cycling with land use development, public transport and other key amenities.
4. Bayside’s Bicycle Action Plan includes the following actions:
- Goal 1 – Enabling Sustainable Transport Choices
  - 1.18 – consider the options for an improved cycle route between Cheltenham Station and Sandringham Activity Centre.
  - 1.5 – investigate the feasibility of providing on-road bicycle lanes along Park Road providing connectivity to the Bayside Business District, Cheltenham Activity Centre, Cheltenham Park, and the wider bicycle network.
  - 1.26 – Undertake a review of the on-road bicycle network to identify any missing links and network improvement opportunities.

The strategic objective is to provide high quality on-road infrastructure that contributes to a safe, connected network for cycling in Bayside.

5. Bayside’s Climate Emergency Action Plan, Theme 3, move to zero carbon transport, includes the following statement - ‘Drive the transition away from internal combustion engine vehicles to sustainable transport such as walking, cycling, public transport and electric vehicles powered by renewable energy’.



## Sandringham Station to Sandringham Family Leisure Centre Connection Engagement Report March 2023



## 1 Background

This document provides a summary of stakeholder and community feedback on the proposed bicycle route connecting Sandringham Station and Sandringham Family Leisure Centre.

Council has developed a concept design for a proposed bicycle route connecting Cheltenham and Sandringham to improve the east-west bicycle connection, with reduced impacts on existing nature strip trees and on-street parking. This has been implemented in the design through a combination of speed limit reductions and improved on and off-road infrastructure.

The proposed bicycle path will also offer increased mobility to sections of the community with low rates of car ownership, such as low-income earners, unemployed people, seniors and to those under 18 years of age.

The proposed bicycle routes consist of:

**Stage 1:** of the project will see a bicycle path connecting Sandringham Station and the Sandringham Family Leisure Centre along Station Street, Bay Road (arterial road), Fernhill Road, Royal Avenue, Bluff Road (Arterial Road), Spring Street, George Street and Tulip Street.

**Stage 2:** of the project will connect the Sandringham Family Leisure Centre and Cheltenham Station. The potential route to connect these two destinations will be considered in future years.

It is proposed that Stage 2 be referred to the 2023–24 budget and capital works process for consideration. The scope of works will be limited to the stage 1 route, along Council's managed roads only. Council will advocate for the Department of Transport and Planning (DTP) to provide appropriate infrastructure treatments on arterial roads and intersections.

## 2 Consultation process

### 2.1 Consultation purpose

The purpose of the consultation was to understand the following:

1. The level of community support or opposition to the proposed bike route.
2. The reasons for supporting or opposing the proposed bike route.
3. The potential use of as well as factors that may encourage additional use of the bike route.
4. Suggestions on how the route could be improved, including potential locations for bike parking hoops, drinking water fountains, and bicycle repair stations.

## 2.2 Consultation methodology

The tools and techniques selected for this project were informed by the project content, stakeholders, and type of feedback sought.

The consultation included a total of 233 online survey responses, 11 written submissions, nine email submissions, one meeting with a resident, a Question and Answer (Q&A) session comprising 31 questions, and three pop-up sessions that engaged with a total of 990 individuals of whom 352 had their say following discussions with Council officers around the proposed route and treatments of the proposed bicycle route.

The consultation was promoted through the following:

- Letter drop to all residential households on the proposed route (approx. 500).
- Postcard letterbox drop to all residential households within 250m of the proposed route (approx. 4,500).
- Facebook social media posts (x2) on Bayside City Council (BCC) and BCC Youth, both organic and sponsored posts to geo-target Sandringham & Cheltenham.
- Article in Let's Talk Bayside magazine (41,000 households).
- Email to Sandringham Village traders' association and Sandringham Family Leisure Centre tenants.
- Email to Have your say relevant subscriber groups:
  - Traffic & transport (1,393 subscribers)
  - Environmental sustainability, waste & recycling (1,897 subscribers)
  - Cheltenham (744 subscribers)



- Sandringham (1,125 subscribers)
- *This Week in Bayside* (e-newsletter) article linked to BCC website news story (approx. 11,000 subscribers).
- Digital screen display at all Bayside libraries and Corporate Centre throughout engagement period.
- Signage throughout engagement period at Sandringham Train station, Sandringham Family Leisure Centre and Tjillitjian Reserve (2x A0 signs at each location).
- Article in Bayside employee e-newsletter

### 3 Participant profile

A total of 233 online survey responses were received, with the breakdown of respondents as follows:

	Demographic	Bayside 2021 Census	Participants (%)
Gender	Male	47.8%	51.1%
	Female	52.2%	37.8%
	Unknown	-	10.3%
	Other identity	-	0.8%
Age	15-24	7.8%	0.0%
	25-39	7.8%	1.7%
	40-49	19.4%	8.2%
	50-59	15.7%	25.8%
	60-69	12.1%	27.9%
	70-84	12.2%	16.7%
	85+	3.4%	11.2%
	Undisclosed	-	0.0%

The online survey was focused on participation from residents and property owners along the route and from the suburbs of Sandringham and Cheltenham, and this focus is clearly reflected in the above results.

Whilst direct comparison between the age and gender profile of the online survey respondents and the City of Bayside profile from the Census is not directly relevant, it is noted that the sample generally reflects the adult age profile of the Bayside community.

The sample is, however, somewhat skewed towards male over female respondents.

When read in conjunction with the fact that the survey was not a scientific (random sample) survey, the results of this consultation exercise can be read as a meaningful indication of the views of the Bayside community who were sufficiently engaged in the proposed bicycle route to choose to participate in the consultation.

It must, however, be borne in mind that the results reflect only the views of those who chose to participate and cannot be more broadly interpreted as a reliable scientific exploration of the views of the underlying Bayside community.

#### 4 Consultation findings

The following section summarises the key findings from the various consultations.

The consultations included the following participations:

- 990 individual interactions with Council officers discussing the proposed route and treatment at the three Pop-Ups, with 352 providing feedback.
- 233 surveys completed via the Council website online survey.
- 31 questions via the Q&A.
- 11 written submissions.
- 9 email submissions.
- 1 meeting with a resident.

#### 4.1 Feedback summary

The following key findings were identified in the data collected through the consultation:

##### **Support / Opposition to the proposed bicycle path / route:**

- A majority (58%) of the 233 online survey respondents either strongly (45%) or somewhat (13%) supported the proposed bicycle route, with an average score of 6.13 out of 10 (i.e., moderate support).
- A majority (52%) of the 45 online survey respondents who were property owners / residents along the proposed route, however, either strongly (48%) or somewhat (4%) opposed the proposed bicycle route, with an average score of 4.43 out of 10 (mild opposition).
- The overwhelming majority (88%) of 352 Pop-Up participants either strongly (77%) or somewhat (11%) supported the proposed bicycle paths, with an average score of 8.61 out of 10.
- Of the 21 participants providing a view in the Q&A sessions, 16 (76%) were generally supportive of the proposed bicycle route, and three were opposed (14%).
- Of the 19 written / email submissions, 11 (58%) were generally supportive of the proposed bicycle route, and six were opposed (32%).

##### **Reasons for support / opposition to the proposed bicycle path / route:**

- The most common reasons why respondents supported the proposed bicycle path were that it was safer (36%), support with some reservations (15%), better / safer for children (12%), that it encourages a healthy lifestyle (11%), and better visibility for bike lanes (10%).
- The most common reasons why respondents opposed the proposed bicycle path were related to the perception it was unnecessary / no demonstrated need (38%), existing traffic related hazards / safety concerns (37%), waste of money / better use of money on other areas (35%), perception that it was not safe (23%), poor route choice / better choices available (20%), and disruptions to traffic (18%).
- The feedback obtained from the written submissions, Q&A session, and Pop-Ups identified similar issues, both in terms of support, and reasons for opposing the proposal.

**Potential use of the proposed bicycle path / route:**

- Half (50%) of the 233 online survey respondents reported that they were either very (35%), or somewhat (15%) likely to ride on the proposed bicycle path if constructed, with leisure (75%), exercise (68%), and running local errands (36%) the most common reasons. This implies a mix of recreational and commuting uses for the proposed bicycle route.
- The most common reasons why online survey respondents were unlikely or unsure as to whether they would use the path were that driving was more suitable for them (39%), they walk to destinations along the route (27%), and that they don't feel safe riding on roads / shared paths (26%).
- The main factors that may encourage use of the proposed bicycle path were an increase in off-road paths (55%), safer bicycle and walking infrastructure (54%), safer road crossings (46%), improved bike lane markings on the roads (44%), and improved lane markings on shared paths and pedestrian paths (34%).

**Suggestions to encourage community use of the proposed bicycle paths:**

- Almost half (46%) of the 233 online survey respondents provided at least one suggestion as to features or installations that would encourage community use of the proposed bicycle path, covering a wide range of issues.
- The most common suggestions were related to more segregated / protected bike lanes (10%), safer crossings / signals / traffic lights (9%), using existing high-use bicycle routes / alternative routes (6%), and traffic calming measures along the proposed route (6%).
- The feedback obtained from the written submissions, Q&A session, and Pop-Ups were generally in line with the responses from the online survey.

**4.2 Support for actions**

The key finding from various consultations taken together is that there appears to be majority support for the proposed bicycle route / path as proposed. It is important to note, however, that there is some notable opposition from residents / property owners along the proposed route.

There was some support for having more protected bicycle lanes as part of the route, as well as improvements to safety particularly at crossings, around traffic lights and signals. There was also some feedback suggesting that existing high-use bicycle routes be incorporated into the proposed route.

### 4.3 Item-specific feedback

The following section provides the results from the 233 online survey respondents, in response to each question in the survey, with commentary on the additional consultations' feedback.

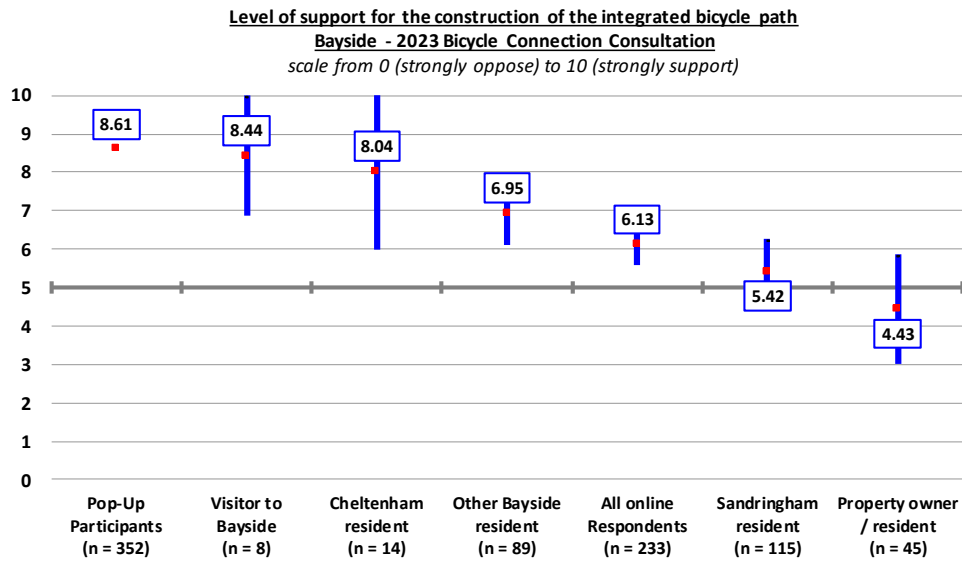
#### 4.3.1 Support / opposition to the proposed bicycle route:

A majority of both online survey respondents (58%) and Pop-Up participants (88%) supported the proposal, whilst 34% of online respondents opposed the proposal.

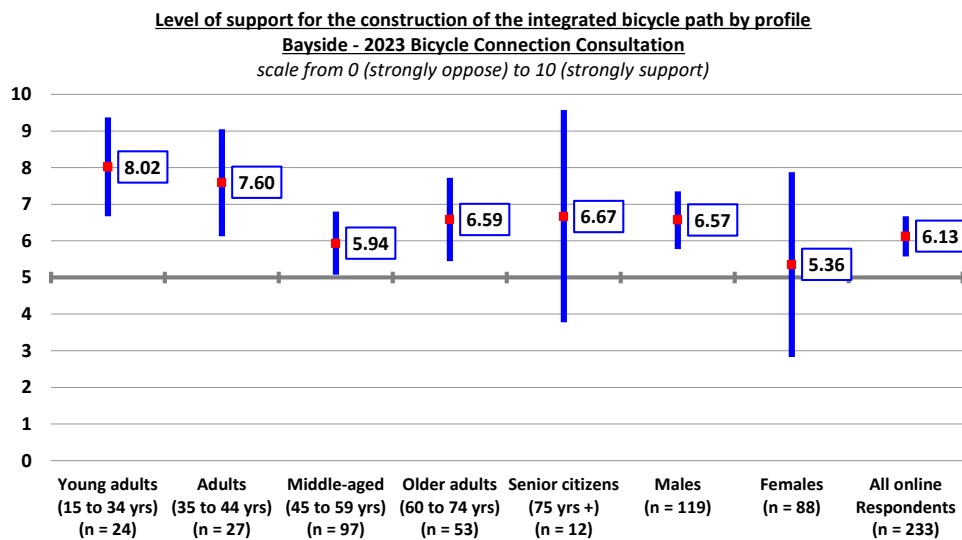
**Level of support for the construction of an integrated bicycle path**  
**Bayside - 2023 Bicycle Connection Consultation**  
*(Number and percent of respondents providing a response)*

Response	Online survey		Pop-Up	
	Number	Percent	Number	Percent
Strongly support	104	45.6%	270	77.4%
Somewhat support	29	12.7%	38	10.9%
Neutral	18	7.9%	7	2.0%
Somewhat oppose	20	8.8%	7	2.0%
Strongly oppose	57	25.0%	27	7.7%
Unsure / not stated	5		3	
<b>Total</b>	<b>233</b>	<b>100%</b>	<b>352</b>	<b>100%</b>
<i>Average level of support</i>		6.13		8.61

There was significant variation in the average support for the proposal observed between the different groups of respondents, with property owners / residents along the route, on average, opposed to the proposal, with 52% of these 45 respondents opposed to the proposal.



There was some notable variation in support / opposition to the proposed bicycle route observed by the online survey respondents age and gender, as outlined below. It is noted that it was middle-aged adults (aged 45 to 59 years) and female respondents who were the least likely to support the proposal, whilst it was younger adults (aged under 44 years) who were the most likely.



The following table provides a more detailed breakdown of the level of support / opposition to the proposal for the 45 respondents who were property owners / residents along the proposed route.

The key finding from these results is that most of the respondents from along the route who were opposed to the proposed bicycle route were located in the Spring Street and Royal Avenue areas.

**Level of support for the construction of an integrated bicycle path**

**Bayside - 2023 Bicycle Connection Consultation**

*(Number and percent of respondents who were property owners / residents along the route)*

<i>Location along / near the route</i>	<i>Strongly Support</i>	<i>Somewhat Support</i>	<i>Neutral</i>	<i>Somewhat Oppose</i>	<i>Strongly Oppose</i>	<i>Total</i>
Spring Street	2 (15%)	1 (8%)	1 (8%)	0	9 (69%)	13
Royal Avenue	1 (14%)	1 (14%)	1 (14%)	0	4 (58%)	7
Fernhill Road	3 (60%)	0	0	1(20%)	1 (20%)	5
Sandringham Station	2 (66%)	0	0	1(34%)	0	3
Wentworth Avenue	1 (50%)	0	0	0	1 (50%)	2
George Street	1 (50%)	0	0	0	1 (50%)	2
Cheltenham	1 (100%)	0	0	0	0	1
Harold Street	1 (100%)	0	0	0	0	1
Northern Section	1 (100%)	0	0	0	0	1
Sandringham	0	1 (100%)	0	0	0	1
Melrose Street	1 (100%)	0	0	0	0	1
Sims Street	1 (100%)	0	0	0	0	1
Tulip Street	0	1 (100%)	0	0	0	1

#### 4.3.2 Reasons for support of the proposed bicycle route:

The main reasons why online survey respondents supported the proposed bicycle route were related to perception of safety / increased safety (36%), better / safer for children (12%), that it encourages a healthy lifestyle (11%), and due to the perceived better visibility of bicycle lanes (10%).

Many of those supporting with reservations outlined similar safety related concerns to those expressed by respondents who opposed the proposal (discussed below).

##### Reasons for supporting the construction of an integrated bicycle path

##### Bayside - 2023 Bicycle Connection Consultation

*(Number and percent of total respondents who supported or were neutral to the proposal)*

Response	Online survey	
	Number	Percent
Safer	55	36.4%
Support with reservations	23	15.2%
Better / safer for children	18	11.9%
Encourages healthy lifestyle	16	10.6%
Better visibility of bike lanes	15	9.9%
Eases traffic congestion	12	7.9%
Better cycling infrastructure	10	6.6%
Encourages cycling	10	6.6%
General positive	10	6.6%
Environmentally friendly / car alternative	10	6.6%
Better connectivity	9	6.0%
As a cyclist	7	4.6%
Encourages / easier train commuting	5	3.3%
More trees / greenery / wildlife / nature	5	3.3%
Other	17	11.3%
<b>Total responses</b>	<b>222</b>	
<i>Online survey respondents nominating at least one reason for supporting or being neutral to the proposal</i>	<i>135</i>	<i>(89.4%)</i>

The feedback obtained from the written submissions, Pop-Ups, and Q&A sessions were generally consistent with those outlined above. A summary of the feedback from these submissions is provided later in this report.



#### 4.3.3 Reasons for opposition of the proposed bicycle route:

The main reasons why online survey respondents opposed to the proposal were the perception that it was not necessary / no demonstrated need (38%), existing traffic related hazards / safety concerns (37%), the perception that the money could be spent better elsewhere (35%), the perception that it was not safe (23%), and concerns around the route choice / better options available (20%).

These results do suggest that many of those opposing the proposal do so based more on their perception that it was not a high priority project / expense, rather than specific concerns as to the aspects of the proposal such as route or physical attributes.

A slightly smaller proportion of respondents were opposed to the proposal because of their perception of safety related issues, or existing traffic related hazards and safety concerns.

A range of other concerns were raised by a smaller proportion of respondents, including interaction with parked cars, the perceived disruption to traffic, and interaction with the dog-off leash area.

**Reasons for opposing the construction of an integrated bicycle path**

**Bayside - 2023 Bicycle Connection Consultation**

*(Number and percent of total respondents who opposed or were unsure to the proposal)*

<i>Response</i>	<i>Online Survey</i>	
	<i>Number</i>	<i>Percent</i>
Not necessary / not enough users / no demonstrated need	31	37.8%
Existing traffic related hazards / safety concerns	30	36.6%
Waste of money / better use of money on other areas	29	35.4%
Not safe	19	23.2%
Poor route choice / better options available	16	19.5%
Disruption to traffic	15	18.3%
General negative / opposition	11	13.4%
Obstruction due to parked cars	9	11.0%
Route overlap with dog-off leash area	7	8.5%
Existing routes to be maintained	4	4.9%
Inconsiderate / reckless cyclists on road	4	4.9%
Impact on residents	3	3.7%
Road too narrow / loss of lanes	3	3.7%
Other reasons	6	7.3%
<b>Total responses</b>	<b>187</b>	
<i>Online survey respondents nominating at least one reason for opposing or being unsure to the proposal</i>	<i>82</i>	<i>(100%)</i>

The following table provides the 16 verbatim responses related to “poor route choice / better options available” as reasons for opposing the proposed bicycle route.

There appears to be a small number of respondents who preferred the route travel along Tulip Street, although it is important to note the variation in suggested routes, and most importantly the fact that just a handful of the total number of respondents were suggesting alterations to the proposed route.

**"Poor route choice / better options available" - verbatim responses****Bayside - 2023 Bicycle Connection Consultation***(Number of responses)*

<i>Response</i>	<i>Number</i>
A route from Sandringham Train Station to the Sandringham Leisure Centre does not jump out as a popular route.	1
As a driver and cyclist I dont see the benefit of the proposal at all. Spring St is hard to just drive a car through with cars parked on either side of the road, let alone add bikes to the mix.	1
Existing roads and shared spaces can be used for the cycle lanes. Instead of Royal Street, use Victoria Street. From Spring Street, use Tjilatjirrin Reserve to connect Tulip Street.	1
Should travel up Tulip St not Spring St	1
The pathway will run along Royal Avenue which is a very busy road servicing Council Offices, a school and the army barracks. Royal Avenue is not wide enough to service a proper bike lane without risk of accidents.	1
The route does not make sense - you want it past the houses that need to commute and use the Sandringham train.	1
There is already a suitable bike path along Beach Rd which can be utilised as part of the route.	1
Bay side of Highett are not covered and most people cycle down Highett Road	1
Cheltenham Rd, Black Rock has a high cyclist use, but the road is too narrow for cars to pass cyclists on the road in many places, while there is room for a dedicated bike path to be created on the sides of the road which aren't currently sealed.	1
It is a silly route and will see very little usage.	1
More logical to travel Tulip Street from Bluff Road to the destination.	1
Plenty of safe riding streets around the proposed route	1
The route is not well considered and sends bikes up Spring Street, most likely at times when the road is almost blocked from soccer traffic - both sides of the road are parked on and it will not be safe.	1
There is currently an existing shared path running along the southern side of Tulip Street to the Baseball field and could easily.	1
Why go through a nature reserve at the end of Spring St?	1
I would opt to go through the park off Spring St near the park to house bouandary and then down Meredith Street to Tulip St. There is ample room for a bike path here and there ar eless than 10 properties which could conceivably be affected.	1

The following table provides the alternative routes suggested by participants to the Q&A, the Pop-Ups, and the written / emailed submissions. These are consistent with those suggested by the online survey respondents.

**"Alternative routes"****Written submission, letter, email, Q&A and pop-ups****Bayside - 2023 Bicycle Connection Consultation***(Number of responses)*

<i>Response</i>	<i>Number</i>
Route should go straight up Bay Rd to Reserve Rd	1
A better more direct route is down Tulip and Edward St to Beach Rd and up Melrose St	1
Beach Road is much safer with reasonable bike lanes	1
Go across park from Tulip St to Spring St	1
Direct cyclists northwards to the existing level crossing at Abbott St	1
Follow a route along Beach Rd, turn left into Sims St and eastwards along Sim St	1
Bridge or subway from Station St to Sandringham Rd	1
A better option would be if the path were to continue further along Tulip Street avoiding George Street altogether and crossing across the Tjilatjirrin Reserve carefully via the car park to Spring Street	1
Victoria Street is the safest least disruptive choice for the bike path at any given time	1
A connecting path North of Spring street via Meredah park and Holloway Court to Sandringham College and north to Bay Road via the college driveway	1
South to north paths from Tulip St next to Meredith St or Davies St to Spring St	1
Tulip street	1
A bidirectional lane is used on the south/ west sides of Royal Ave/Fernhill Rd	1
Davies St/Meredith St be used instead of George St.	1
Bicycle path (in both directions) travels along the whole length of Tulip Street	1
Run the bike path partly along Spring Street and to utilise Tjilatjirrin Reserve as a thoroughfare	1
Continue along Tulip Street to Tjilatjirrin Reserve and go through the park	1
Continuing along Tulip street	1
Route can go through Tjilatjirran Reserve	1
Spring St section to be an off-street path	1
Use Beach Rd and join at Royal Avenue	1
Connect Fern Street to Spring/ Royal intersection to include Black Rock residents	1
Contour along Fernhill Rd is best	1
<b>Total comments on alternative routes</b>	<b>23</b>

The other feedback obtained from the written submissions, Pop-Ups, and Q&A sessions was generally consistent with those outlined above, although several very specific and detailed concerns or views were outlined.

It was also noted that the written submissions tended to focus on aspects of the proposal such as the specific route and their preferred amendments to these physical and design aspects.

The Q&A participants, by contrast, appeared to be more focused about the perceived merits of the proposal financially or in comparison to other funding priorities.

A summary of these submissions is included later in this report.

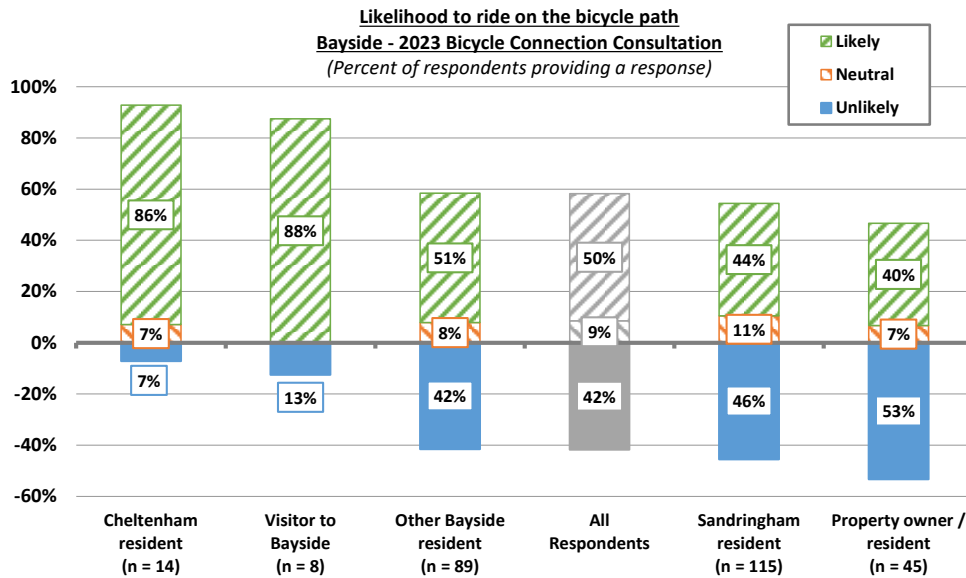
**4.3.4 Likelihood of using the proposed bicycle route:**

Almost half (49%) of the online survey respondents reported that they were likely to use the proposed bicycle route, whilst 41% were unlikely. This question was not canvassed as part of the Pop-Ups or included in the submissions.

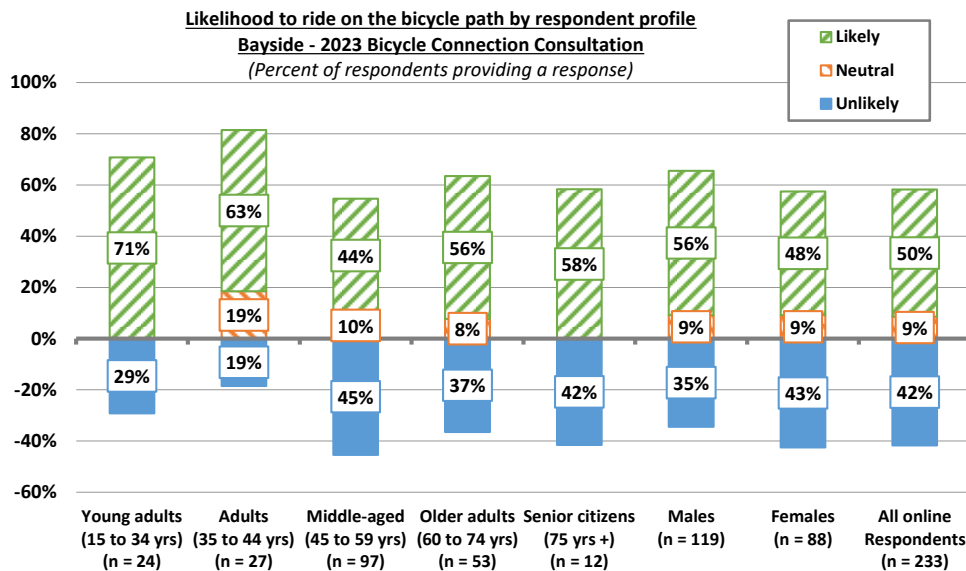
**Likelihood to ride on the bicycle path**  
**Bayside - 2023 Bicycle Connection Consultation**  
*(Number and percent of respondents providing a response)*

<i>Likelihood</i>	<i>Online survey</i>	
	<i>Number</i>	<i>Percent</i>
Very likely	81	34.9%
Likely	34	14.7%
Neutral	20	8.6%
Unlikely	13	5.6%
Very unlikely	84	36.2%
Unsure / not stated	1	
<b>Total</b>	<b>233</b>	<b>100%</b>
<i>Average likelihood</i>	<i>5.15</i>	

Consistent with the level of support / opposition to the proposed bicycle route, approximately half of all respondents were at least somewhat likely to use the path, whilst Sandringham residents and particularly property owners / residents along the path were the least likely to potentially use the path.



There was some variation in the likelihood of online survey respondents to potentially use the proposed bicycle route observed by respondent profile, with younger respondents more likely to use than middle-aged adults. Male respondents were also more likely to potentially use the bicycle route than female respondents.



The two most common reasons why the online survey respondents may potentially use the bicycle route were for leisure (75%) and exercise (68%). That said, it is noted that a significant minority were potentially going to use the route for running local errands and commuting to a variety of destinations. This implies a mix of both recreational and commuting-based cycling.

**Reasons for using the bicycle path in the future**  
**Bayside - 2023 Bicycle Connection Consultation**

*(Number and percent of total respondents who were likely or neutral to ride on path)*

<i>Response</i>	<i>Online Survey</i>	
	<i>Number</i>	<i>Percent</i>
Leisure	101	74.8%
Exercise	92	68.1%
Running local errands	49	36.3%
Commute to / from public transport	35	25.9%
Commute to / from sport	32	23.7%
Commute to / from work	25	18.5%
Commute to / from school	5	3.7%
I would not use this path	1	0.7%
<b>Total responses</b>	<b>340</b>	
<i>Online survey respondents nominating at least one way of being likely or neutral to ride on path</i>	<i>135</i>	<i>(100%)</i>

The following table provides details as to the reasons why online survey respondents were likely to use the proposed bicycle route. There was some minor variation observed based on age and gender.

**Reasons for using the bicycle path in the future by respondent profile**

**Bayside - 2023 Bicycle Connection Consultation**

(Number and percent of total respondents who were likely or neutral to ride on path)

<i>Response</i>	<i>18 to 34 yrs</i>	<i>35 to 44 yrs</i>	<i>45 to 59 yrs</i>	<i>60 to 74 yrs</i>	<i>75 yrs and over</i>	<i>Males</i>	<i>Females</i>
Leisure	71%	73%	79%	67%	100%	73%	78%
Exercise	65%	55%	60%	82%	100%	63%	74%
Running local errands	41%	23%	36%	45%	38%	38%	34%
Commute to / from p/t	53%	27%	19%	30%	0%	23%	28%
Commute to / from sport	18%	27%	32%	6%	50%	19%	28%
Commute to / from work	18%	27%	26%	6%	0%	14%	26%
Commute to / from school	6%	9%	4%	0%	0%	5%	2%
I would not use this path	0%	0%	2%	0%	0%	0%	2%
<b>Total responses</b>	3	2	3	2	3	2	3
<i>Online survey respondents</i>							
<i>nominating at least one way of being likely or neutral to ride on path</i>	17 (100%)	22 (100%)	53 (100%)	33 (100%)	8 (100%)	78 (100%)	50 (100%)

The main reasons why the 97 respondents (41%) of the online survey respondents were unlikely to use the proposal route were related to their preference to either drive (39%) or walk (27%) either along the route, or to their preferred destinations.

It is noted, however, that 26% of the online survey respondents who were unlikely to use the path were related to their perception of safety riding on roads or shared paths. This equates to approximately 11% of the online survey respondents being unlikely to use the proposed route because of their perception of safety (for themselves and others) whilst using the route.

The main “other” reasons for being unlikely to use the proposed bicycle route were because respondents did not to take this route to their destinations and that existing connections was sufficient for their requirements.

It is noted that female respondents were significantly more likely than males to be unlikely to use the proposed bicycle route because they don’t feel safe riding on roads / shared paths.



**Reasons for being unlikely or unsure to ride on the bicycle path****Bayside - 2023 Bicycle Connection Consultation***(Number and percent of total respondents who were unlikely or unsure to ride on path)*

Response	Online Survey		Males	Females
	Number	Percent		
Driving is more suitable for me	38	38.8%	31.7%	37.8%
I walk to destinations along this route	26	26.5%	22.0%	27.0%
I don't feel safe riding on roads / shared paths	25	25.5%	14.6%	40.5%
I prefer to take public transport	7	7.1%	2.4%	10.8%
Other reasons	32	32.7%	46.3%	32.4%
<b>Total responses</b>	<b>128</b>		<b>48</b>	<b>55</b>
<i>Online survey respondents nominating at least one reason for being unlikely or unsure to ride on path</i>	98 (100%)		41 (78.8%)	37 (82.2%)

**4.3.5 Factors to encourage use of the proposed bicycle route:**

Four-fifths of the online survey respondents nominated at least one factor that may encourage them to use the proposed bicycle route, with an increase in off-road paths (55%), safer bicycle and walking infrastructure (54%), safer road crossings (46%), and improved bicycle lane markings on roads (44%).

These results reinforce the previous results, highlighting a preference for off-road over on-road paths wherever possible, and some concerns around safety, particularly at crossing and traffic lights.

These traffic / bicycle interaction and safety related issues were the focus of many of the written submissions, with some submissions outlining detailed and / or specific concerns or making detailed suggestions.

A summary of the written submissions is included later in this report.

**Factors encouraging potential use of the bicycle path****Bayside - 2022 Bicycle Connection Consultation***(Number and percent of total respondents)*

<i>Response</i>	<i>Online Survey</i>	
	<i>Number</i>	<i>Percent</i>
An increase in off-road paths	127	54.5%
Safer bicycle and walking infrastructure	125	53.6%
Safer road crossings	108	46.4%
Improved bike lane line markings on roads	103	44.2%
Improved lane markings on shared bike and pedestrian paths	80	34.3%
Bike hoops installed at services / facilities	53	22.7%
Drinking water fountains installed at intervals	37	15.9%
Bike repair stations installed at services / facilities	27	11.6%
I will not use this path	66	28.3%
<b>Total responses</b>	<b>726</b>	
<i>Online survey respondents nominating at least one factor to encourage to ride on path</i>	<i>167</i>	<i>(71.7%)</i>

The majority of online survey respondents who wanted bicycle hoops, drinking fountains, and repair stations installed along the route preferred these facilities be installed at the Sandringham Train Station and the Sandringham Family Leisure Centre.

**Location where respondents would like to see bike hoops, drinking water fountains or bike repair****Bayside - 2022 Bicycle Connection Consultation***(Number and percent of respondents suggesting installation)*

<i>Response</i>	<i>Bike hoops</i>		<i>Drinking fountains</i>		<i>Bike repair stations</i>	
	<i>Number</i>	<i>Percent</i>	<i>Number</i>	<i>Percent</i>	<i>Number</i>	<i>Percent</i>
Sandringham Train Station	43	81.1%	26	70.3%	17	63.0%
Sandringham Family Leisure Centre	39	73.6%	25	67.6%	15	55.6%
Tjilatjirrin Reserve	21	39.6%	21	56.8%	12	44.4%
Royal Avenue Tennis Centre	20	37.7%	17	45.9%	12	44.4%
George Street Reserve	17	32.1%	19	51.4%	8	29.6%
Other	5	9.4%	1	2.7%	1	3.7%
<b>Total responses</b>	<b>145</b>		<b>109</b>		<b>65</b>	
<i>Online survey respondents nominating at least one location</i>	52 (98.1%)		35 (94.6%)		27 (100%)	

**4.3.6 Suggestions to encourage community use of the proposed bicycle route:**

The 233 online survey respondents made 198 separate suggestions to encourage community use of the proposed bicycle route, as shown in the table.

These results reinforce the previous sections, highlighting the preference for separated bicycle lanes and off-road routes wherever possible, and the perceived need for increased safety at crossing, signals, and traffic lights.

Some respondents suggested that existing high bicycle use routes in the area be incorporated into / replace the proposed route, as well as suggestions around traffic calming, signage, and a range of other issues.

The written submissions and Q&A sessions raised a similar range of issues.

**Suggestions for features that could install to encourage community use of the path****Bayside - 2022 Bicycle Connection Consultation***(Number and percent of total respondents)*

<i>Response</i>	<i>Online Survey</i>	
	<i>Number</i>	<i>Percent</i>
Segregated / protected bike lane	23	9.9%
Safer crossings / signals / traffic lights	22	9.4%
Use existing high-use routes / alternative routes	16	6.9%
Remove / relocate / restrict parking on bike lanes	13	5.6%
Traffic calming measures along bike route	13	5.6%
Extension / amendment of the proposed bike route	8	3.4%
Address traffic barriers / hazards	7	3.0%
Better signage / maps	7	3.0%
Separation of bike and walking paths	7	3.0%
Avoid concrete separators / barriers	5	2.1%
More amenities like shelters, maps, Wi-Fi hotspot for repairs	5	2.1%
Widen shared paths / use nature strips	5	2.1%
More off-road bike paths	4	1.7%
Secure bike parking and other facilities	4	1.7%
Driver education / awareness	3	1.3%
Lack of demonstrated need	3	1.3%
More trees / greenery / protection of vegetation	3	1.3%
Traffic lights for bikes	3	1.3%
Access and safety for pedestrians	2	0.9%
Avoid route through park due to safety	2	0.9%
Beautification of paths	2	0.9%
Better planning / research	2	0.9%
Better road markings	2	0.9%
Better route / connection to trains and other bike paths	2	0.9%
Bike path surface quality	2	0.9%
Bird houses / feeders	2	0.9%
General negative / opposition	2	0.9%
Improved street lighting	2	0.9%
Installation of CCTV camera	2	0.9%
Poor / unsafe route choice	2	0.9%

Reduction of traffic / congestion	2	0.9%
Upgrade / maintain existing bike paths	2	0.9%
Widen / improve roads	2	0.9%
Allow bikes on footpaths	1	0.4%
Clear line of sight for cyclists	1	0.4%
Consideration of mobility / electric scooters	1	0.4%
Give consideration to existing sporting, hospital amenities along route	1	0.4%
Increased pedestrianisation	1	0.4%
Introduction of bike license test / training / policing	1	0.4%
Less car lanes	1	0.4%
Make it safer	1	0.4%
Minimise repurposing of pedestrian paths	1	0.4%
More bike paths	1	0.4%
Off-leash enforcement	1	0.4%
Suggestions for the online survey design	1	0.4%
Utilise parks for the route	1	0.4%
Other suggestions	4	1.7%
<b>Total responses</b>	<b>198</b>	
<i>Online survey respondents nominating at least one suggestion</i>	<i>105</i>	<i>(45.5%)</i>

#### 4.3.6 Other comments and feedback

The 233 online survey respondents made a total of 187 separate other comments and feedback to the proposal.

The issues raised in these results reflect those attested to throughout this report, including some suggestions for alternative routes, some concern as to the perceived need for the proposal, some safety related concerns around existing traffic hazards, as well as some general support, and some detailed suggestions to extend or amend the proposal.

The feedback related to “poor route choice / seek alternative routes” include a range of suggestions, with several focused-on concerns around Spring Street, Bluff Road, and Royal Avenue. There were several suggestions to utilise Tulip Street and to a lesser extent George Street and Holloway.

The concerns around “existing traffic hazards / congestion / safety concerns were focused on existing levels of traffic congestion in the area, with several respondents referring specifically to the Bluff Road / Spring Street intersection (among others).

Whilst consideration should be given to all response received, it is important to bear in mind, however, that these comments and suggestions were received from only a small subset of respondents, and that the majority of respondents supported the proposed bicycle route as currently presented.

**Comments about the development of the bike path****Bayside - 2023 Bicycle Connection Consultation***(Number and percent of total respondents)*

<i>Response</i>	<i>Online Survey</i>	
	<i>Number</i>	<i>Percent</i>
Poor route choice / seek alternative routes	24	10.3%
Lack of demonstrated need	16	6.9%
Existing traffic hazards / congestion / safety concerns	12	5.2%
General support	12	5.2%
Extension / amendment of the proposed bike route	11	4.7%
Waste of money / better use of money on other areas	10	4.3%
General opposition	6	2.6%
Safety consideration for cyclists	6	2.6%
Communication, information and consultation	5	2.1%
Fix / improve the streets / roads	5	2.1%
Retention / management of parking spaces	5	2.1%
Safer crossings / signals / traffic lights	5	2.1%
Separation of bike paths and parking	5	2.1%
Alternative connection point instead of Sandringham Leisure Centre	4	1.7%
Improvement of other existing bike lanes	4	1.7%
Install traffic calming measures	4	1.7%
Route overlap with dog off-leash area	4	1.7%
Utilisation of shared footpaths as share	4	1.7%
Consider sports, school, hospital amenities along route	3	1.3%
More secure bike parking facilities	3	1.3%
Need for segregated / protected bike lane	3	1.3%
Safety issues in parkland	3	1.3%
Separation of bike and footpaths	3	1.3%
Utilisation of existing bike paths	3	1.3%
More bike routes	2	0.9%
Protection of trees / vegetation	2	0.9%
Support with reservations	2	0.9%
Survey related issues	2	0.9%
Better signage	1	0.4%
Bike lane design	1	0.4%
Education / encouragement to ride	1	0.4%
Increase in traffic congestion	1	0.4%
Introduction of bike license test / training / policing	1	0.4%
Management of project	1	0.4%
Need for final detailed plans	1	0.4%
Need for off-road bike paths	1	0.4%
No need for drinking fountains	1	0.4%
Review of existing bike paths in other Councils	1	0.4%
Roads too narrow	1	0.4%
Other comments	8	3.4%
<b>Total responses</b>	<b>187</b>	
	25	
<i>Online survey respondents nominating at least one comment</i>	111	(47.6%)

The following tables summarise the feedback received from the written submissions, the Q & A sessions, and the Pop-Ups.

These results clearly reinforce the results outlined throughout this report.



**Summary of written submissions (19 submissions)****Bayside - 2023 Bicycle Connection Consultation***(Number of responses)*

<i>Responses</i>	<i>Number</i>
<b><i>Comments and suggestions / reasons for supporting the proposal</i></b>	
Use existing high-use routes / alternative routes	11
Existing traffic related hazards / safety concerns	6
Make it safer	3
Poor / unsafe route choice	3
Remove / relocate / restrict parking on bike lanes	3
Safer crossings / signals / traffic lights	3
Traffic calming measures along bike route	3
More trees / greenery / protection of vegetation	2
Segregated / protected bike lane	2
Sharrows do not improve safety	2
Access and safety for pedestrians	1
Allow bikes on footpaths	1
Better signage / maps	1
Bike path surface quality	1
Disruption to traffic	1
Not safe	1
Upgrade / maintain existing bike paths	1
Widen shared paths / use nature strips	1
Bike calming measures	1
Coordination with other govt. bodies	1
Cost transparency	1
More community consultation	1
<b><i>Comments and suggestions / reasons for opposing the proposal</i></b>	
Existing traffic related hazards / safety concerns	5
Disruption to traffic	2
Impact on residents	2
Loss of on-street parking	2
Not safe	2
Obstruction due to parked cars	2
Poor route choice / better options available	2
Not necessary / not enough users / no demonstrated need	1
Risk to pedestrians	1
Road too narrow / loss of lanes	1
Waste of money / better use of money on other areas	1

**Summary of Q & A session feedback (21 participants)****Bayside - 2023 Bicycle Connection Consultation***(Number of responses)*

<i>Responses</i>	<i>Number</i>
<b><i>Comments and suggestions / reasons for supporting the proposal</i></b>	
Segregated / protected bike lane	4
Alternate route	2
Extension / ammendment of the proposed bike route	2
Address traffic barriers / hazards	2
Safer crossings / signals / traffic lights	2
Disruption to traffic	2
Central parking	1
Route overlap with dog-off leash area	1
Bus stop removal from route	1
Sharrows are not safe	1
<b><i>Comments and suggestions / reasons for opposing the proposal</i></b>	
Waste of money / better use of money on other areas	2
Not necessary / not enough users / no demonstrated need	1
Maintain exsiting footpaths	1
Existing traffic related hazards / safety concerns	1
Impact on ambulance access	1

**Summary of Pop-Up Sessions (990 interactions / 352 provided feedback)****Bayside - 2023 Bicycle Connection Consultation***(Number of responses)*

<i>Responses</i>	<i>Number</i>
<b><i>Comments and suggestions / reasons for supporting the proposal</i></b>	
Existing traffic hazards / congestion / safety concerns	10
Safer crossings / signals / traffic lights	5
Extension / ammendment of the proposed bike route	4
Poor / unsafe route choice	3
Traffic calming measures along bike route	3
Segregated / protected bike lane	2
Use existing high-use routes / alternative routes	2
Existing routes to be maintained	1
More trees / greenery / protection of vegetation	1
Not necessary / not enough users / no demonstrated need	1
Obstruction due to parked cars	1
Route overlap with dog-off leash area	1
Waste of money / better use of money on other areas	1
Other	
Impact on cyclists	1
Overall cycle plan for Bayside	1
Better traffic management / controls	2
Impact on ambulance access	1
Should not remove ability for others to drive'	1

**4.4 Project Evaluation**

The online survey and pop-up sessions were useful tools to provide residents with an interest in the proposed bicycle route from Sandringham Station to Sandringham Family Leisure Centre to provide feedback to Council.

It is important to bear in mind that the results are not a scientific poll of underlying community support or opposition to the proposed bicycle route, rather the results reflect the views of those in the Bayside community who were sufficiently engaged in the issue to take proactive steps to provide feedback on the proposal.

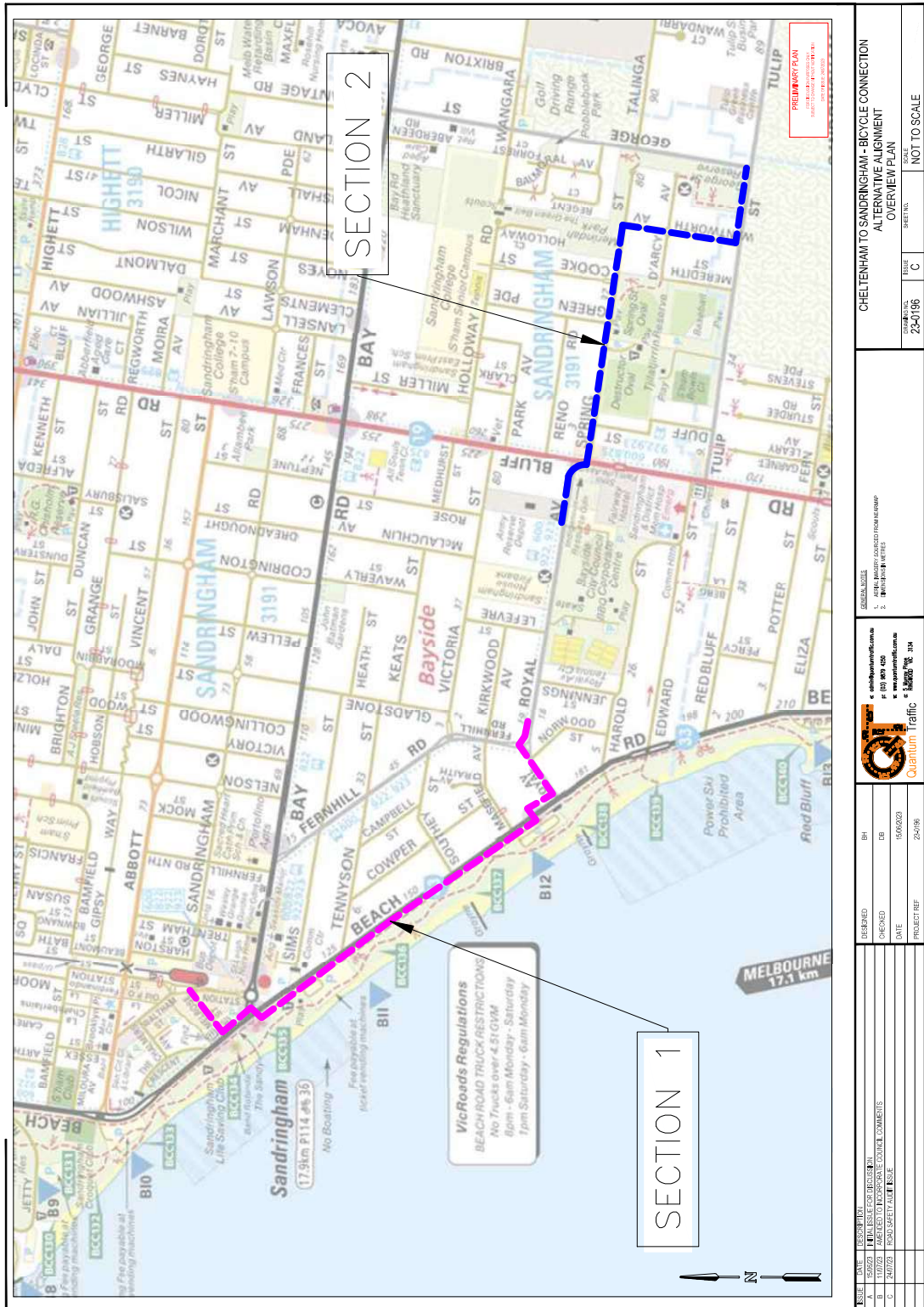
Cognisant of this limitation, the combined set of methodologies that comprise this consultation are likely to provide a realistic insight into community sentiment on the proposal.

Attention is drawn to the significant difference in results obtained from the online survey and the Pop-Ups conducted by Council. The variation between the two results does suggest that the online survey maybe over-representing the extent of opposition to the proposed bicycle route, as it did receive input from a substantial number of residents along the route who were on average, more opposed to the proposal.

Metropolis Research does suggest, however, that the results from the Pop-Up sessions are likely to be an overestimate of the extent of community support for the proposed bicycle route. This is based on our experience conducting social research on these issues across metropolitan Melbourne over many years.

In terms of the success of the consultation tool in facilitating participation, it is noted that 95% of the online survey respondents found the information either mostly or very easy to find and / or understand, and just 10 respondents found it very hard to find or understand.

This strong result shows that the online consultation tool provided easy to understand information on the project and the purpose of the consultation, facilitating participation by those who were aware of and engaged with the consultation.



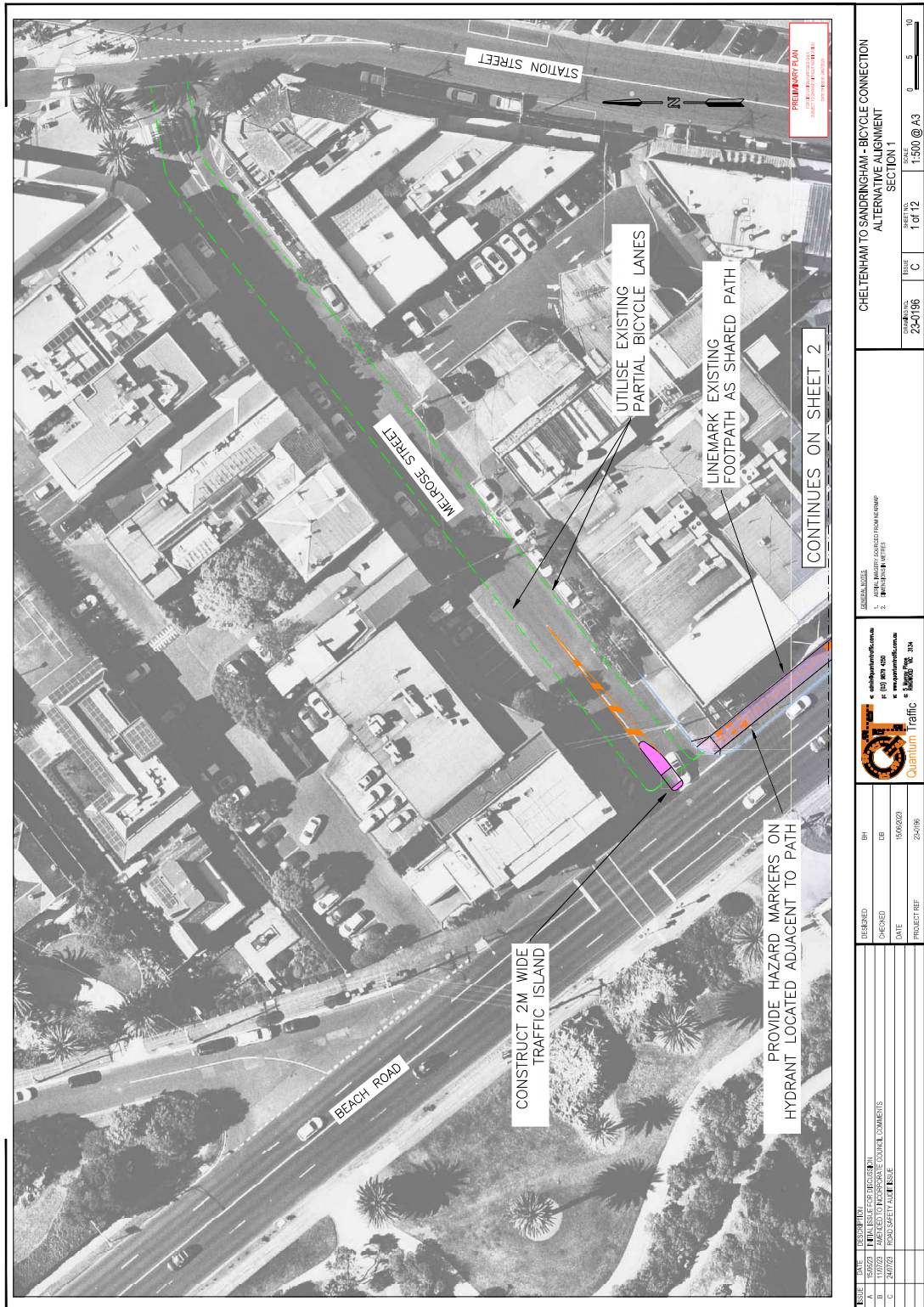
DATE	DESIGNED	BH	GENERAL NOTES
B 10/02/23	CREATED	DB	1. Refer to project location from map
C 24/07/23	DATE	10/02/23	2. Refer to Part C
	PROJECT REF	23-0196	

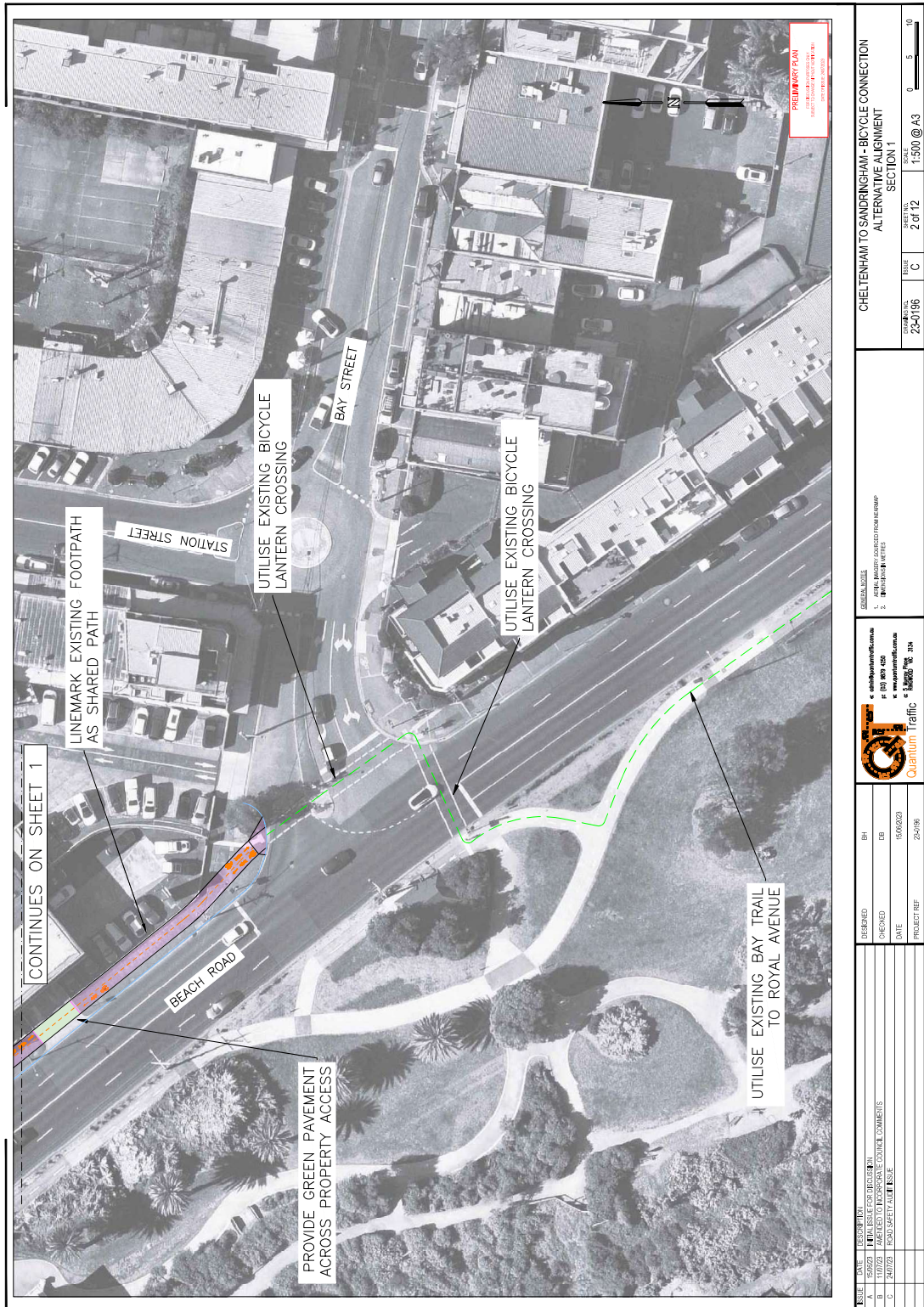
  

CHELTENHAM TO SANDRINGHAM - BICYCLE CONNECTION	SCALE	NOT TO SCALE
ALTERNATIVE ALIGNMENT	FIGURE	C
OVERVIEW PLAN	SHEET NO.	23-0196

	<p>Quantum Traffic</p>
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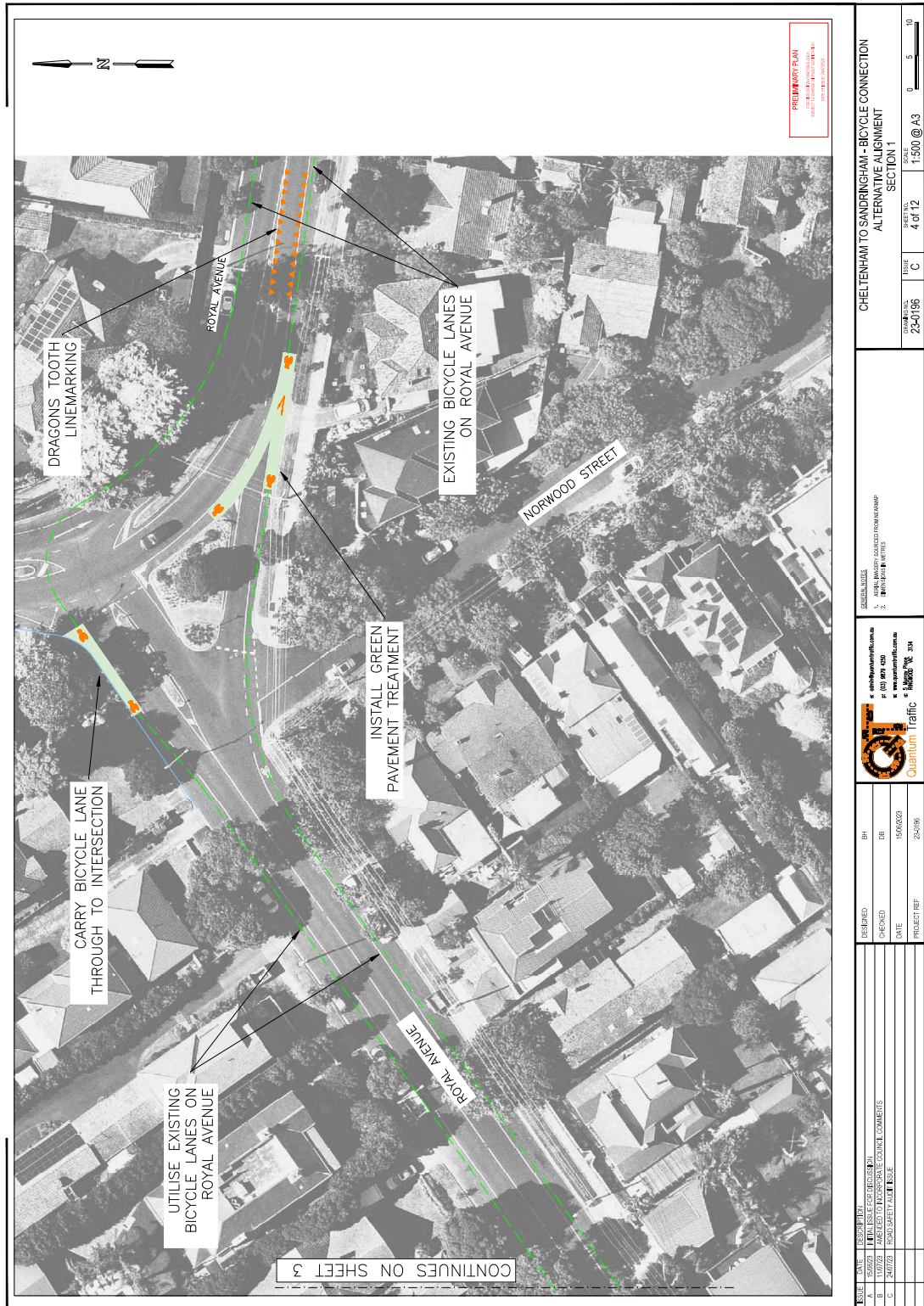






<p>ISSUE NO: B-110723</p> <p>DATE: 24/07/23</p> <p>PROJECT REF: 23-0196</p>	<p>DESIGNED BY: JESSIE PERKINS</p> <p>CHECKED BY: JESSIE PERKINS</p> <p>DATE: 10/02/23</p>	<p>PROJECT REF: 23-0196</p> <p>DATE: 10/02/23</p>	<p>ISSUE NO: B-110723</p> <p>DATE: 24/07/23</p>	<p>ISSUE NO: B-110723</p> <p>DATE: 24/07/23</p>	<p>ISSUE NO: B-110723</p> <p>DATE: 24/07/23</p>
<p>GENERAL NOTES</p> <ol style="list-style-type: none"> <li>REFER TO RELATED DRAWINGS</li> <li>REFER TO NOTES</li> </ol>		<p>QUANTUM TRAFFIC</p> <p>Quantum Traffic</p>		<p>CHELtenham TO SANDRINGHAM - BICYCLE CONNECTION</p> <p>ALTERNATIVE ALIGNMENT</p> <p>SECTION 1</p>	
<p>SCALE: 1:500 @ A3</p>		<p>SHEET NO: 3 of 12</p>		<p>FIGURE: C</p>	






**PRELIMINARY PLAN**  
 THIS PLAN IS PRELIMINARY AND SUBJECT TO APPROVAL BY THE COUNCIL.  
 (2023/01/10/1000)

<b>CHELtenham TO SANDRINGHAM - BICYCLE CONNECTION</b>			
<b>ALTERNATIVE ALIGNMENT SECTION 1</b>			
STANDARD	FIGURE	SHEET NO.	SCALE
23-0196	C	4 of 12	1:500 @ A3

<b>GENERAL NOTES</b>	
1.	REVIEW PROJECTS FORWARDED FROM TRAMP
2.	REVIEW FOR BICYCLES


 Quantum Traffic  
 4500 Oldfield Rd  
 5040 Wattle Park Rd  
 3008 Melbourne VIC 3048  
 Tel: 03 9498 7400  
 Email: info@quantumtraffic.com.au

DESIGNED BY:	BH
CHECKED BY:	DB
DATE:	10/02/23
PROJECT REF:	23/0196

REVISION	DATE	DESCRIPTION
A	10/02/23	ISSUED FOR PERCEPTION
B	24/07/23	AMENDED TO INCORPORATE COUNCIL COMMENTS
C	24/07/23	ISSUED SAFETY PLAN - ISSUE



## 10.8 CAR SHARE TRIAL

Environment, Recreation and Infrastructure - Climate, Waste and Integrated Transport  
File No: PSF/23/176 – Doc No: DOC/23/328843

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### **Executive summary**

#### ***Purpose and Background***

This purpose of this report is to present a proposal to trial car share services in partnership with Carshare Australia Pty Ltd (trading as GoGet).

It is proposed that a Memorandum of Understanding (MoU) be executed to set the terms and conditions for a collaboration between Carshare Australia Pty Ltd, trading as GoGet, and Bayside City Council regarding implementation of a car share trial.

Carsharing is a membership-based service that provides access to a car without requiring ownership. Carsharing is mobility-on-demand, where members pay only for the time and distance they drive which can fill a mobility gap for journeys that cannot be undertaken by walking, cycling and public transport as part of an integrated and sustainable transport system. It can provide an additional transport option, while also reducing parking and road congestion, and encourage behavioural change amongst local residents and workers.

Council's Integrated Transport Strategy 2018–28 targets the uptake of environmentally friendly modes of transport, with vehicle emissions accounting for approximately 15% of community greenhouse gas emissions.

The proposed trial will be undertaken to:

1. ascertain the level of demand and interest for car share services in Bayside
2. inform the development of a future car share policy
3. address the continuing high reliance on private car ownership.

#### ***Key issues***

##### **Benefits**

Research has shown that for every car share vehicle in the network there is a potential reduction of nine privately owned vehicles. Users of the service cut their total vehicle use by 15% to 50%, switching trips previously made by cars to public transport or active modes such as walking and cycling.

These benefits generate secondary benefits including:

- social equity, as people can access a vehicle without the prohibitive cost of owning one
- increased physical activity through increased walking
- greater local expenditure.

People that previously required a car for sporadic use can instead utilise car share services, no longer requiring the additional vehicle which reduces parking demand and financial costs such as registration, insurance, and maintenance costs.

### Scope

The scope of this proposed trial is to introduce car share services in partnership with GoGet. The duration of the trial is 18 months and will cover approximately 18 car parking spaces across the municipality.

The service is to operate as a fixed base car sharing scheme. This means that designated car share bays are required, with car share vehicles required to be returned to the location from which they are collected. The designated car share bays will be clearly signed with parking restrictions which only allow GoGet car share vehicles to park.

GoGet will be required to pay a fee of \$200 per annum for each parking space provided.

Any costs incurred by Council associated with signage and other works for the trial will be passed on to GoGet (with the costs incurred by Council being reimbursed by GoGet).

### Potential Locations

The following indicative parking areas are proposed as part of the trial:

- Trentham Street, Sandringham
- Harston Street, Sandringham
- Railway Crescent, Hampton
- Service Street, Hampton
- Warleigh Grove, Brighton
- Asling Street, Brighton

Council will consider installation within these streets where the spaces abut the railway line or rail commuter carparking.

Other suburbs within the municipality have been considered however, the current proposal is to trial the service within Sandringham, Hampton and Brighton, with a view to expand to other areas if the trial is operating well.

The following elements will be utilised to determine the actual locations within each proposed parking area:

- Proximity to public transport and transport choices.
- Number and location of on and off-street car parking spaces.
- Proximity to high density residential dwellings
- Location of lower priority carparking spaces

Officers will not allocate high turnover or high priority activity centre parking spaces for the purposes of this trial.

### Existing User Base

GoGet has advised that there are already 591 members within the municipality, split as 420 personal members, and 171 business members. The highest concentration of members is in Brighton (199), followed by Brighton East (91), and Hampton (70).

These members use GoGet cars that are currently parked in unrestricted locations throughout the municipality.

Impacts

The allocation of the car parking spaces to car share will reduce the parking available for other users in each location. However, locations will be selected to ensure the impact is minimised, and each location will have either one or two spaces allocated to car share only.

The intention is to target parking which is currently occupied by rail commuters, which are a low priority for our activity centres as outlined in the parking hierarchy matrix within the Parking Strategy.

The impact is also offset by the increase in transport choices for local residents and the broader community.

Risks

There is a potential risk that the allocation of the car share spaces to a single supplier may be perceived as preferential treatment of a commercial operator however, this can be adequately managed in the context of communication of the benefits of car share services, whilst highlighting that it is being undertaken as a trial to assess the service.

Fees and Charges

The proposed cost for the car share bay allocation during the trial \$200 per bay, per year.

A benchmarking exercise with other Councils was undertaken, with the fees levied by other Councils outlined in the following table:

Location	Costs
City of Yarra	\$645 per bay per annum
City of Melbourne	\$525 in an outer area \$2,000 inside CBD, outside Hoddle Grid \$3,000 inside CBD, inside Hoddle Grid
City of Stonnington	\$312 standard space per annum \$520 shopping streets or paid parking areas space per annum
City of Sydney	\$182 per bay per annum
City of Port Phillip	\$120 per bay per annum

In addition to the fee per bay, GoGet will cover the cost associated with signage and line marking for the bays, with the works to be undertaken by Council and then reimbursed by GoGet.

The proposed trial fee of \$200 will be reviewed following the trial, should Council determine to proceed on a more permanent basis.

### Review

Council will undertake a review of the car share trial at the 9-month and 18-month points of the trial period to assess:

1. the utilisation of each car share vehicle
2. impacts of the trial – both positive and negative
3. risks
4. site selection process
5. any items to be considered when developing a formal Policy.

There is a provision in the MOU to allow for early termination of the trial within a defined period of 1 month.

A report reviewing the outcomes of the trial will be developed and presented to Council, alongside a draft Car Share Policy in the event the trial is successful.

### Community Engagement

The community will be notified of the car share trial through a number of communication channels:

- Development of a project page on Council's website to provide information about the project and key Frequently Asked Questions.
- A localised letter drop will be completed at each car share bay location to notify nearby residents, traders, and/or trader associations of the car share trial.

A more formal and focused engagement process with directly impacted residents and traders within close proximity to the proposed car share locations will also occur, specifically regarding the changes to car parking.

GoGet, as the car share supplier, will be responsible for broader promotion of the commercial service they provide, and for engaging members and attracting new members.

### **Next Steps**

To align with Council's Climate Emergency Action Plan and the community greenhouse gas emissions reduction target, Council will work with GoGet to consider opportunities to implement electric vehicles as part of their fleet.

Following resolution to enter the Memorandum of Understanding with Carshare Australia Pty Ltd (trading as GoGet), site selection and community engagement will commence.

When sites are confirmed and all requirements are met, Council will install signage and line marking to establish the required parking bays, and GoGet will be charged the agreed fee for the trial and commence operation.

**Recommendation:**

That Council:

1. supports the implementation of a car share services trial utilising dedicated car share parking spaces at suitable locations across Bayside
2. delegates authority to the Director Environment, Recreation and Infrastructure to finalise and execute a Memorandum of Understanding with Carshare Australia Pty Ltd (trading as GoGet) to undertake a car share services trial in Bayside
3. investigates opportunities for utilising electric vehicles as part of the car share fleet and potentially co-locating allocated car share spaces with electric vehicle charging infrastructure.

**Support Attachments**

Nil

## **Considerations and implications of recommendation**

### **Social**

Car share provides a mobility-on-demand service, giving opportunities for car use to those who otherwise have no access to a private vehicle. For those who require only infrequent use of a car, this removes barriers to entry such as the relatively high cost of car ownership, ongoing fees such as registration and insurance, and the need to find suitable parking.

Local visibility and availability of car share services is expected to enable further uptake of use in Bayside.

### **Natural Environment**

The car share trial will have a minimal impact on the natural environment, with minor changes to parking signage and linemarking the primary impacts.

Studies such as *The Impact of Car Share Services in Australia* (Philip Boyle and Associates, 2016) have shown that there are benefits to car sharing, such as reduced car ownership and reductions in car use among members, which benefits the natural environment.

### **Climate Emergency**

The Climate Emergency Action Plan action 3.3 is to *“Accelerate review of the Integrated Transport Strategy and implement to address climate change impacts”*.

With the Integrated Transport Strategy, Goal 1 Action 8 is to *“Facilitate the introduction of car share schemes through the development of policy tools to enable access to on-street parking for such schemes”*.

As such, the recommendation aligns with the Climate Emergency Action Plan.

### **Built Environment**

The trial of car share will have a minimal impact on the built environment, with minor changes to parking signage and linemarking the primary impacts.

### **Customer Service and Community Engagement**

Council will undertake targeted community engagement at each of the identified sites prior to installation.

### **Human Rights**

The implications of the report have been assessed and are not considered likely to breach or infringe upon, the human rights contained in the *Victorian Charter of Human Rights and Responsibilities Act 2006*.

### **Governance**

Officers involved in the preparation of this report have no conflict of interest.

### **Legal**

There are no legal implications of the report.

### **Finance**

A fee of \$200 per bay per annum is proposed for the trial period.



The signage and linemarking to support the car share operation will be undertaken by Council, with the costs to be then invoiced to GoGet for reimbursement.

### **Links to Council policy and strategy**

The Council Plan 2021–25: Strategic Objective 1.1. states: *‘Lead and influence change to address the Climate Emergency and strive to reduce its impact on the health of our community, environment and the planet.’*

Integrated Transport Strategy 2018–28: Goal 1: Enabling Sustainable Transport Choice has a strategic objective to *“Facilitate the introduction of car share schemes through the development of policy tools to enable access to on-street parking for such schemes”*.

Climate Emergency Action Plan 2020–25: Action 3.3 – *“Accelerate review of the Integrated Transport Strategy and implement to address climate change impacts”*, which invokes the above item.

Parking Strategy – Parking Sustainably 2023–33: Action 12: *Council will trial the introduction of a car share scheme across strategic locations in Bayside.*



## 10.9 CONTRACT 2020/23 - PROVISION OF LANDFILL SERVICES - CONTRACT EXTENSION

Environment, Recreation and Infrastructure - Climate, Waste and Integrated Transport  
File No: PSF/23/176 – Doc No: DOC/23/325618

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*In accordance with Chapter 2, Section 61(a) of Council's Governance Rules, a person is not permitted to present to this item as the report is a Tender Report relating to the awarding of a contract.*

### Executive summary

#### **Purpose and background**

The purpose of this report is to seek Council resolution to exercise the first two-year extension option for landfill services under 'Contract 2020/23 – Provision of landfill services' for the period 1/4/2025 to 31/3/2027.

'Contract 2020/23 – Provision of landfill services' is a tripartite contract that is administered by the Department of Environment Energy and Climate Action (DEECA) and serviced by three separate service providers.

Council is committed to reducing the volume of waste sent to landfill and continues to implement actions and initiatives to reduce reliance on the use of landfills. Since the change of collection schedules of the general waste and food and green waste bins, Council has seen a 32% reduction in the volume of material sent to landfill. However, there is still a requirement for landfill services to allow disposal of residual material that cannot currently be recovered or reused.

#### **Key issues**

##### Background

In 2021, the former Metropolitan Waste and Resource Recovery Group (MWRRG) conducted a collaborative procurement process for landfill services on behalf of 26 metropolitan Councils.

The objective of the procurement was to enable metropolitan Councils to access services for the disposal and transfer of waste that cannot be recovered or reused through other means. A collaborative procurement approach was used to achieve a robust contract model that is based on:

1. Best value
2. Pricing transparency
3. Appropriate risk allocation
4. Flexible contract terms
5. Reduced tender costs
6. Suitable contingency arrangements.

Contracts were awarded to Melbourne Regional Landfill (Cleanaway) located in Ravenhall, Hanson Landfill Services located in Wollert and Suez (now Veolia) located in Hampton Park.

The initial four-year contract term commenced on 1 April 2021, with options to extend the contract for two further terms of two years. Contractors were invited to resubmit pricing in 2023 for the 1 April 2025 extension to enable Council to determine if it wishes to exercise an extension option or commence a new procurement process. A similar process will be conducted in 2025.

As a result of legislative changes, the contracts are now administered by DEECA in line with Participation Agreements, Direct Deeds and Landfill Services Deeds.

Council's waste is currently directed to Cleanaway Ravenhall under a guaranteed arrangement. Council also entered a contract with Hanson Wollert for the provision of services on a non-guaranteed arrangement, in the event that the Cleanaway landfill is unavailable. To date, Council has not needed to dispose of waste at Hanson Wollert.

The contract allows Council to extend the contract on either a two-year guaranteed basis or on a non-guaranteed basis. The rate for a non-guaranteed basis is higher than the guaranteed rate. Penalties will apply for the early termination of a guaranteed agreement.

The options available to Council are:

1. Execute a two-year contract extension with the current disposal arrangement on a guaranteed basis.
2. Execute a two-year contract extension with the current disposal arrangement on non-guaranteed basis.
3. Execute a contract with another landfill within this contract.
4. Depart Contract 2020/23 and undertake an independent procurement process for landfill services.

It is recommended that Council commit on a guaranteed basis as there will be a continued need for landfill service throughout the term of this extension. Council will continue to focus on increasing the volume of material diverted away from landfill through increasing recycling and food and green waste processing rates. An extension on a guaranteed basis provides Council with the most cost-effective disposal option through until other alternative disposal options become available. Committing on a non-guaranteed basis would be done at an increased cost to Council with no viable alternative to landfill likely within the extension term.

#### Advanced Waste Processing

Council is party to an ongoing procurement process for alternative waste disposal through the South East Metropolitan Advanced Waste Processing (SEMAWP) project.

The extension of Contract 2020/23 will not impact the introduction of services through the SEMAWP project as it is not expected that a facility would be operational prior to 2027.

#### Recommendation

It is recommended that Council execute a two-year contract extension with Cleanaway on a guaranteed basis and execute a two-year extension with Hanson on a non-guaranteed basis as a contingency arrangement.

Subject to Council authorisation, the Department of Environment Energy and Climate Action (DEECA) will be advised that Council wishes to exercise an option to extend the landfill services with Cleanaway and Hanson for the period 1/4/2025 to 31/3/2027.

## **Recommendation**

That Council:

1. authorises the Chief Executive Officer to execute a two-year extension of Contract 2020/23 for landfill services commencing on 1 April 2025 with Cleanaway Pty Ltd (ABN 79 00 164 938)
2. authorises the Chief Executive Officer to execute a two-year extension of Contract 2020/23 for landfill services commencing on 1 April 2025 with Hanson Landfill Services Pty Ltd (ABN 59 006 299 832).

## **Support Attachments**

1. Confidential Attachment 1 - Pricing - Landfill Disposal Options (separately enclosed) (confidential)

## **Considerations and implications of recommendation**

### **Social**

Residential domestic waste management services help residents to keep their property safe and hygienic through the regular removal of waste. These services rely on having appropriate access to facilities for the disposal of waste.

### **Natural Environment**

The appropriate disposal of waste to licensed landfill facilities assists to keep the natural environment, including our beaches and waterways, free of litter and waste.

The practice of landfilling is prone to potential environmental impacts: the decomposition of organic matter under anaerobic conditions in landfills produces methane, a potent greenhouse gas. Landfills have also been known to contaminate land, groundwater and freshwater streams when liners and caps fail. Ongoing monitoring and management of landfills is required to address these risks. Council is working towards minimising dependence on landfill; however, it is necessary to maintain access to landfill services to dispose of residual waste material, either directly from households or as a by-product of alternative waste and resource recovery facilities.

### **Climate Emergency**

The appropriate collection and processing of waste reduces the amount of greenhouse gas emissions created in landfill. Recycling of various streams of waste results in processes that reduce greenhouse gas emissions, when compared to disposing to landfill.

The fuel usage associated with collection and transportation generates greenhouse gas emissions. These emissions are offset by the collection contractor through the procurement retirement of carbon credits.

### **Built Environment**

Appropriate collection and disposal of waste contributes to maintaining the amenity of urban streetscapes by ensuring they remain free of waste and are clean, safe and tidy for the community.

### **Customer Service and Community Engagement**

The community satisfaction survey conducted in 2023 revealed a high level of community satisfaction with Council's waste and recycling services.

### **Equity Impact**

The implications of this report have been assessed and are compliant with the requirements of the Gender Equality Act 2020.

### **Human Rights**

The implications of the report have been assessed and are not considered likely to breach or infringe upon, the human rights contained in the *Victorian Charter of Human Rights and Responsibilities Act 2006*.

### **Governance**

Officers involved in the preparation of this report have no conflict of interest.

**Legal**

Under the Contract, Cleanaway Pty Ltd and Hansen Landfill Services agree to comply with all applicable laws when servicing the contract.

**Finance**

The cost for landfilling services is covered within Council's operating budget and is directly levied on a cost recovery basis through the Waste Charge.

The collaborative procurement process facilitated by the Department of Environment Energy and Climate Action (DEECA) has provided a very competitive disposal rate. Further information can be found in Attachment 1.

**Links to Council policy and strategy**

The provision of waste collection and disposal services is a core function of Council and is guided by Bayside's Recycling and Waste Management Strategy 2018–27.





## 10.10 CONTRACT CON/23/73 CONSTRUCTION OF STORMWATER DETENTION SYSTEM IN THIRD STREET, BLACK ROCK

Environment, Recreation and Infrastructure - Project Services  
File No: PSF/23/163 – Doc No: DOC/23/199468

*In accordance with Chapter 2, Section 61(a) of Council's Governance Rules, a person is not permitted to present to this item as the report is a Tender Report relating to the awarding of a contract.*

### Executive summary

#### **Purpose and background**

The purpose of this report is to seek Council approval to appoint a suitably qualified, experienced and registered civil contractor to construct the Stormwater Detention System in Third Street, Black Rock under Contract CON/23/73.

This contract includes works to improve stormwater drainage in Third Street and Central Avenue to alleviate regular flooding along the road reserve, the footpath and several properties along Third Street. The works include excavation of the road, installation of box culverts, laying concrete pipes, drainage pipe boring, installation of intake pits, backfilling of the trenches towards road level, reinstatement of asphalt surface, line marking, traffic management and minor existing service alterations.

This work is a flood mitigation activity, to be delivered in accordance with the relevant Asset Management Plan and Road Management Plan. The stormwater drainage and flooding solution has been thoroughly investigated and designed by suitably qualified consultants and has been designed to achieve flood protection from a 1-in-5-year flood event. This is considered the best possible solution given the existing topology of the site.

The photos below illustrate the extent of one of the recent flood events that impacted Third Street.





An alternative rising main draining solution was also investigated by the project team. The alternative solution was deemed not appropriate due to the ongoing operational cost to maintain the water drainage mechanical pump system.

### Key issues

A public tender was released on 1 July 2023 and closed on 28 July 2023 with submissions received from the following companies:

1. CDN Constructors Pty Ltd
2. Jaydo Construction Pty Ltd
3. Entracon Civil Pty Ltd

Each submission was reviewed by the Tender Evaluation Panel (TEP) against predetermined criteria. The result of the analysis can be found in Confidential Attachment 1: Evaluation Matrix. During evaluation and clarifications, all tenderers were invited for interview.

Entracon Civil Pty Ltd scored the highest tender score based on its submission and responses to tender questions.

The tender evaluation panel reviewed the pricing and supporting documents and recommended Entracon Civil Pty Ltd for award of the contract. Entracon has an extensive list of relevant construction projects of similar size and complexity which demonstrate competence to deliver this size and complexity of project. Entracon provided clear methodology which addressed the project complexities and displayed a deep appreciation of the project priorities.

At interview, Entracon demonstrated a strong understanding of the technical requirements of the works and thorough experience with projects of this scale. Entracon confirmed that it has the resources to deliver the works within the nominated scheduled timeframe.

As shown in Confidential Attachment 1 – Evaluation Matrix, the Tender Evaluation Panel concluded that Entracon Civil Pty Ltd offered the best value for money. This evaluation took into consideration several factors which include estimated project schedule and risk identification/controls. While comparing Entracon's ability to complete the works in line with Bayside City Council's expectations, Entracon also scored highly on the matrix for its financial submission. Post-tender clarifications were confirmed, resulting in Entracon being best placed

to undertake the works, and the Tender Evaluation Panel recommends the contract be awarded to Entracon Civil Pty Ltd.

It is the Tender Evaluation Panel's recommendation that the contract be awarded as follows.

**Recommendation**

That Council:

1. awards Contract CON/23/73 Construction of Stormwater Detention System in Third Street, Black Rock to Entracon Civil Pty Ltd (ABN 35 118 370 077) for the lump sum price of \$4,678,234.77 (excl. GST)
2. authorises the Chief Executive Officer to sign all necessary documentation related to Contract CON/23/73 Construction of Stormwater Detention System in Third Street, Black Rock
3. advises the unsuccessful tenderers accordingly.

**Support Attachments**

1. Confidential Attachment 1 - CON2373 Stormwater System (separately enclosed) (confidential)

## **Considerations and implications of recommendation**

### **Social**

The works under this contract are aimed at improving the condition of drainage network in the municipality.

### **Natural Environment**

The works under this contract have been reviewed against Council's sustainable framework and will be using asphalt with recycled components. This includes both recycling of asphalt and road materials, use of recycled plastic products in asphalt and use of 'warm' mix asphalt. Recycled concrete will be used in construction of the base of pavement and in the bedding layer of kerb and channel and demolished concrete will be sent to the recycling plant.

### **Climate Emergency**

Design of the Third Street drainage upgrade aligns with Bayside's declaration of a climate emergency with specific focus on:

- Theme 4 - Transform to a climate responsive built environment.

Several residences on the Third Street low point have experienced significant flooding due to the severity and frequency of rain events. While the existing assets are unable to cope with these new demands, the proposed drainage upgrades will both increase the rate at which water is able to leave the area, as well as supporting surrounding areas by providing more temporary underground storage (the new box culverts, stormwater pits and pipes).

The design also aligns with Bayside's declaration of a climate emergency with specific focus on:

- Theme 5 - Protect and enhance our natural environment.

The project team has consulted with relevant experts/consultants to ensure that any on-site material is to be tested, worked with and disposed of correctly based on whether it is clean fill or in any way contaminated, to ensure that the environment is not damaged. Any impacted tree and tree roots will be managed as per Council tree management guidelines to protect and retain trees, where possible.

### **Built Environment**

Improved local stormwater drainage system will reduce the impact of flooding significantly i.e. Average Recurrence Interval of flooding will be 1 in 5 years after the implementation of the proposed drainage upgrade works. The upgraded drainage will reduce recurring maintenance works and costs.

### **Customer Service and Community Engagement**

Together with the contractor, Council will provide further advice on work and traffic management arrangements to the affected local residents prior to commencement of the work and maintain contact with key stakeholders during the construction period. Concerns from community regarding waste collection will also be addressed in this communication. Initial advice to the residents has been previously distributed regarding upcoming works.

### **Human Rights**

The implications of this report have been assessed and are not considered likely to breach or infringe upon the human rights contained in the *Victorian Charter of Human Rights and Responsibilities Act 2006*.

## Governance

Officers involved in the preparation of this report have no conflict of interest.

## Legal

This Request for Tender was undertaken in accordance with the Bayside City Council's Quotation and Tendering Procedure and section 186 of the *Local Government Act 2020*.

## Finance

The approved budget for these works is \$3,753,672 (excluding GST) in 23-24 Financial Year.

The following table summarises the project budget. Note prices are excluding GST.

Cost of this Contract CON/23/73	\$4,678,234.77
Contingencies, project management and any additional costs	\$467,823.48
<b>This Contract Cost (ex GST)</b>	<b>\$5,146,058.25</b>

The anticipated project cost is \$5,379,007.92 (ex GST). This value includes the additional funding of \$1,400,000 (ex GST) which was endorsed by the Executive Project Board on 9/11/2023.

The \$1.4M increase in the budget required for the Third Street Drain will be funded from the Escalation Reserve which was a \$3M budget included in the 2023–24 capital budget as a contingency to address anticipated cost escalations across the program.

## Links to Council policy and strategy

This project is consistent with the 2021–25 Council Plan as identified under Goal 3 – Our Place, Theme 9 – The Built Environment – We will plan for and implement effective stewardship of all Council assets to ensure our infrastructure is safe, accessible, adaptable and environmentally sustainable to provide high levels of value to our community.

A key objective of this goal is to ensure Infrastructure and assets are sustainable, accessible and fit-for-purpose now and for the future.



## 10.11 2023–24 QUARTER 1 PERFORMANCE REPORT (JULY TO SEPTEMBER 2023)

Corporate Services - Governance  
File No: PSF/23/167 – Doc No: DOC/23/321215

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### Executive summary

#### **Purpose and background**

The purpose of this report is to provide Council and the community with a Quarterly Performance Report on the implementation of Year 3 (2023–24) actions to deliver the Council Plan. The Quarterly Performance report is for the period July to September 2023.

The attached Quarterly Performance Report includes the following key information:

- Performance at a glance
- Progress against the Council Plan for each of the 4 Goals
- Financial Overview
- Financial Summary
- Capital Works Program progress
- Progress summary for other key strategic plans.

#### **Key issues**

#### **Highlights**

Highlights for this quarter include the:

- ongoing growth in the Aged Care Package service and the consolidation of the business arrangements for this expanding service. This includes Bayside gaining the contract for the delivery of services through Veterans affairs for all of Bayside and parts of Glen Eira and Kingston
- very positive results in the Local Government Performance Reporting Framework (LGPRF) performance indicators with Statutory Planning, Environmental Health and Animal Management all performing at sector leading levels
- completion of the Year end processes relating to the Annual Report and the Financial Statements and audit.

#### **Challenges**

The challenges identified this quarter were:

- ongoing problems in the construction sector relating to the cost of materials, labour shortages and contractor instability are expected to continue for some time
- promoting and working with our community to achieve the ambitious target to reduce carbon emissions to 75% by 2030 and zero by 2035
- adjusting to changes in state government planning framework and aligning these to local expectations and aspirations.

## **Delivery of the Year 3 Council Plan Actions**

### Number of Activities within the Council Plan

Councillors determined that year 3 would be a year of consolidation with focussed effort on 42 actions:

Goal 1 – Our Planet – 12 actions

Goal 2 – Our People – 10 actions

Goal 3 – Our Place – 15 actions

Goal 4 – Our Promise – 5 actions.

## **Financial Summary**

### 2021–22 Quarter 1 Operating Result

The September 2023 year-end forecast is a surplus of \$36.0M which is \$3.4M favourable to the adopted budget.

The forecast includes the following one-off or timing issues including:

- Non-monetary land contribution from the developer for land at the old CSIRO site \$7.0M
- Open Space Contributions \$3.3M
- Capital grants of \$10.1M

Excluding the one-off and timing issues identified above, the underlying year end forecast is a surplus of \$16.1M which is \$1.6M favourable to the budget.

### Capital Result

Capital expenditure is forecasted to be over budget by \$7.03M for the year due to:

- additional carry forward of projects from 22–23 (\$10.8M) funded from carry forward reserves (timing issue)
- budget increases approved by EPB (\$11.56M) including:
  - \$1.9M funded from grants/contributions
  - \$9.3M funded from the Infrastructure Reserve
  - \$0.4M funded from savings
- underspend of \$15.87M due to deferral of projects to 24–25 due to construction scheduling.

At the completion of the 2022–23 capital program Council delivered \$52.557M of capital projects. Despite this excellent result the value of confirmed projects carried forward into 2023–24 total \$27M which is an increase of \$10.8M compared to what was included in the 2023–24 adopted budget.

In light of this increase, a comprehensive review of the scheduling of the 2023–24 capital program was undertaken in the first quarter of 2023/24. This review identified the following projects totalling \$15.87M which are recommended to be carried forward into 2024–25.



Master Account	Indicative Carry Forward \$	Comments
Boss James Reserve Pavilion	\$2,500,000	Carry forward into 2024–25 due to delays in awarding contract and pause on site. Anticipated commencement of construction in January 2024.
Sandringham Hub (Masonic Hall Redevelopment)	\$600,000	Partial carry forward into 2024–25 to carry out essential maintenance only in 2023–24 such as stormwater renewal and floor replacement.
Dendy Park Athletic Pavilion Renewal	\$1,300,650	Pavilion project reprioritised with construction now scheduled to commence in 2024–25.
Brighton Town Hall Air Handling Unit	\$1,926,810	Project postponed to ease project resourcing.
Red Bluff to Half Moon Bay M'plan Imp Stage 3 21/22	\$1,000,000	Project delayed due to additional time required to investigate the feasibility of the design and permits from authorities and avoid peak summer season. Construction now scheduled in 2024–25.
Warm Water Pool	\$1,450,000	Carry forward into 2024–25 based on rephasing of project.
Hampton Beach Access Elevator	\$900,000	Project deferred to 2024–25 while determining the scope that will provide the best outcome for the community.
Head Street Drain Brighton - Design & Construct	\$1,850,000	Project delayed due to Melbourne Water consultation and finalisation of design.
Brighton Town Hall Clocktower Renewal Works	\$345,000	Project postponed to ease project resourcing.
Southern Carpark at Tjilatjirrin Reserve	\$90,563	Project postponed to ease project resourcing.
Paul Street Minor Road Reconstruction	\$100,000	Monitoring surface movement only in 2023–24. Construction deferred to 2024–25 if required.
Upgrade of Drainage System along Kinane Street	\$2,260,000	Design only to be carried out in 2023–24 with construction delayed to 2024–25.
Thomas Street Car Park Toilet Replacement	\$200,000	Project postponed to ease project resourcing.
Green Point Tram Shelter Refurbishment	\$248,500	Project postponed to ease project resourcing.
Sandringham Beach & Gardens Masterplan Path Closure	\$28,000	Project postponed to ease project resourcing.
Customer Relationship Management System	\$852,000	Delay in commencement of project due to IT resourcing. Commencement expected in October 2023.
Authority Improvements and Upgrade to Altitude	\$165,000	Discussions have been held with Civica although still finalising project team.
Contemplative Garden at Higinbotham Hall	50,000	Project postponed to ease project resourcing.
<b>Grand Total</b>	<b>15,866,523</b>	

## Conclusion

This Quarterly Report aims to provide a current snapshot of the organisation's performance, but more importantly tell the performance story to both the community and staff.

The Quarterly Report will be placed on Council's website following Council's consideration of the report, and the report will be shared with all staff to highlight the performance, successes and challenges.

## Recommendation

That Council:

1. notes the 2022–23 Quarter 1 Performance Report for the period July to September 2023
2. removes the following listed projects from the 2023–24 capital works program and approves the projects to be carried forward into 2024–25 capital works program:
  - a. Boss James Reserve Pavilion
  - b. Sandringham Hub (Masonic Hall Redevelopment)
  - c. Dendy Park Athletic Pavilion Renewal
  - d. Brighton Town Hall Air Handling Unit
  - e. Red Bluff to Half Moon Bay Masterplan Implementation Stage 3, 2021–22
  - f. Warm Water Pool
  - g. Hampton Beach Access Elevator
  - h. Head Street Drain Brighton - Design & Construct
  - i. Brighton Town Hall Clocktower Renewal Works
  - j. Southern Carpark at Tjilatjirrin Reserve
  - k. Paul Street Minor Road Reconstruction
  - l. Upgrade of Drainage System along Kinane Street
  - m. Thomas Street Car Park Toilet Replacement
  - n. Green Point Tram Shelter Refurbishment
  - o. Sandringham Beach & Gardens Masterplan Path Closure
  - p. Customer Relationship Management System
  - q. Authority Improvements and Upgrade to Altitude
  - r. Contemplative Garden at Higinbotham Hall

## Support Attachments

1. Bayside City Council Performance Report to Council Quarter 1 2023-24 ↓

## **Considerations and implications of recommendation**

### **Social**

There are no social impacts associated with this report.

### **Natural Environment**

There are no natural environment impacts associated with this report.

### **Climate Emergency**

There are no climate emergency impacts associated with this report.

### **Built Environment**

There are no built environment impacts associated with this report.

### **Customer Service and Community Engagement**

The quarterly report will be communicated to the community via Council's website and to all staff via the intranet.

### **Equity Impact**

The implications of this report have been assessed and are compliant with the requirements of the Gender Equality Act 2020.

### **Human Rights**

The implications of this report have been assessed and are not considered likely to breach or infringe upon, the human rights contained in the *Victorian Charter of Human Rights and Responsibilities Act 2006*.

### **Governance**

Officers involved in the preparation of this report have no conflict of interest.

### **Legal**

There are no legal implications associated with this report.

### **Finance**

A detailed financial summary including capital works summary is included in the attachment.

Council's Chief Financial Officer was consulted and has reviewed the recommendation outlined in this report.

### **Links to Council policy and strategy**

The Quarterly Report aligns with Goal 4 of the Council Plan – Our Promise – Ensure flexible and transparent decision making through open and accountable governance.



*Blackrock Clocktower yarn bombing as part of community art programming*

## Council Plan Performance Report 2023-24 Quarter 1 (July - September)

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## Section 1 – Executive Overview

### Introduction

The Quarterly Performance Report for the first quarter ending September 2023 provides a detailed report of performance against the major initiatives and initiatives identified in the Adopted Budget 2023-2024.

This report also provides a high-level summary of Council's services, including highlights and challenges for the quarter. These major initiatives, initiatives and services contribute to the achievement of the third year of Council Plan 2021-2025.

The first section provides a summary of performance against the Council Plan (activities from the Annual Budget), LGPRF Data and other key strategies and plans. The third and fourth sections provide a report on performance against the Annual Budget and Capital Works Projects undertaken during the quarter.

### Key areas of focus

- A continuing commitment to improving liveability and amenity of the municipality with a focus on asset and infrastructure maintenance and cleanliness including roads, footpaths, drains and street furniture.
- Ongoing negotiations with the preferred tenderer for the Advanced Waste Facility. Global turmoil and cost escalations are complicating finalisation of the commercial arrangements.
- Progressing delivery of the significant capital works program and rescheduling the 23-24 program to accommodate some of the volatility in the construction sector.

### Highlights

A few of the highlights for the quarter include:

- Ongoing growth in the Aged Care Package service and the consolidation of the business arrangements for this expanding service. This includes Bayside gaining the contract for the delivery of services through Veterans affairs for all of Bayside and parts of Glen Eira and Kingston.
- Very positive results in the Local Government Performance Reporting Framework (LGPRF) performance indicators with Statutory Planning, Environmental Health and Animal Management all performing at sector leading levels.
- Completion of the Year end processes relating to the Annual Report and the Financial Statements and audit.



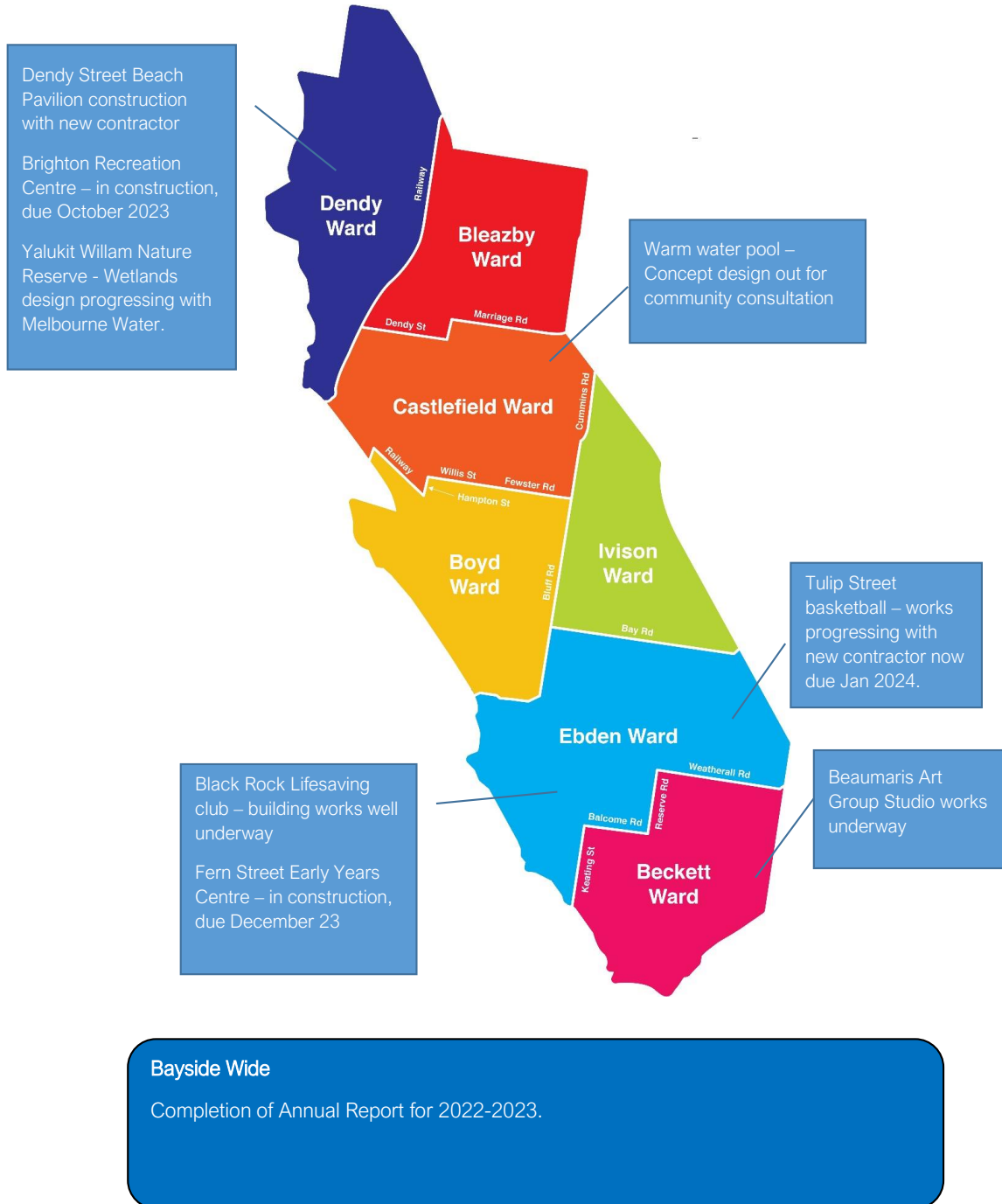
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## Challenges

- Ongoing problems in the construction sector relating to the cost of materials, labour shortages and contractor instability are expected to continue for some time.
- Promoting and working with our community to achieve the ambitious target to reduce carbon emissions to 75% by 2030 and zero by 2035.
- Adjusting to changes in state government planning framework and aligning these to local expectations and aspirations.



- Major initiatives and projects in Bayside







<https://www.youtube.com/watch?v=h5UNGRYPk70>

## Section 2 Council Plan Progress

### Integrated Strategic Planning framework

The Council Plan 2021-2025 is in its third year and was developed to respond to the Bayside 2050 Community Vision.



### Performance at a glance

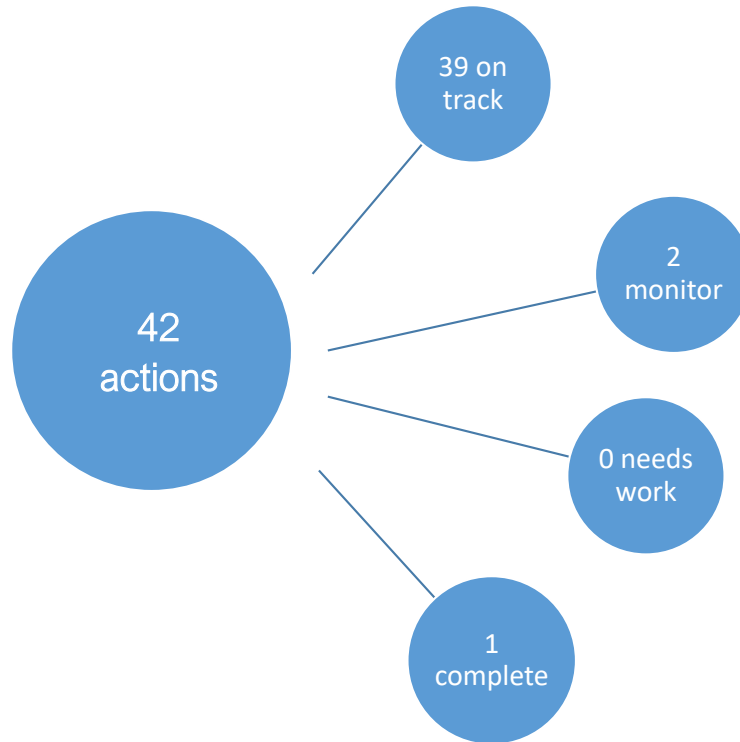
The 2023-24 year has 42 Council Plan activities.

In this first quarter (July – September 2023) 40 actions are now in progress and 2 not due to start, with 38 activities on track including 1 completed. There are 2 actions that are being monitored.

### Number of Actions within the Council Plan 2022-23

Each goal is colour coded for ease of review

- Goal 1 Our Planet - 12 actions
- Goal 2 – Our People - 10 actions
- Goal 3 Our Place - 15 actions
- Goal 4 Our Promise - 5 actions



Key

	Activity or action tracking within the planned quarter target timeframes for the current financial year
On track	
	Activity or action is at risk of falling behind planned quarter target timeframes for the current financial year
Monitor	
	Activity or action is delayed or has not met planned quarter target timeframes for the current financial year
Needs work	
	Activity or action is not due to commence or has been deferred until further notice but likely to recommence.
Not started or deferred	
	Activity or action is completed for the year
Completed	



## Goal 1 Our Planet



### OUR PLANET

As custodians we will lead act and advocated on the critical issues of environmental sustainability and climate emergency, and on our shared responsibility to care for and protect Earth's vitality, diversity, beauty and the community of life.

In our goal to provide better, smarter, and sustainable futures we have 3 strategic objectives

- Lead and influence change to address the Climate Emergency and strive to reduce its impact on the health of our community, environment and the planet.
- Protect and enhance our natural and coastal environments, biodiversity and unique ecosystems.
- Improve environmental sustainability through a circular economy approach to waste management, recycling and energy use.



Goal Highlights





In our goal to provide better, smarter, and sustainable futures and all actions on track. Some of the highlights from the first quarter are

- Bayside was successful in obtaining a grant of \$20,000 under the State Government's Neighbourhood Battery Initiative (NBI), which will enable Council to develop a business case for implementing a neighbourhood battery in Highett.
- Launch of the Love Bayside, Electrify Everything campaign with 16 households and 65 residents signed up.
- Commencement of the first Roving Repair workshops to support the community to repair, reuse or recycle.
- Wildflower Wanders guided tours to Bayside heathlands and reserves showcasing our local biodiversity of flora and fauna were well attended and enjoyed by community



Action Plan Progress

1.1 Lead and influence change to address the Climate Emergency and strive to reduce its impact on the health of our community, environment and the planet.

Action	Progress Comments	Progress
Implement Climate Emergency Action Plan (CEAP) for 2023/24, with specific focus on: <ul style="list-style-type: none"> <li>• Develop a business case for suitable neighbourhood battery locations. (CEAP 7.7.1)</li> <li>• Review the Integrated Water Management Plan and implement to address climate change impacts. (CEAP 5.3)</li> <li>• Engage with United Energy to investigate trialling Power pole mounted EV chargers. (CEAP 3.1)</li> </ul>	Bayside is assessing suitable community battery locations and was successful in obtaining a grant of \$20,000 under the State Government's Neighbourhood Battery Initiative (NBI). The funding will enable Council to develop a business case for implementing a neighbourhood battery in Highett, including assessment of the potential cost, benefits and limitations of the location and alignment with our community's priorities and expectations.  Bayside is working with United Energy and EXV Pty Ltd to enter an MOU to install power pole mounted EV chargers at suitable location across Bayside.	 ON TRACK
1.1.2.1 Implement Climate Emergency Community Education programs for 2023-2024	The Love Bayside, Electrify Everything campaign launched in August 2023 through a number of communication channels to enable the community to access information to electrify their homes. Three of seven community information sessions for Electrify Everything were held and were well attended. As a result of this campaign, 16 households have pledged to electrify their homes, and over 65 residents have registered to replace old, inefficient or gas appliances with new electrical replacements as part of the installation component of the program.	 ON TRACK


1.2 Protect and enhance our natural and coastal environments, biodiversity and unique ecosystems.




Action	Progress Comments	Progress
<p>Undertake and complete annual review of the Biodiversity Action Plan, including:</p> <ul style="list-style-type: none"> <li>• Surveys for flora and fauna groups where data is currently limited in conservation reserves and key wetlands and waterways and submit to the Victorian Biodiversity Atlas (VBA).</li> <li>• Implement management strategy for significant/rare species.</li> </ul>	<p>A scope has been defined to review and update the current adopted Biodiversity Action Plan (BAP) to incorporate updated State guidance on matters relating to biodiversity and Council’s own strategic directions. The review of the BAP will also gather feedback from key community groups. This is being presented to a Councillor briefing for consideration on 3 October 2023.</p> <p>A scope of works has been created to guide works to update Councils Native Vegetation Works Program (NVWP). The NVWP outlines how Council will manage its bushland reserves.</p>	 ON TRACK
<p>1.2.1.2 Develop an Ornamental Lake Management Plan</p>	<p>A scope has been developed to prepare Lake Management Plans for Bayside’s ornamental lakes. Tender submissions have been received and a contract will be awarded to the most suitable bid in early October 2023.</p>	 ON TRACK
<p>1.2.1.3 Continue implementation of the Park Improvement and Habitat Linkage Plan.</p>	<p>Planting scheduled for the 2023 planting season has been completed. During the 2023 planting season, an extra 6500 metres squared of indigenous garden beds were created. This included sites at Vale Reserve and along nature strips in Holding Street, Beaumaris.</p> <p>Sites that are to be planted in 2024 are now being prepared. These sites include Banksia Reserve, Yott Reserve, Little Brighton Reserve and Plantation Avenue.</p>	 ONTRACK
<p>1.2.1.4 Progress implementation of the Yalukit Willam Nature Reserve Masterplan, including the design of the Wetland and Gateway building.</p>	<p>Council is working with Melbourne Water (MW) to determine the volumes and velocities of water in Elster Creek and to optimise the design and works required to create the Wetlands in conjunction with a concurrent MW flood mitigation project in Brighton.</p>	 ON TRACK




Action	Progress Comments	Progress
1.2.1.5 Commence implementation of the Highbett Grassy Woodland Masterplan.	A tender has been launched to appoint a suitably qualified landscape architect consultancy to create a masterplan for the Highbett Grassy Woodland. The tender period closes on 13 October 2023 and a contract will be awarded soon after.	 ON TRACK

Action	Progress Comments	Progress
1.2.2.1 Implement Urban Forest Strategy actions including: <ul style="list-style-type: none"> <li>Adoption of the urban forest precinct plans in 23/24</li> <li>Progress approval of planning scheme amendment (C186Bays) to implement UFS</li> <li>Investigate the opportunities to increase and protect canopy and understorey cover in private land.</li> </ul>	<p>A key action of the Urban Forest Plan is the implementation of the Urban Forest Precinct Plans. Public Consultation on the draft plans commenced on 28 September 2023 and will conclude on 14 October 2023 prior to being reported back to Council for final adoption.</p> <p>Amendment C186bays which implements the Urban Forest Strategy has been Authorised. Exhibition of the amendment will run from 21 September 2023 until 26 October 2023 in accordance with the requirements of the Planning and Environment Act.</p> <p>Amendment C199bays which proposes to rezone the Highbett Grassy Woodland from RGZ1 to PCRZ has been Authorised. Exhibition of the amendment will run from 10 October until 9th November 2023 in accordance with the requirements of the Planning and Environment Act.</p>	 ON TRACK

1.2.3.1 Determine long term options to manage coastal erosion at Dendy Street beach.	Council has received a draft technical report for erosion management at Dendy Street Beach from The Nature Conservancy (TNC). Council will review this report and begin a process to peer review this work in accordance with the Council resolution to do so. Once the peer review has been completed, the suite of potential options will be presented to Council for consideration.	 ON TRACK
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Action	Progress Comments	Progress
<p>1.2.3.2 Commence development of a local implementation of the state Coastal and Marine Management Plan (subject to DEECA confirmation of the plan).</p>	<p>A scope of works to develop a CMMP has been drafted which will be advertised in early October 2023. The scope of works has been reviewed by the Department of Energy, Environment and Climate Action (DEECA) to ensure the scope of works aligns with DEECAs requirements.</p>	 ON TRACK

## Roving repair workshops launched







1.3. Improve environmental sustainability through a circular economy approach to waste management, recycling and energy use.

Action	Progress Comments	Progress
<p>1.3.1.1 Continue to lead the community to reduce waste generation and increase waste diversion from landfill:</p> <ul style="list-style-type: none"> <li>• Deliver circular economy projects, including the reusable nappies program and the roving repair workshop.</li> <li>• Conduct evidence based review to evaluate the impact of Council’s change to the kerbside collection schedule.</li> <li>• Evaluate and report on single use plastics education and reduction programs.</li> </ul>	<p>Council has engaged a consultant to assist with the delivery of the Roving Repair Program. The first event took place on the 2nd of September 2023. The program seeks to educate the community of the lost art of repair, in favour of buying something new and disposing of it.</p> <p>Re-usable nappy workshops will commence from October 2023.</p>	<p>ON TRACK</p>
<p>1.3.1.2 Continue the collaborative procurement process for an advanced waste processing facility in the South East of Melbourne</p>	<p>The tender evaluation process has been complete. It is expected that a preferred proponent will be established and recommended to the SPV Board in late 2023.</p>	<p>ON TRACK</p>

New waste contractor Cleanaway fleet including sustainable e-vehicles and trucks decorated with Bayside designs

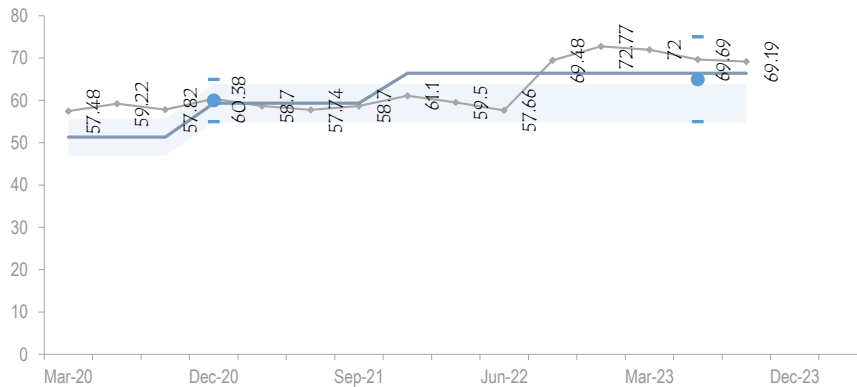




## Service Performance Indicators

LGPRF INDICATOR	Results 2021	Results 2022	Results YTD Comment
WASTE & RECYCLING			Q1 15.01%
Missed kerbside bin collection - #bins missed/#bins collected x10,000 ( <i>less is better</i> )	3.18	11.9	
WASTE & RECYCLING			Q1 69.19%
Kerbside collection waste diverted from landfill ( <i>more is better</i> )	58.57%	71.1%	

Waste Diversion from landfill (%)





## Goal 2 – Our People



### Our People

We will plan and advocate for a Bayside where our diverse communities and people can thrive, live healthy and active lives, fostering inclusion and participation through holistic, innovative approaches to economic and social well-being.

In our goal to nurture all people and thriving healthy communities, we have 3 strategic objectives

- 1. Nurture healthy people and resilient communities ensuring services and programs are adaptable to meet diverse and changing needs.
- 2. Engage with our diverse communities to improve access and inclusion in Bayside.
- 3. Foster economic vitality and creativity in the local economy.



### Goal Highlights



In our goal to nurture all people and thriving healthy communities, some highlights are:

- A variety of public art, exhibitions and events including *Whichway* exhibition of Sue Ross sculpture at Bayside Gallery, Black Rock Clock Tower yarnbombing by volunteers from local schools, aged care facilities, and art groups, and Billilla activation programs.
- Strong progress on the Municipal Health and Wellbeing Plan for year 3 including a range of research and programs to support mental health and wellbeing, body positivity, and inclusion of young peoples' voices in the development of policy and service activities.
- Strong consultation with the Disability advisory committee to improve design and delivery of a number of services and facilities including playgrounds, toilets and parking.

#### *Whichway* exhibition featuring Anne Ross sculpture at Bayside Gallery in August







2.1 Nurture healthy people and resilient communities ensuring services and programs are adaptable to meet diverse and changing needs.


Action	Progress Comments	Progress
<p>2.1.1.1 Implement the Municipal Health and Wellbeing Plan in 2023/24:</p> <ul style="list-style-type: none"> <li>• Deliver a community education and information program to improve understanding and attitudes to child safety.</li> <li>• Increase awareness and accessibility of early intervention services to improve mental health for young people in Bayside (including eating disorders).</li> </ul>	<p>The MPHWP Year 3 action plan was launched with the internal working group and Terms of Reference documented.</p> <p>An application was submitted for Free from Violence Local Government funding.</p> <p>The Community Wellbeing team partnered with 100 Story Building, on the “Words of Children Project” to integrate local children and young peoples’ insights and feedback into the Bayside Council Code of Conduct and Safeguarding Children policy.</p> <p>Youth Services engaged in action research and generated a report titled “Understanding mental health among young people in the Bayside LGA” to inform planning to increase awareness and accessibility of early intervention services.</p> <p>The School Focused Youth Services (SFYS) is currently working with the Butterfly Foundation delivering Body Kind Schools, a program targeting Bayside Schools on the topic of positive body image and addressing eating disorders. Youth Services has connected with SFYS to offer referral pathways for schools that may require support in referring young people.</p>	<p>ON TRACK</p>
<p>2.1.1.2 Expand Council's aged care packages program in response to Aged Care Reform recommendations.</p>	<p>Council increased the number of active home care packages from 253 at the end of June to 273 at the end of September, against an anticipated target of 290. The lower than anticipated home care packages are due to a reduced number of externally approved packages, which is outside Council's control. Council delivered an additional 12,000 hours of in-home care to older residents during the 2022/23 financial</p>	<p>ON TRACK</p>




Action	Progress Comments	Progress
	<p>year at no additional cost to Council, due to process efficiencies and an expanded aged care program. There continues to be high levels of client satisfaction.</p>	
<p>2.1.2.1 Deliver diverse arts, culture and library infrastructure, services and programs in accordance with Bayside Arts, Culture and Libraries strategy. (CP)</p>	<p>The Arts &amp; Culture and Library Services continue to make substantial progress delivering on strategic objectives including:</p> <ul style="list-style-type: none"> <li>• Billilla Activation (ACL Strategy 1.1.1):- Recruitment finalised for Billilla Activation Officer.</li> <li>• Social Connection through Arts (ACL Strategy 1.2.1):- Black Rock Clock Tower yarnbombing involved volunteers from local schools, aged care facilities, and art groups.</li> <li>• Library Space Enhancement (ACL Strategy 1.1.3 : Library Service and facility study completed in July 2023. Architects engaged for Brighton Library space review in August 2023. Notably delivered well in advance of our target.</li> <li>• Diversity Support (ACL Strategy 1.2.2):- Enhanced Diversity, Equity and Inclusion focused community partnerships, and collection including IDAHOBIT Day support.</li> <li>• Partner with and enable our community members to address climate impact (ACL Strategy 3.1.5)- Successful collaboration to provide Home Energy Efficiency Kits. 4 kits in circulation with 56 reservations. Planning for a repair cafe session in October to promote reusing and sustainability.</li> </ul>	<p> ON TRACK</p>
<p>2.1.2.2 Implement the Volunteer Recruitment, Retention and Recognition Plan with a focus on a centralised induction and onboarding program for Council volunteers and engagement with volunteer organisations.</p>	<p>A simple and easy application process for potential volunteers was developed in partnership with Volunteer Coordinators. The volunteer application process was updated to include mandatory Child Safeguarding and WWCC information, with updated links and webforms throughout</p>	<p> ON TRACK</p>



Action	Progress Comments	Progress
	Council's website to direct potential volunteers to Better Impact.	

<p>2.1.3.1 Implement Innovate Reconciliation Action Plan for 2023/24 including</p> <ul style="list-style-type: none"> <li>develop and strengthen relationships with Aboriginal and Torres Strait Islander peoples,</li> <li>engage staff and stakeholders in reconciliation, and</li> <li>develop and pilot innovative strategies to empower Aboriginal and Torres Strait Islander peoples</li> </ul>	<p>The Reconciliation Action Plan (RAP) Advisory Group was formalised to report to Council, and Cr Stitfold appointed to the Group as Council's representative with revised Terms of Reference.</p> <p>Activities for the quarter include:</p> <ul style="list-style-type: none"> <li>Movie screening held in July during NAIDOC week at Palace cinemas showing the indigenous film 'The New Boy'- approx 200 people attended.</li> <li>Communication program on Voice to Parliament and Council's position is continuing with Let's Talk Bayside, and e-news articles.</li> <li>List of Aboriginal and Torres Strait Islander organisations published on Council website.</li> <li>Urban Forest Precinct Plans presented to RAP Advisory group for consultation and feedback.</li> <li>Consultant has been engaged to progress People and Strategy policy and recruitment review.</li> <li>Meeting held with Bunurong Land Council (BLC) Manager Partnerships and Engagement to discuss opportunities for Council and BLC to work together.</li> </ul>	 ON TRACK
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Action	Progress Comments	Progress
<p>2.2.1.1. Implement stage 2 of Planning scheme for Affordable Housing.</p>	<p>The second element of the Council Affordable Housing Amendment (stage 2) has been externally reviewed and further strategic justification will be required to ensure any planning scheme amendment would be successful.</p> <p>The Victorian Government announced their Housing Statement in September which</p>	 ON TRACK



Action	Progress Comments	Progress
	<p>included the inclusion of Clause 52.23 - Significant Residential Development with Affordable Housing into the Bayside Planning Scheme.</p> <p>Work is being undertaken to analyse the new planning provisions and determine the appropriate way forward in light of these changes.</p>	
<p>2.2.2.1 Continue to embed diversity, equity and inclusion considerations in Council strategy and service delivery including:</p> <ul style="list-style-type: none"> <li>Undertake Gender Impact Assessments on services as required.</li> <li>Consult with the Disability Access and Inclusion Committee regarding nominated strategies, plans, projects and priorities</li> </ul>	<p>Equity Impact Assessment communications planning and approach was reviewed in early September. A formal risk assessment of EIAs and internal processes are being mapped.</p> <p>The Disability Access and Inclusion Advisory Committee considered the following reports at their September 2023 meeting:</p> <ul style="list-style-type: none"> <li>Public Toilet Strategy Review</li> <li>Draft Urban Forest Precinct Plans</li> <li>Community Engagement Update.</li> </ul> <p>The committee had the opportunity to engage with relevant officers and provide feedback and advice on these in addition to pedestrian crossings, DAP progress, and inclusive sport initiatives.</p> <p>The next DAIAC meeting is scheduled for 27th November 2023.</p>	 <p>ON TRACK</p>
<p>2.2.2.2 Implement the delivery of the Disability Action Plan with an emphasis of Year 2 priority areas including physical and built environment, information and communication, employment and community participation and social support.</p>	<p>DAP Advisory meeting held on 31 July with reports presented on Parking Strategy, Local Law on Trees on Private Property and planning for 2023 International Day of People with a Disability.</p> <p>Progress on activities for the quarter include planning for key calendar events such as International Day of People with Disability and community capacity building as part of the 16 Days of Activism campaign.</p> <p>The Disability Access and Inclusion Advisory Committee meeting was held on 25 September with consultation on the Public</p>	 <p>ON TRACK</p>





Action	Progress Comments	Progress
	<p>Toilet Strategy, Urban Forest Precinct Plans and the Warm Water Pool design.</p> <p>The committee continue to provide their expertise to ensure best practice of disability access and inclusion across council projects. Council is partnering with Women Disabilities Victoria and Women's Health in the Southeast to undertake workforce capacity building project in primary prevention of violence among women with disabilities.</p>	


### North Brighton childrens centre upgrade



### 2.3 Foster economic vitality and creativity in the local economy.

Action	Progress Comments	Progress
<p>2.3.1.1 Complete implementation of the Graffiti program:</p> <ul style="list-style-type: none"> <li>• initiatives identified in the joint Inner South Metropolitan Mayors Forum (ISMMF) funding grant</li> <li>• Explore improvement opportunities to assist business owners to remove graffiti in a timely manner .</li> </ul>	<p>The majority of the project was delivered in the 2022-23 year with the remaining project funding spent on writing the final report and documenting the lessons learnt across the 6 participating councils.</p>	<p>ON TRACK</p>



Action	Progress Comments	Progress
2.3.2.1. Complete the Economic Development, Tourism and Placemaking Strategy and submit to Council for adoption.	<p>Council has appointed SGS to undertake the Economic Development, Tourism, and Place Making Strategy. The draft economic profile and needs analysis has been completed which will inform the draft strategy and strategic actions.</p> <p>The draft strategy will also be informed by the recently completed community engagement which was focused on understanding the community priorities and needs.</p> <p>It is anticipated that the completed draft strategy will be presented to Council and the Community for further engagement in the Quarter 3 of 2023/24.</p>	 ON TRACK

### Relaunch of the Bayside Business Network (BBN)





## Service Performance Indicators

LGPRF INDICATOR	Results 2021	Results 2022	Results YTD Comment
Library membership (% of population)	NA	NA	Q 1 35.36% of the municipal population are active library members
Number of registered members/ Municipal population x 00			New indicator
Library visitation per head of population.	NA	NA	Q1 1.03 visits for every member of the population.
Number of library visits/Municipal population. Does not include virtual visits			New indicator
MCH – Participation in 4-Week Key Age and Stage visit	100.91%	100%	YTD 95.71
Number of 4-week key age and stage visits / Number of birth notifications received.			156 of the 163 new notifications have attended .



## Goal 3 – Our Place



### Our Place

**Our open space and foreshore, our facilities and the built environment are highly valued, shared and enhanced to ensure their sustainability, use, liveability, character and amenity for current and future generations.**

In our goal to foster Bayside’s liveability, open space and exceptional places, we have 4 strategic objectives

- Open space is increased, and foreshore is cared for, to support diverse use and connect to community
- Infrastructure and assets are sustainable, accessible and fit-for-purpose now and for the future
- Land use will enhance Bayside’s liveability and protect the distinctive heritage and character of our various localities
- Transport planning and infrastructure facilitates a well-connected, accessible, safe and convenient transport system that contributes to a zero-carbon future and wellbeing.



### Goal Highlights



Some highlights are

- Billilla Gardens activation programs commences including Artist studio workshops, a Lightbox installation and a three-part sculpture installation – enabling public enjoyment of the gardens returned to public use.
- Despite volatilities in the construction sector there has been solid progress on some key projects Brighton Recreation Centre, North Brighton Children Centre, and Sillitoe Pavilion., and contracts awarded for playground works.
- Upgrade of accessible parking in Church Street, Brighton is completed, which is the first of three sites' improvements to be completed in 2023/24.
- Launch of digital parking permits improving customer experience and fairly optimising parking space.

### Footpath maintenance and repair, under the increased budget commitment to maintain our 738km of footpaths






3.1 Open space is increased, and foreshore is cared for, to support diverse use and connect to community.

Action	Progress Comments	Progress
3.1.1.1 Implement the Playground Improvement plan including activity spaces for all ages and abilities in 23/24.	<p>Award recommendation for the construction of Donald MacDonald playground has been made under Manager delegation.</p> <p>Equipment manufacturing will take up to 20 weeks and it is expected that construction will commence in March 2024. On advice from EPA further testing is required for the Elsternwick Park Playground to understand the site constraints.</p>	<p>ON TRACK</p>

Action	Progress Comments	Progress
3.1.2.1 Commence review of the Open Space strategy.	Project to commence in Q3	<p>NOT DUE TO COMMENCE</p>



Action	Progress Comments	Progress
3.1.3.1 Progress development of Wangara Road open space including commencing implementation of the rehabilitation plan in early 2024 (subject to EPA approval).	<p>A tender has been launched to appoint a suitably qualified landscape consultant to design and deliver a Masterplan for the site of the former driving range at Wangara Road.</p> <p>Council is continuing its onsite monitoring works at the site in order to demonstrate compliance to the Environment Protection Authority's (EPA) aftercare management requirements following the issue of an Environmental Action Notice (EAN).</p>	<p>ON TRACK</p>





Action	Progress Comments	Progress
3.1.3.2 Develop a Destination Visitor Management Plan for Dendy Beach for Council adoption.	<p>The APP Group has been appointed as the lead consultant in the development of the Dendy Beach Visitor Management Plan. This document will provide operation guidance as well as recommended actions (including capital) to assist in improving the overall visitor experience.</p> <p>The project is progressing well, and all operational improvement opportunities are expected to be identified by December 2023.</p> <p>Any opportunities with budgetary implications will be presented to Council for further consideration in Q3 of 2023/24.</p>	 ON TRACK



3.2 Infrastructure and assets are sustainable, accessible and fit for purpose now and for the future

Action	Progress Comments	Progress
3.2.1.1 Review Public Toilet strategy including opportunities for "Changing places" sites (DAP 4.4) (New Initiative).	The Public Toilet Strategy review has commenced with stakeholder engagement, the scoping and drafting criteria for Changing Places, and field data capture underway.  This includes an Equity Impact Assessment, consultation with Disability Access and Inclusion Advisory Committee (DAIAC) and other stakeholders; data capture tools developed and tested.	 ON TRACK
3.2.1.2 Implement the approved capital works program for 2023-2024, across diverse categories (major projects, capital projects, replacement and renewal).	The approved Capital works program for 2023-24 is 'at risk' of meeting budget and timeframe targets due to ongoing volatilities within the construction industry.  Despite the construction industry volatilities, the quarter continued to deliver solid progress on some key projects including Brighton Recreation Centre, North Brighton Children Centre, and Sillitoe Pavilion.	 MONITOR



Action	Progress Comments	Progress
3.2.1.3 Complete the design for the Gateway building at Yalukit Willam Nature Reserve (YKNR)	A tender has been launched and a shortlist of four preferred designers has been confirmed. Stage 2 of the tender process has begun with the design competition now underway. Stage 2 of the tender process will generate floor plans, elevations and a mood board illustrating the designer's intent.	 ON TRACK
3.2.1.4 Utilise the adopted functional brief to commence the concept design for the Hampton Hub and Integrated Open Space.	Urban Enterprise and Tract have been appointed to undertake the functional brief. Project is on track to deliver draft scenarios by early September and report to Council in December.	 ON TRACK





<p>3.2.1.19 Review the Early Years Infrastructure Plan (2022-2028) in light of 4 year old Kinder reform and requirements to meet new standards.</p>	<p>Initial meeting held with early years consultant to develop the brief for the review.  Scoping and tender documents are being prepared.</p>	 ON TRACK
<p>3.2.1.5. Develop a strategic management plan for the Billilla precinct and deliver public program to activate Billilla gardens.</p>	<p>Billilla Advisory Committee workshops held in July and August to co-develop strategic business plan for Billilla. Strategic Business plan to be finalised in Q2. Activation program delivered in Q1 including two Artist studio workshops, Lightbox installation featuring work by Mark Forbes and the three-part sculpture titled <i>She gave me a daisy</i> by artist Anne Ross. Activation Officer has been recruited to commence in November.</p>	 ON TRACK

3.3 Land use will enhance Bayside's liveability for the community of life and protect the distinctive heritage and character of our various localities.

Action	Progress Comments	Progress
<p>3.3.1.1 Implement both local and state level planning scheme amendments that apply the Environmentally Sustainable Development (ESD) policy.</p>	<p>Planning Scheme Amendment C187 implementing ESD controls in the Planning Scheme has been submitted to the Minister for Planning for gazettal.  Council continues to await State Governments response and authorisation of planning scheme amendment C195bays in request for State ESD policy (joint amendment).</p>	 ON TRACK
<p>3.3.2.1 Explore approaches to implement the Neighbourhood Character Review into the Bayside Planning Scheme.</p>	<p>A scope of works is currently being prepared to implement the Neighbourhood Character Review following the Minister for Planning refusal to authorise Planning Scheme Amendment C185bays.  It is anticipated that the upcoming Planning reforms from the State Government will influence how this work is able to be undertaken.</p>	 ON TRACK



3.4 Transport planning and infrastructure facilitates a well-connected, accessible, safe and convenient transport system that contributes to a zero carbon future and wellbeing.

Action	Progress Comments	Progress
<p>3.4.1.1 Implement actions from Council's Integrated Transport Strategy:</p> <ul style="list-style-type: none"> <li>Progress the Footpath Connectivity Program to address missing links in the footpath network</li> <li>Continue the rollout of parking technology to optimise the use of parking spaces in Sandringham</li> <li>Progress the delivery of the East/West bicycle connection between Sandringham and Cheltenham Stage 1 (Subject to Council resolution).</li> </ul>	<p>Council is currently undertaking a procurement process to establish a preferred contractor to install the parking technology at the carpark located at 122 Beach Road, Sandringham.</p> <p>The concept design for the footpath connection in Durrant Street, Brighton has been complete.</p> <p>Engagement is currently underway with the Department of Transport and Planning regarding the interventions required on their road as part of the Sandringham to Cheltenham bicycle path. A report will be presented to the November Council meeting regarding the next steps of the Cheltenham to Sandringham bicycle path.</p>	<p>ON TRACK</p>
<p>3.4.1.9 Implement the Bayside Parking Strategy (subject to Council endorsement of Strategy) including review and improve disabled parking provision across the municipality.</p>	<p>The accessible parking in Church Street, Brighton has been upgrade is completed, which is the first of three sites' improvements to be completed in 2023/24. The procurement process to engage a contractor for the Disabled Parking Audit has commenced, with a target completion of March 2024.</p>	<p>ON TRACK</p>
<p>3.4.1.10 Actively participate and represent Bayside residents in the Suburban Rail Loop and LXP (Highett and Wickham road) projects to ensure quality outcomes for Bayside residents are achieved.</p>	<p>Consultant team appointed to undertake work to inform Council's advocacy and participation in the project.</p> <p>Ongoing workshops are being held with the SRL providing information to inform the precinct planning process.</p>	<p>ON TRACK</p>



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Dendy Beach surf lifesaving club works  
recommence under new contractors





## Service Performance Indicators

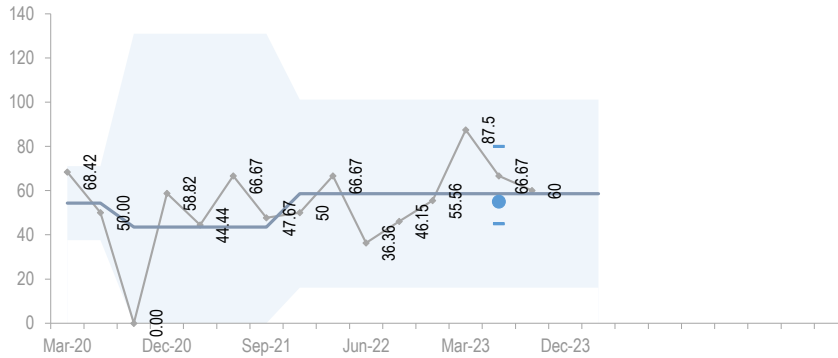
LGPRF INDICATOR	Results 2022	Results 2023	Results YTD 23-24 Comment
<b>STATUTORY PLANNING</b>			
			YTD 60%
Council planning decisions upheld at VCAT ( <i>more is better</i> )	60.47%	61.9%	In Q1 Bayside has delivered 98% of VicSmart applications in 10 days and 76% of all other application types within 60 statutory days.
Percentage of council planning application decisions subject to review by VCAT that were not set aside			
<b>ANIMAL MANAGEMENT</b>			
			YTD 79%
Animals Reclaimed ( <i>more is better</i> )	86.82%	82.31%	In Q1 22 (13 dogs and 9 cats) of 28 animals were reclaimed.
Percentage of collected registrable animals under the Domestic Animals Act 1994 reclaimed.			
<b>ANIMAL MANAGEMENT</b>			
			YTD 100.00%
Animal Management prosecutions ( <i>more is better</i> )	100.00 %	100%	In Q1 there was one animal management prosecution, and it was successful.
Percentage of successful animal management prosecutions.			

### Digital parking permits launched



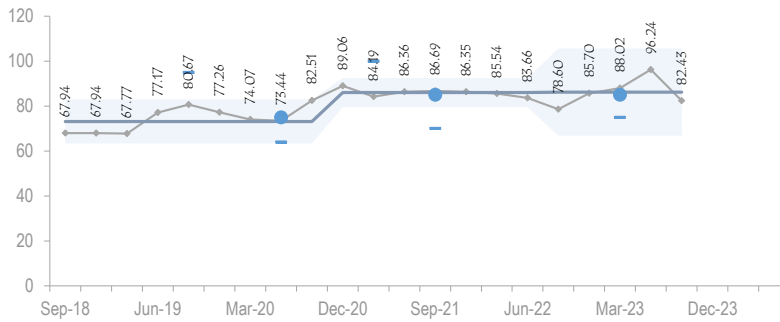


**Planning decision upheld VCAT (%) (SP4)**



In the first quarter 3/5 (60%) of Council’s planning decisions were upheld when taken to VCAT. Statistically this has resulted in a drop in the average percentage of decisions being upheld around with increased volatility in whether decisions will be upheld by VCAT.

**Planning approvals within 60 days (%)**



Council’s rate of planning approvals within the 60 day requirement remains strong at 82.43% for the quarter.



## Goal 4 – Our Promise



### Our Promise

We will engage with and represent for all in our community, and provide ethical, open and accountable stewardship of the Bayside municipality and deliver sustainable services that meet the vision and needs of the current and future generations of Bayside.

In our goal to nurture all people and thriving healthy communities, we have 3 strategic objectives

- 1. Identify an agreed program of advocacy to secure funding and policy reform to be a leading voice for change.
- 2. Ensure flexible and transparent decision making through open and accountable governance.
- 3. Provide customer-focussed and effective service delivery and value in all we do.



Goal Highlights



Some highlights are


- Completion of the Annual report for 2022-23 demonstrating progress on Council's 4 year Council Plan and sound financial position.
- The historic Brighton Town Hall received a small upgrade with a new flagpole installed to replace the old one which had deteriorated to an unsafe condition.

New Brighton Town Hall Flag pole







4.1 Identify an agreed program of advocacy to secure funding and policy reform to be a leading voice for change


Action	Progress Comments	Progress
4.1.1.1 Develop and deliver the strategic advocacy program that focuses on Council priorities • Our Planet• Our People• Our Place• Our Place	Work has begun to review and refresh the Advocacy Strategy, Strategic Priorities list and associated communication plan. The intention is to present this to Councillors for their consideration in November, to seek agreement on the flagship, opportunistic and joint priorities.	 ON TRACK

4.2 Ensure flexible and transparent decision-making through open and accountable governance.

4.2.1.1 Conduct Annual Council Plan review and develop the Annual Action Plan .	To commence December 2023	 NOT DUE TO COMMENCE
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4.2.1.2 Develop Annual Report on delivery of major plans, strategies and performance and progress against Council Plan and Budget.	Designed Annual report completed scheduled for Council noting at the October 2023 meeting.	 ON TRACK
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4.3 Provide customer focussed and effective service delivery and value in all we do.

4.3.1.1 Review and adopt the 10 Year Financial Plan and annual Budget.	To commence Oct 2023	 NOT DUE TO COMMENCE
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4.3.2.1 Deliver a program of work including regular post interaction customer surveying to understand and improve customer experience at every interaction. Leverage the data and insights to:

- improve both digital and traditional solutions for customers to interact with us via their channel of choice.
- improve internal complaints handling procedure to drive clarification and timely resolution for our customers.

The continuing program to improve customer experience includes

- Developed draft scope for Customer Experience Strategy and Request for Quotation
- Finalised the draft procedure for how to record and manage formal customer correspondence and prepared plan in readiness for pilot.
- Delivered new monthly reporting including Customer Contact and Voice of Customer feedback reports for continuous improvement at the department level.



ON TRACK

### Service Performance Indicators

LGPRF INDICATOR	Results 2021-22	Results 2022-23	Results YTD
GOVERNANCE			YTD 3.33%
Transparency ( <i>less is better</i> )	2.26%	1.97%	3 of 90 decisions were closed to the public
Council decisions made at meetings closed to the public			
GOVERNANCE			YTD 92.86%
Councillor attendance ( <i>more is better</i> )	96.43%	91.67%	
Percentage of Councillor attendance at ordinary and special council meetings			




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## Related Strategic Plans

### Climate Emergency Action Plan

The Climate Emergency Action Plan has 50 deliverables due in the current year with 85% progressing as expected. In addition to highlights mentioned in Goal 1.1 some achievements in the quarter include:

- Ensuring environmental sustainability and awareness is embedded in all roles, practices and policies across Council.
- Promoting energy efficiency and behaviours in our community groups and businesses through GreenMoney, community grants, workshops and other initiatives to support environmental groups.
- Inclusion of a category on sustainable design in Bayside's' Built Environment Awards, that promote excellence in local building design.
- Continuing the switch to zero carbon energy in Council operations and in the community with zero carbon workshops (Electrify Everything) and energy assessments for vulnerable community members.

### Municipal Health and Wellbeing Plan

The Year 3 of the Municipal Wellbeing plan was launched with the internal working group with 32 actions for the year. In addition to highlights under Goal 2.1 other activities in the quarter include:

- RUOK campaign with resources and a grant to community centres
- Arts and Dementia programs held at online and at the Bayside Gallery as well as diverse programs to encourage senior residents to build and maintain connection
- Support for BayCISS with promotion on The Block TV show
- Empowering young people to codesign programs to meet their interests and needs including food workshops
- Planning and progress on workshops and programs to reduce harm such as gambling and providing smoke, drug, alcohol and e-vape free events for young people.
- Activities to encourage physical activity and participation for all people with clubs and communities including This Girl Can campaign and Good Sports Program and Fair Access Policy
- Promoting a respectful and safe community through work to advance child safety, prevent elder abuse, positive attitudes in school communities, initiatives to prevent family violence
- Commence the design process for the warm water pool
- Advance a fair and inclusive community through advocacy, administration and policy including formalising the RAP Advisory Group, leading the Community Development Steering committee, Youth Ambassadors Committee
- Advocate and codesign programs with residents of public housing estates, support state and national campaigns IDAHOBIT day and International Day for People with a Disability.



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## Disability Action Plan

The DAP activity includes strong progress on 75% of the planned activity for year 3. In addition to those mentioned in Goal 2.2 highlights in the last 3 months include

- Programs to support carers and families, encourage organisations to provide volunteering opportunities for people with a disability, promote accessible networking in clubs and social spaces
- Increasing consultation with the DAIAAC on key strategies and projects
- Developing accessible event guidelines and provide grants to community clubs to improve accessibility
- Commence projects on inclusive playgrounds, public toilets (Changing Places) and warm water pool, maintain accessible footpaths and improving beach access
- Ensure Councils website and key communications are accessible and promote inclusive images and messages.

## Innovate Reconciliation Action Plan

The Innovate Reconciliation Action Plan continues into year 2 with some actions rolled over into 2023-24. In addition to activity list in Goal 2.1 highlights for the quarter were:

- Formalised the RAP advisory committee with Councillor representation
- Conducted National Reconciliation Week events, including flag raising and Ellen Jose awards.
- Nomuckerlener Indigenous Training, Consulting and Mentoring engaged to support recruitment and training to attract and retain first nations people to roles.
- Upstander events with school students including celebration Aboriginal and Torres Strait Islander culture
- Urban Forest Precinct plans drafted including identification and protections for trees of cultural significance.



## Section 3 - Financial Overview

The following report provides a summary and analysis of Council's financial performance for the 3 months ending 30 September 2023 and compares the September year-end forecast to the adopted budget.

### Operating Result Summary

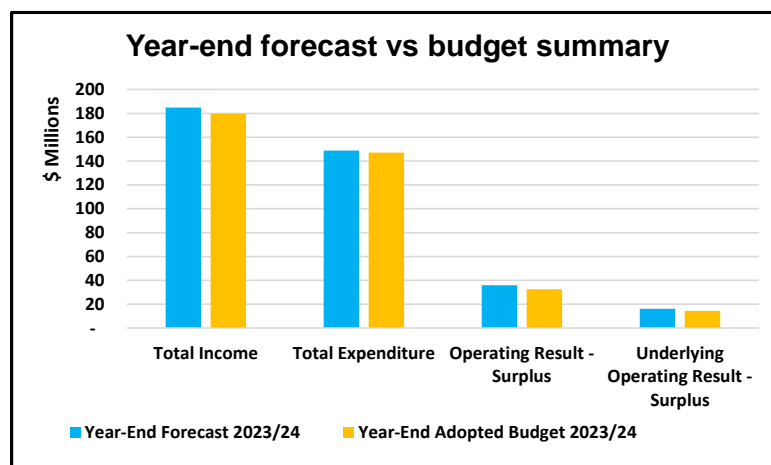
The September 2023 year-end forecast is a surplus of \$36.0M which is \$3.4M favourable to the adopted budget.

The forecast includes the following one-off or timing issues including:

- Non-monetary land contribution from the developer for land at the old CSIRO site \$7.0M
- Open Space Contributions \$3.3M
- Capital grants of \$10.1M

Excluding the one-off and timing issues identified above, the underlying year end forecast is a surplus of \$16.1M which is \$1.6M favourable to the budget.

Forecast Results	June 2024	Var \$	Var %	
Operating surplus	\$36.0M	\$3.4M	10.4%	●
Underlying surplus	\$16.1M	\$1.6M	11.3%	●
Divisional net expenditure	\$72.9M	\$0.4M	0.6%	●
Capital expenditure	\$75.6M	(\$7.0M)	(10.3%)	●
Capital carry forward	\$15.9M			





## Capital Works Budget Summary

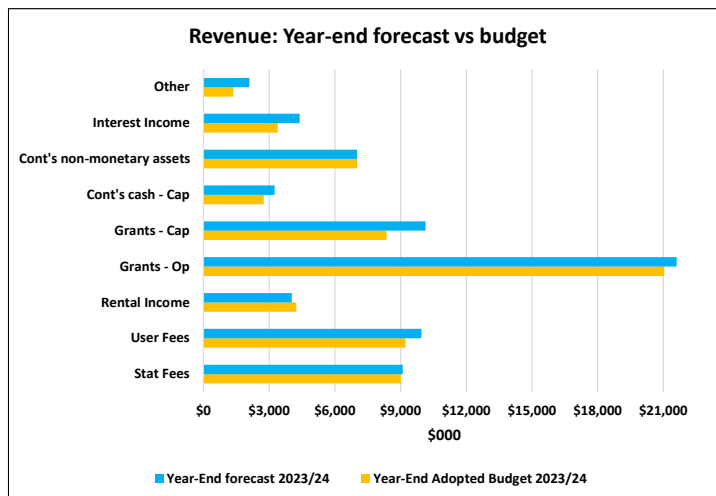


168 Total Projects      9 Projects Complete      107 Projects In Progress      18 Projects to Carry Forward      4 Projects Not to be Delivered      30 Projects Not Started

	2023/24 YTD Adopted Budget \$'000s	2023/24 YTD Actuals \$'000s	2023/24 YTD Variance \$'000s	2023/24 Adopted Budget \$'000s	2023/24 Year-End Forecast \$'000s	2023/24 Forecast Variance \$'000s	Carry Forward Balance Future Years \$'000s
Capital Expenditure	9,184	12,892	(3,708)	68,548	75,581	(7,032)	15,867

## Revenue Variance Analysis

Operating Result 2023/24	YTD Adopted Budget \$'000s	YTD Actuals \$'000s	YTD Variance \$'000s	Adopted Budget \$'000s	Year-End Forecast \$'000s	Forecast Variance \$'000s	Adopted Budget to Forecast Var %
<b>Income</b>							
Rates and Charges	28,276	28,002	(273)	113,148	113,148	-	0%
Statutory Fees and Fines	1,969	2,250	281	9,016	9,096	80	1% ↑
User Fees	2,053	2,524	470	9,224	9,949	725	8% ↑
Rental Income	1,780	1,687	(93)	4,238	4,034	(204)	-5% ↓
Grants - Operating	4,286	3,953	(333)	21,036	21,605	570	3% ↑
Grants - Capital	-	-	-	8,361	10,137	1,776	21% ↑
Contributions - Cash - Operating	-	2	2	102	102	-	0%
Contributions - Cash - Capital	687	2,321	1,634	2,750	3,250	500	18% ↑
Contributions - Non-Monetary - Assets	-	-	-	7,004	7,004	-	0%
Interest Income	847	1,464	617	3,391	4,391	1,000	29% ↑
Other Income	315	481	166	1,358	2,095	737	54% ↑
<b>Total Revenue</b>	<b>40,214</b>	<b>42,684</b>	<b>2,470</b>	<b>179,628</b>	<b>184,811</b>	<b>5,184</b>	<b>2.9% ↑</b>





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The year-end forecast for revenue is **\$184.8M** which is **\$5.2M** favourable to the adopted budget.

#### **User fees and charges – favourable \$0.7M**

User Fees and Charges are forecast to be favourable to budget by \$0.7M including \$0.5M for Home Care Packages income tested fee, offset by an (\$0.3M) decrease in commonwealth grants based on client mix, client numbers and expected income tested fees.

#### **Operating Grants – favourable \$0.6M**

Operating grants are forecast to be favourable to budget by \$0.6M including:

- \$0.2M tree planting and establishment LRCI grant (offset by equivalent expenditure).
- \$0.2M for kinder central enrolment due to unbudgeted VSBA Building Block Kinder Feasibility funding and KISP grant from the Dept of Education.
- \$0.2M for South Road bicycle improvement project.

All of these grants are to be offset by corresponding expenditure.

#### **Capital Grants – favourable \$1.8M**

Capital grants are forecast to be favourable to budget by \$1.8M due to:

- \$1.4M for grants where the milestone wasn't reached in 22/23, and so now expected in 23/24. This includes \$0.75M for Black Rock Life Saving Club and \$0.3M for Dendy Street Beach Masterplan.
- \$0.5M for Elsternwick Park 1 Lighting and Pavilion upgrades due to the rephasing of expenditure and so the milestone grant payments were aligned to this.

#### **Monetary contributions – favourable \$0.5M**

Open Space contributions are forecast to be favourable to budget \$0.5M reflecting increased development activity. These funds are held in reserves for future open space and drainage works.

#### **Interest Income – favourable \$1.0M**

Interest income is forecast to be \$1.0M higher than budgeted due to the higher interest rates and higher cash levels than budgeted due to the rephasing of the capital program.

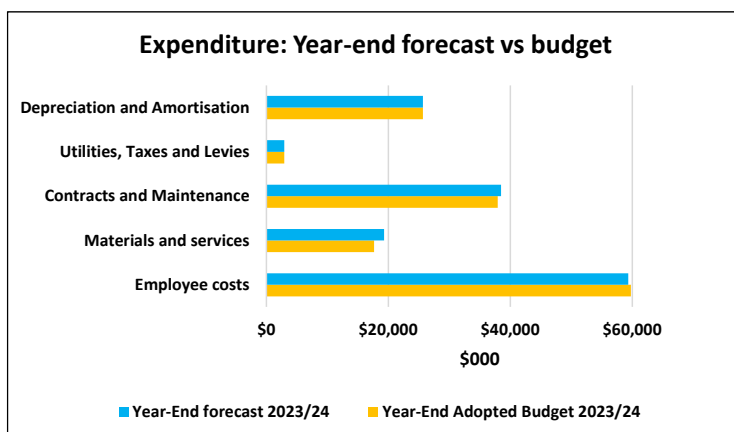
#### **Other Income – favourable \$0.7M**

Other income is forecast to be favourable by \$0.7M which includes \$0.5M for the Lloyd Group bank guarantee related to the Tulip Street basketball project.



## Expenditure Variance Analysis

Operating Result 2023/24	YTD Adopted Budget \$'000s	YTD Actuals \$'000s	YTD Variance \$'000s	Adopted Budget \$'000s	Year-End Forecast \$'000s	Forecast Variance \$'000s	Adopted Budget to Forecast Var %
<b>Expenditure</b>							
Employee Costs	13,642	12,961	681	59,797	59,348	449	1% <span style="color: green;">▼</span>
Materials and Services	17,388	16,629	760	60,091	62,317	(2,226)	-4% <span style="color: red;">▲</span>
Bad and Doubtful Debts	2	(0)	3	859	859	-	0%
Depreciation and Amortisation	6,422	6,719	(297)	25,697	25,697	-	0%
Other Expenses	97	100	(3)	519	519	-	0%
Finance Costs	15	95	(80)	61	61	-	0%
<b>Total Expenditure</b>	<b>37,567</b>	<b>36,504</b>	<b>1,063</b>	<b>147,024</b>	<b>148,802</b>	<b>(1,778)</b>	<b>-1.2%</b> <span style="color: red;">▲</span>



The year-end result for expenditure is \$148.8M which is (\$1.8M) unfavourable to the adopted budget.

### Employee Costs – favourable \$0.4M

Employee Costs are favourable due to:

- \$0.4M savings in Packaged Care salaries offset by an equivalent increase in external client purchases (materials and services expenditure).

### Materials and Services - unfavourable (\$2.2M)

Materials and Services are unfavourable due to:

- (\$0.5M) New initiatives carried forward from 22/23 funded from reserves.
- (\$0.6M) Aged Care Services brokered services offset by salary savings.
- (\$0.4M) Additional grant-funded expenditure including \$0.2M for LRCI tree planting and establishment and \$0.2M for Kinder Central enrolment.
- (\$0.3M) Other unfunded cost pressures including contracts costs and insurance premium increases.



### Capital Expenditure Forecast Analysis

CAPITAL 2023/24	YTD Adopted Budget \$'000s	YTD Actuals \$'000s	YTD Variance \$'000s	Adopted Budget \$'000s	Year- End Forecast \$'000s	Forecast Variance \$'000s	Carry Forward Balance Future Years \$'000s
<b>Property Expenditure</b>	5,339	10,693	(5,354)	34,049	42,039	(7,989)	8,322
<b>Plant &amp; Equipment Expenditure</b>	603	448	155	4,236	3,773	463	1,017
<b>Infrastructure Expenditure</b>	3,243	1,751	1,491	30,263	29,769	494	6,527
<b>Total Capital Expenditure</b>	<b>9,184</b>	<b>12,892</b>	<b>(3,708)</b>	<b>68,548</b>	<b>75,581</b>	<b>(7,032)</b>	<b>15,867</b>

Capital expenditure is forecasted to be over budget by \$7.03M for the year due to:

- Additional carry forward of projects from 22/23 (\$10.8M) funded from carry forward reserves (timing issue).
- Budget increases approved by EPB (\$11.56M) including:
  - \$1.9M funded from grants/contributions
  - \$9.3M funded from the Infrastructure Reserve
  - \$0.4M funded from savings
- Underspend of \$15.87M due to deferral of projects to 24/25 due to construction scheduling.

At the completion of the 2022/23 capital program Council delivered \$52.557M of capital projects. Despite this excellent result the value of confirmed projects carried forward into 2023/24 total \$27M which is an increase of \$10.8M compared to what was included in the 2023/24 adopted budget.

In light of this increase, a comprehensive review of the scheduling of the 2023/24 capital program was undertaken in the first quarter of 2023/24. This review identified the following projects totalling \$15.87M which are recommended to be carried forward into 2024/25.

Master Account	Indicative Carry Forward	Comments
<b>Project not to be fully delivered this year - Carried Forward</b>		
17045. Boss James Reserve Pavilion	2,500,000	Carry forward into 2024/25 due to delays in awarding contract and pause on site. Anticipated commencement of construction in January 2024.
19025. Sandringham Hub (Masonic Hall Redevelopment)	600,000	Partial carry forward into 2024/25 to carry out essential maintenance only in 2023/24 such as stormwater renewal and floor replacement.
21000. Dendy Park Athletic Pavilion Renewal	1,300,650	Pavilion project reprioritised with construction now scheduled to commence in 2024/25.
22013. Brighton Town Hall Air Handling Unit	1,926,810	Project postponed to ease project resourcing.
22017. RedBluff to HalfMoonBay M'plan Imp Stage 3 21/22	1,000,000	Project delayed due to additional time required to investigate the feasibility of the design and permits from authorities, and avoid peak summer season. Construction now scheduled in 24/25.
22044. Warm Water Pool	1,450,000	Carry forward into 2024/25 based on rephasing of project.
22051. Hampton Beach Access Elevator	900,000	Project deferred to 2024/25 while determining the scope that will provide the best outcome for the community.
22065. Head Street Drain Brighton - Design & Construct	1,850,000	Project delayed due to Melbourne Water consultation and finalisation of design.
23011. Brighton Town Hall Clocktower Renewal Works	345,000	Project postponed to ease project resourcing.
23024. Southern Carpark at Tjilatjirrin Reserve	90,563	Project postponed to ease project resourcing.
23030. Paul Street Minor Road Reconstruction	100,000	Monitoring surface movement only in 23/24. Construction deferred to 24/25 if required.
23056. Upgrade of Drainage System along Kinane Street	2,260,000	Design only to be carried out in 23/24 with construction delayed to 24/25.
24012. Thomas Street Car Park Toilet Replacement	200,000	Project postponed to ease project resourcing.
24019. Green Point Tram Shelter Refurbishment	248,500	Project postponed to ease project resourcing.
24020. Sandringham Beach&Gardens Masterplan Path Closure	28,000	Project postponed to ease project resourcing.
24055. Customer Relationship Management System	852,000	Delay in commencement of project due to IT resourcing. Commencement expected in October 2023.
24056. Authority Improvements and Upgrade to Altitude	165,000	Discussions have been held with Civica although still finalising project team.
24071. Contemplative Garden at Higinbotham Hall	50,000	Project postponed to ease project resourcing.
<b>Grand Total</b>	<b>15,866,523</b>	





**Appendix 1**  
**Comprehensive Income Statement**

Operating Result 2023/24	YTD Adopted Budget \$'000s	YTD Actuals \$'000s	YTD Variance \$'000s	Adopted Budget \$'000s	Year-End Forecast \$'000s	Forecast Variance \$'000s	Adopted Budget to Forecast Var %
<b>Income</b>							
Rates and Charges	28,276	28,002	(273)	113,148	113,148	-	0%
Statutory Fees and Fines	1,969	2,250	281	9,016	9,096	80	1%
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Contributions - Non-Monetary - Assets	-	-	-	7,004	7,004	-	0%
Interest Income	847	1,464	617	3,391	4,391	1,000	29%
Other Income	315	481	166	1,358	2,095	737	54%
<b>Total Revenue</b>	<b>40,214</b>	<b>42,684</b>	<b>2,470</b>	<b>179,628</b>	<b>184,811</b>	<b>5,184</b>	<b>2.9%</b>
<b>Expenditure</b>							
Employee Costs	13,642	12,961	681	59,797	59,348	449	1%
Materials and Services	17,388	16,629	760	60,091	62,317	(2,226)	-4%
Bad and Doubtful Debts	2	(0)	3	859	859	-	0%
Depreciation and Amortisation	6,422	6,719	(297)	25,697	25,697	-	0%
Other Expenses	97	100	(3)	519	519	-	0%
Finance Costs	15	95	(80)	61	61	-	0%
<b>Total Expenditure</b>	<b>37,567</b>	<b>36,504</b>	<b>1,063</b>	<b>147,024</b>	<b>148,802</b>	<b>(1,778)</b>	<b>-1.2%</b>
<b>Operating Result - Surplus</b>	<b>2,647</b>	<b>6,181</b>	<b>3,533</b>	<b>32,604</b>	<b>36,009</b>	<b>3,406</b>	<b>10.4%</b>
<b>Underlying Result - Surplus</b>	<b>1,960</b>	<b>3,860</b>	<b>1,900</b>	<b>14,489</b>	<b>16,128</b>	<b>1,638</b>	<b>11.3%</b>



**Appendix 2**  
**Capital Projects Statement**

CAPITAL 2023/24	YTD Adopted Budget \$'000s	YTD Actuals \$'000s	YTD Actual Variance \$'000s	Year - End Adopted Budget \$'000s	Year- End Forecast \$'000s	Year- End Forecast Variance \$'000s	Carry Forward Balance Future Years \$'000s
<b>Property Expenditure</b>							
Land	-	-	-	-	-	-	-
Buildings	4,856	10,115	(5,258)	28,507	37,221	(8,714)	5,851
Building Improvements	483	578	(95)	5,542	4,818	724	2,472
<b>Plant &amp; Equipment Expenditure</b>							
Plant, machinery and equipment	-	-	-	-	-	-	-
Fixtures, Fittings and Furniture	15	21	(6)	170	170	-	-
Arts and Culture	30	38	(8)	130	270	(140)	-
IT Systems, Network, Servers, and Communication	442	124	318	3,376	2,773	603	1,017
Library Assets	116	265	(149)	560	560	-	-
<b>Infrastructure Expenditure</b>							
Road Infrastructure	887	509	378	10,965	10,592	373	100
Drainage Infrastructure	351	289	61	5,606	5,598	8	4,110
Parks, Open Space and Streetscape	1,305	758	547	9,358	10,854	(1,496)	50
Foreshore and Conservation	663	186	476	4,014	2,472	1,542	2,177
Off-Street Car Parks	37	8	29	318	252	66	91
<b>Total Expenses</b>	<b>9,184</b>	<b>12,892</b>	<b>(3,708)</b>	<b>68,548</b>	<b>75,581</b>	<b>(7,032)</b>	<b>15,867</b>



### Appendix 3 Cash Flow Statement

	30-Jun-23		YTD to 30-Sep-23		2023/24		
	Actual \$' 000	YTD Actual \$' 000	Budget \$' 000	Variance \$' 000	Budget \$' 000	Forecast \$' 000	Variance \$' 000
<b>Cash flows from operating activities</b>							
<b>Receipts</b>							
Rates and charges	106,744	32,809	34,072	(1,263)	112,962	116,698	3,736
Statutory fees and fines	8,390	359	4,009	(3,650)	8,991	8,815	(176)
User charges	10,373	2,413	2,637	(224)	8,981	9,728	747
Rental income	4,115	2,393	603	1,790	4,718	3,491	(1,227)
Contributions - monetary	7,196	2,323	694	1,629	2,881	3,386	505
Grants - Operating	17,811	4,037	4,329	(292)	21,246	21,582	336
Grants - Capital	4,610	102	-	102	9,113	10,928	1,815
Interest received	2,714	1,997	959	1,038	2,814	7,978	5,164
Trust funds and deposits	881	4,225	31	4,194	124	120	(4)
Other receipts	1,724	1,464	471	993	1,472	2,012	540
Net GST refund	10,227	3,017	2,771	246	10,238	11,014	776
Employee costs	(51,618)	(13,456)	(14,125)	669	(58,660)	(57,803)	857
Payments to suppliers	(75,565)	(16,367)	(25,651)	9,284	(72,501)	(74,432)	(1,931)
<b>Net cash provided by (used in) operating activities</b>	<b>47,602</b>	<b>25,317</b>	<b>10,800</b>	<b>14,517</b>	<b>52,379</b>	<b>63,517</b>	<b>11,138</b>
<b>Cash flows from investing activities</b>							
Payments for property, infrastructure, plant & equipment	(50,648)	(12,727)	(9,184)	(3,543)	(68,548)	(75,580)	(7,032)
Proceeds from sale property, infrastructure, plant & equipment	-	481	-	481	-	-	-
Net inflows/(outflows) from term deposit investments	4,001	(5,996)	-	(5,996)	17,250	8,000	(9,250)
Proceeds from sale of investments	-	-	-	-	-	-	-
<b>Net cash used in investing activities</b>	<b>(46,647)</b>	<b>(18,242)</b>	<b>(9,184)</b>	<b>(9,058)</b>	<b>(51,298)</b>	<b>(67,580)</b>	<b>(16,282)</b>
<b>Cash flows from financing activities</b>							
Interest paid - lease liability	(42)	(95)	(15)	(80)	(61)	(61)	-
Repayment of lease liabilities	(765)	(358)	(207)	(151)	(828)	(800)	28
<b>Net cash used in financing activities</b>	<b>(807)</b>	<b>(453)</b>	<b>(222)</b>	<b>(231)</b>	<b>(889)</b>	<b>(861)</b>	<b>28</b>
<b>Net increase(decrease) in cash and cash equivalents</b>	<b>147</b>	<b>6,622</b>	<b>1,394</b>	<b>5,228</b>	<b>192</b>	<b>(4,924)</b>	<b>(5,116)</b>
<b>Cash and cash equivalents at the beginning of the period</b>	<b>7,589</b>	<b>7,736</b>	<b>1,786</b>	<b>5,950</b>	<b>1,786</b>	<b>7,736</b>	<b>5,950</b>
<b>Cash and cash equivalents at the end of the period</b>	<b>7,736</b>	<b>14,358</b>	<b>3,180</b>	<b>11,178</b>	<b>1,978</b>	<b>2,812</b>	<b>834</b>
<b>Term Deposits</b>	<b>112,000</b>	<b>117,996</b>	<b>107,970</b>	<b>10,026</b>	<b>90,950</b>	<b>104,000</b>	<b>13,050</b>
<b>Total cash and cash equivalents at the end of the period</b>	<b>119,736</b>	<b>132,354</b>	<b>111,150</b>	<b>21,204</b>	<b>92,928</b>	<b>106,812</b>	<b>13,884</b>
<b>Unallocated and unrestricted</b>	<b>35,549</b>	<b>48,473</b>	<b>50,671</b>	<b>(2,198)</b>	<b>51,020</b>	<b>45,416</b>	<b>(5,604)</b>
<b>Restricted, committed and allocated funds</b>	<b>84,187</b>	<b>83,881</b>	<b>60,479</b>	<b>23,402</b>	<b>41,908</b>	<b>61,396</b>	<b>19,488</b>
	<b>119,736</b>	<b>132,354</b>	<b>111,150</b>	<b>21,204</b>	<b>92,928</b>	<b>106,812</b>	<b>13,884</b>



**Appendix 4**  
**Balance Sheet**

Line item	30-Jun-23	As at 30-Sep-23			2023/24		
	Actual \$'000s	Actual \$'000s	Budget \$'000s	Variance \$'000s	Budget \$'000s	Forecast \$'000s	Variance \$'000s
<b>Current assets</b>							
Cash and cash equivalents	7,736	14,358	3,180	11,178	1,978	3,801	1,823
Trade and other receivables	16,169	6,296	6,972	(676)	9,954	7,805	(2,149)
Other financial assets	73,000	71,996	88,200	(16,205)	70,950	79,000	8,050
Inventories	144	144	125	19	129	148	19
Other assets	24,035	21,711	564	21,147	1,923	2,136	213
<b>Total current assets</b>	<b>121,084</b>	<b>114,505</b>	<b>99,041</b>	<b>15,464</b>	<b>84,934</b>	<b>92,890</b>	<b>7,956</b>
<b>Non-current assets</b>							
Trade and other receivables	116	112	70	42	70	49	(21)
Property, infrastructure, plant and equipment	3,829,618	3,836,121	3,960,959	(124,838)	4,008,557	3,887,626	(120,930)
Financial assets	39,000	46,000	20,000	26,000	20,000	46,000	26,000
Right of Use Asset - Leases	969	4,076	16,148	(12,071)	19,406	18,325	(1,081)
Other assets	95	-	-	-	-	-	-
<b>Total non-current assets</b>	<b>3,869,798</b>	<b>3,886,310</b>	<b>3,997,177</b>	<b>(110,867)</b>	<b>4,048,032</b>	<b>3,952,000</b>	<b>(96,032)</b>
<b>Total assets</b>	<b>3,990,882</b>	<b>4,000,815</b>	<b>4,096,218</b>	<b>(95,403)</b>	<b>4,132,966</b>	<b>4,044,890</b>	<b>(88,076)</b>
<b>Current liabilities</b>							
Trade and other payables	9,258	9,274	3,092	6,182	11,476	12,132	(656)
Trust funds and deposits	8,303	7,998	7,573	425	7,666	8,423	(757)
Provisions	11,355	11,778	11,995	(217)	11,882	11,661	221
Lease Liabilities	547	160	543	(383)	543	605	(62)
Unearned Income	3,560	4,452	4,500	(48)	3,179	714	2,465
<b>Total current liabilities</b>	<b>33,023</b>	<b>33,663</b>	<b>27,703</b>	<b>5,960</b>	<b>34,746</b>	<b>33,535</b>	<b>1,211</b>
<b>Non-current liabilities</b>							
Provisions	1,416	1,480	1,468	12	1,707	1,717	(10)
Lease Liabilities	426	335	1,715	(1,380)	1,715	17,611	(15,896)
<b>Total non-current liabilities</b>	<b>1,842</b>	<b>4,954</b>	<b>3,183</b>	<b>1,771</b>	<b>3,422</b>	<b>19,328</b>	<b>(15,906)</b>
<b>Total liabilities</b>	<b>34,865</b>	<b>38,616</b>	<b>30,886</b>	<b>7,730</b>	<b>38,168</b>	<b>52,863</b>	<b>(14,695)</b>
<b>Net assets</b>	<b>3,956,017</b>	<b>3,962,198</b>	<b>4,065,332</b>	<b>(103,134)</b>	<b>4,094,798</b>	<b>3,992,027</b>	<b>(102,771)</b>
<b>Equity</b>							
Accumulated surplus	972,310	978,492	989,316	(10,824)	1,037,446	1,031,231	(6,215)
Asset revaluation reserve	2,907,823	2,907,823	3,023,110	(115,287)	3,023,110	2,907,823	(115,287)
Other reserves	75,884	75,883	52,906	22,977	34,242	52,973	18,731
<b>Total equity</b>	<b>3,956,017</b>	<b>3,962,198</b>	<b>4,065,332</b>	<b>(103,134)</b>	<b>4,094,798</b>	<b>3,992,027</b>	<b>(102,771)</b>



## Section 4 – Capital Works Program Progress

### Major Capital Projects Status Dashboard





Capital Works



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## Major Projects Status Summary

Major Projects Status Summary									
	Project Name	Project Stage	Status	Budgeted Cost	Current FY Adopted Budget	Current FY Forecast	YTD Budget	YTD Actuals	YTD Variance
1	Beaumaris Arts Group Studio (including adult change facility)	Plan		\$ 6,380,105	\$ 3,030,075	\$ 3,595,393	\$ 111,518	\$ 8,479	\$ 103,039
			<p>The Beaumaris Arts Group has been operating for over 60 years providing classes and conducting small exhibitions to the local community. Refurbishment of the existing BAG building is to include pottery, painting, drawing studios with an exhibition space. The refurbishment is to provide updated code and standard compliance with an overall increase in building footprint and a new Changing Places facility to support the wider precinct.</p> <p>Head Contractor awarded to preferred tenderer. Additional budget for increased construction costs has been approved, while cost savings are also being investigated with the contractor. Construction commencement is at risk due to finalisation of the ODU relocation.</p>						
2	Black Rock Life Saving Club Pavilion renewal	Deliver		\$ 6,909,090	\$ 3,902,574	\$ 4,182,329	\$ 2,124,372	\$ 1,981,074	\$ 143,298
			<p>Black Rock Life Saving Club has been identified by Royal Life Saving Victoria (LSV) as the highest priority for renewal in Victoria. The renewal of this building will provide access for all ages and abilities, gender neutral changerooms, new community space and dedicated first aid room. The renewal of the club house will include new public toilets allowing for the demolition of the existing public toilets at end of life.</p> <p>Construction is progressing well on site with internal fit-out underway. External civil works are at risk due to delays in United Energy street lighting upgrades and Dept. of Transport &amp; Planning approvals for shared trail realignment, street parallel car parking element, and the revised storm water discharge system.</p> <p>In attempts to prevent disruption project managers are trying to:</p> <ul style="list-style-type: none"> <li>- obtain the Certificate of Occupancy with Conditions to allow interim solutions for storm water and street car parking elements</li> <li>- Re-phasing of external civil works as noted above to commence after obtaining DTP approvals.</li> <li>- Re-phasing of external civil works to follow on directly after United Energy works are completed.</li> </ul>						





	Project Name	Project Stage	Status	Budgeted Cost	Current FY Adopted Budget	Current FY Forecast	YTD Budget	YTD Actuals	YTD Variance
3	Brighton Recreational Centre (BRC) Redevelopment	Deliver		\$ 10,006,960	\$ 2,777,689	\$ 4,870,384	\$ 1,230,303	\$2,357,785	\$ - 1,127,482
		<p><i>Brighton Recreation Centre redevelopment will deliver a new fit for purpose space following a fire in the gymnasium in September 2021. The design includes and increase on the existing Gymnastics space, a brand new occasional car space, Two large multipurpose rooms, four medium size multipurpose rooms, a dedicated pottery space and an adult change facility in addition to a large solar and battery system to support the site.</i></p> <p>Following delays with steel delivery, the Construction works are now progressing with the building commencing internal fit out. Additional resources have reduced expected delays and practical completion is expected for late October 2023.</p>							
4	Dendy Street Beach Redevelopment	Deliver		\$ 19,182,312	\$ 179,520	\$ 6,830,155	\$ 41,984	\$ 751,308	\$ - 709,324
		<p><i>The Dendy Street Beach Redevelopment site will deliver a new lifesaving and community pavilion. The scope includes improvement to pedestrian beach access including a new lift supporting all ability access, realigned car parking and storm water system improvements which significantly improve the quality of water entering Port Phillip Bay.</i></p> <p>Following the Voluntary Administration of Lloyd Group on 31 March 2023, construction has been retendered with the successful appointment of 4 Square as the new Head Contractor. Handover to the club is expected for February 2024 and design issues have been resolved however the project remains at risk due to</p> <ul style="list-style-type: none"> <li>- contaminated soil removal</li> <li>- Heritage Vic approval of signage</li> <li>- civil infrastructure works and stormwater connections</li> <li>- life saving club operating from temp facilities for a third year</li> </ul>							



	Project Name	Project Stage	Status	Budgeted Cost	Current FY Adopted Budget	Current FY Forecast	YTD Budget	YTD Actuals	YTD Variance
5	Elsternwick Park (Yalukit Willam) Nature Reserve Wetlands (Stage 3)	Plan		\$ 5,646,665	\$ 2,520,459	\$ 2,536,741	\$ 296,257	\$ 33,178	\$ 263,079
				<p>Part of the former Elsternwick golf course site has been converted into a nature reserve, in line with Council's endorsement of the Masterplan, community feedback and to align with Council's broader objectives towards environmental management.</p> <p>The design development is ongoing with Melbourne Water providing valuable coordination regarding their planned delivery of the Elwood drain duplication project. This collaboration is required due to water level increase into Yalukit Willam Reserve and flood mitigation through both projects. The current design will achieve the required outcomes for both projects and will need to be presented to major stakeholders prior to final approval before proceeding to tender.</p>					
6	Fern Street Early Years Integrated Children's Centre Upgrade	Deliver		\$ 7,544,204	\$ 2,460,515	\$ 2,304,206	\$ 980,029	\$ 1,631,024	\$ - 650,995
				<p>The Fern Street Project will provide a fit for purpose building to enable provision of early years services for Black Rock and Sandringham families. Services provided will include three and four year old kindergarten, maternal and child health, occasional care, community room hire and complementary early years services.</p> <p>The construction is maintaining program external finishes underway and landscaping progressing well. The project is on track to hand over to end user mid December 2023.</p>					
7	Tulip Street Basketball Court Extension	Deliver		\$ 15,417,991	\$ -	\$ 4,525,547	\$ -	\$ 2,721,412	\$ - 2,721,412
				<p>The Tulip Street Basketball Court project extends the existing basketball stadium to include four additional courts providing the opportunity to host all competition and training requirements within one site. The building will provide access for all ages and abilities and gender neutral changerooms and umpire facilities. The large roof space includes solar installation to reduce ongoing electricity costs.</p> <p>Following the Voluntary Administration of Lloyd Group on 31 March 2023, construction has been retendered with the successful appointment of 2 Moro Group as the new Head Contractor. Additional costs were incurred for retrofitting issues for the new contractor, program is tracking to the minor delays impacting practical completion with an expected handover to the club December January 2024.</p>					





	Project Name	Project Stage	Status	Budgeted Cost	Current FY Adopted Budget	Current FY Forecast	YTD Budget	YTD Actuals	YTD Variance
8	Warm Water Pool	Plan		\$ 26,709,044	\$ 2,136,172	\$ 793,893	\$ 106,514	\$ 109,174	\$ -2,660
 <p>The Warm Water Pool project will deliver hydrotherapy and a warm water pool accessible for all residents for a wide range of health conditions – encompassing pain management, chronic conditions and rehabilitation following injury and surgery. Changing spaces adult change facilities and allied therapy consult rooms will be incorporated into the space.</p> <p>Following the completion of the Concept Design, community consultation is underway. The project costs are anticipated to be significantly higher than the current budget. Subject to consideration of the 4-year capital plan, the project is currently sitting 4 weeks behind program due to the delay in concept design. Delays to the Cultural Heritage Plan will also result in a delay to town planning submission.</p>									
9	Masonic Hall Upgrade	Plan		\$ 2,071,281	\$ 1,327,417	\$ 714,523	\$ 60,890	\$ 15,208	\$ 45,682
 <p>Sandringham Masonic Hall was purchased by Council in 2018 with the vision to revitalize the shopping precinct by renovating a landmark historical building to accommodate several community groups. The renovation of the Masonic Hall will provide a repurposed historical asset, providing flexible community spaces for Sandringham Life Activities Club and other community groups.</p> <p>Building conditions have been investigated to form a proposed scope of works. Stormwater design scope confirmed.</p>									
<b>TOTALS</b>				<b>\$ 99,867,652</b>	<b>\$ 18,334,421</b>	<b>\$ 30,353,171</b>	<b>\$ 4,951,867</b>	<b>\$ 9,608,642</b>	<b>\$ -4,656,775</b>

Status Legend

	Project on track to be delivered as planned		Project is at risk of not being able to meet current delivery plan.		Project will not be able to meet current delivery plan and replanning is underway.
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Major Capital Projects – Delivery Timeline

	Project Name	Project Start	Delivery Complete	Financial Year											
				FY 23/24				FY 24/25				FY 25/26			
				Q1 2024	Q2 2024	Q3 2024	Q4 2024	Q1 2025	Q2 2025	Q3 2025	Q4 2025	Q1 2026	Q2 2026	Q3 2026	Q4 2026
1	Beaumaris Arts Group Studio (including adult change facility)	1/07/2019	17/06/2024		Deliver					Close					
2	Black Rock Life Saving Club Pavilion renewal	4/06/2019	29/03/2024		Deliver			Close							
3	Brighton Recreational Centre (BRC) Redevelopment	1/07/2019	1/10/2023	Deliver			Close								
4	Dendy Street Beach Redevelopment	1/07/2019	29/03/2024		Deliver			Close							
5	Elsterwick Park Nature Reserve (Yalukit Willam) Wetlands (Stage 3)	1/07/2022	8/07/2024	Plan			Deliver			Close					
6	Fern Street Early Years Integrated Children's Centre Upgrade	10/01/2019	9/12/2024		Deliver		Close								
7	Tulip Street Basketball Court Extension	1/07/2020	9/09/2024		Deliver		Close								
8	Warm Water Pool	25/01/2021	30/06/2025					Deliver						Close	
9	Masonic Hall Upgrade	1/07/2019	1/01/2024		Deliver			Close							

Capital Works



# All Capital Project Status Dashboard

Portfolio Summary - ALL Status Reporting: Not Required | Optional | Required



Capital Works

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Capital Works

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## 10.12 COUNCIL ACTION AWAITING REPORT

Corporate Services - Governance  
File No: PSF/23/167 – Doc No: DOC/23/341023

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### **Executive summary**

#### **Purpose and background**

This report presents to Council a schedule of actions pending for the period to 21 November 2023.

#### **Key issues**

This report contains resolutions of Council that require a further report to Council.

#### **Recommendation**

That Council notes the Council Action Awaiting Report.

#### **Support Attachments**

1. Council Action Awaiting Report - November 2023 ↓

Council Action Awaiting Report

DATE OF MEETING	ITEM	COUNCIL RESOLUTION	DIVISION	COMMENTS/STATUS
24/05/16	10.7	<p><b><u>Children's Sensory Garden Investigation</u></b>                      That Council:</p> <ol style="list-style-type: none"> <li>1. notes the typical elements of a suburban sensory garden;</li> <li>2. proposes the CSIRO site is the preferred location for the establishment of a sensory garden in Bayside;</li> <li>3. seeks community feedback regarding the concept of establishing a sensory garden in Bayside to inform future decisions on this matter; and</li> <li>4. receives a further report detailing the financial implications associated with the establishment of a sensory garden.</li> </ol>	ERI	<p>A report will be provided to a future Council meeting detailing the implications of including a sensory garden in the planning of the one hectare passive open space in the CSIRO site.</p> <p>The timeline of this report will be subject to the transfer of land (one hectare passive open space) is confirmed and planning can commence.</p>
18/08/20	10.22	<p><b><u>CONTRACT CON/20/82 Moorabbin West, Hampton East and Sandringham Oval Reconstruction</u></b>                      That Council:</p> <p>...</p> <ol style="list-style-type: none"> <li>5. receives a report at a future meeting detailing the outcomes of a review of the Sportsground Reconstruction Program.</li> </ol>	ERI	<p>A report will be submitted to a future meeting.</p>

DATE OF MEETING	ITEM	COUNCIL RESOLUTION	DIVISION	COMMENTS/STATUS
16/8/22	10.4	<p><b><u>Proposed Bicycle Route Connecting Cheltenham and Sandringham</u></b>                      That Council:                      ...                      3. receives a report at a future Council Meeting on the community engagement findings, alongside the final design of stage one of the proposed cycling route connecting Cheltenham and Sandringham.</p>	ERI	<p>A report is included in this Agenda.</p>
20/9/22	10.12	<p><b><u>Update on the Inquiry into the Protections within the Victorian Planning Framework</u></b>                      That Council:                      ...                      2. receives a further report once the committee's substantive findings and the Government response to the Committee's recommendations and proposed actions are publicly available.</p>	CPA	<p>A report will be submitted to a future Council Meeting.</p>
22/11/22	10.9	<p><b><u>CONTRACT CON/22/74 Thomas Street, Hampton Reconstruction (Foam Street – Bluff Road)</u></b>                      That Council:                      ...                      2. defers consideration of this matter to a future Council Meeting</p>	ERI	<p>A report will be submitted to a future Council Meeting.</p>

DATE OF MEETING	ITEM	COUNCIL RESOLUTION	DIVISION	COMMENTS/STATUS
20/12/22	10.1	<p><b><u>Inter War Heritage Study - Next Steps</u></b>                      That Council:                      ...                      2. defers the commencement of the Inter-War Heritage Study and the allocation of the relevant funding to the newly elected Council in November 2024 for further consideration at the March 2025 Council Meeting</p>	CPA	A report will be submitted to the March 2025 Council Meeting.
20/12/22	10.8	<p><b><u>Dendy Street Beach erosion mitigation - Update</u></b>                      That Council:                      1. undertakes further investigation into the long-term option presented by The Nature Conservancy to address erosion at Dendy Street Beach                      2. engages a third-party independent consultant to review and compare all options recommended, including beach amenity and habitat for marine life, and report back to Council at a future meeting.</p>	ERI	A report will be submitted to a future Council Meeting.
16/5/23	13.1	<p><b><u>Notice of Motion - 328 - Community Groups involvement in the planning of Council events</u></b>                      That Council:                      .....                      3. undertakes a critical review of the trial and reports back to Council in June 2024.</p>	ERI	A report will be submitted to the June 2024 Council Meeting.



DATE OF MEETING	ITEM	COUNCIL RESOLUTION	DIVISION	COMMENTS/STATUS
27/6/23	10.7	<p><u>Concept Design for Hampton Hub</u></p> <p>That Council:</p> <p>...</p> <p>5. considers a report before 30 December 2023 on the findings of the feasibility analysis and community feedback on the development scenarios and considers the next steps.</p>	CPA	A report will be submitted at or before the December 2023 Council Meeting.
27/6/23	10.10	<p><u>Local Law Policy Review - Management of Tree Protection on Private Property</u></p> <p>That Council:</p> <p>...</p> <p>2. notes a report will be presented, post consultation, to the November 2023 Council Meeting.</p>	CPA	A report is included in this Agenda.
27/6/23	10.14	<p><u>Wangara Road Rehabilitation Plan and Masterplan</u></p> <p>That Council:</p> <p>...</p> <p>2. receives a further report once the Rehabilitation Plan has been endorsed by EPA Victoria</p>	ERI	A report will be submitted to a future Council Meeting.

DATE OF MEETING	ITEM	COUNCIL RESOLUTION	DIVISION	COMMENTS/STATUS
15/8/23	10.1	<p><u>Urban Forest Precinct Plans</u></p> <p><u>PART A</u></p> <p>That Council:</p> <p>...</p> <p>2. requires the Cheltenham (including Pennydale) Urban Forest Precinct Plan 2023 to be amended, to provide greater clarity and details regarding the Pennydale urban area separate from the remainder of the Cheltenham precinct, prior to it being reported to Council for adoption at the February 2024 Council Meeting.</p> <p><u>PART B</u></p> <p>That Council:</p> <p>...</p> <p>2. seeks a report by February 2024 on the updated development of the Municipal Emergency Management Plan including preparations relating to fire management</p>	CPA	<p>A report will be submitted at or before the February 2024 Council Meeting.</p>
			ERI	<p>A report will be submitted at or before the February 2024 Council Meeting.</p>

DATE OF MEETING	ITEM	COUNCIL RESOLUTION	DIVISION	COMMENTS/STATUS
15/8/23	10.3	<p><u>Road Management Plan review</u></p> <p>That Council:</p> <p>...</p> <p>2. prepares a report for consideration in the 2024–25 budget on the financial and risk implications and community benefits of reducing the threshold from 25mm to 20mm in major activity centres and other pedestrian high traffic areas, such as aged care facilities. The report should also consider other budget allocation models for enhancing pedestrian safety in these areas.</p>	ERI	A report will be submitted to a future Council Meeting.
15/8/23	10.5	<p><u>Investigation into alternatives to glyphosate products for weed and invasive plant control in Bayside</u></p> <p>That Council:</p> <p>...</p> <p>5. receives an annual report to Council on the use of chemicals used in managing public open space</p>	ERI	A report will be submitted to a future Council Meeting.
15/8/23	10.8	<p><u>Integrated Transport Strategy - Implementation Progress During 2022–23</u></p> <p>That Council:</p> <p>...</p> <p>2. receives a report on the delivery of the Bayside Integrated Transport Strategy (ITS) during 2023-2024 and the updated Action Plan at the August 2024 Council Meeting.</p>	ERI	A report will be submitted at or before the June 2024 Council Meeting.

DATE OF MEETING	ITEM	COUNCIL RESOLUTION	DIVISION	COMMENTS/STATUS
15/8/23	13.1	<p><b><u>Notice of Motion - 329 - Stray Golf Balls - Brighton Golf Course</u></b>                      That Council:                      ...                      3. receives a report at the June 2024 Council meeting on the impacts of the mitigation strategies implemented.</p>	CORP	A report will be submitted at the June 2024 Council Meeting.
19/9/23	10.1	<p><b><u>Climate Emergency Action Plan - Annual Update</u></b>                      That Council:                      ...                      3. receives a report in 2023–24 detailing delivery of Year 4 of the Climate Emergency Action Plan 2020–25</p>	ERI	A report will be submitted at or before the June 2024 Council Meeting.

## **11. Reports by Delegates**

1. **Association of Bayside Municipalities** – The Mayor, Cr Fiona Stitfold
2. **Metropolitan Transport Forum** – The Director Environment, Recreation and Infrastructure
3. **Inner South Metropolitan Mayors' Forum** – The Mayor, Cr Fiona Stitfold
4. **South East Councils Climate Change Alliance** – Crs Clarke Martin and The Mayor, Cr Fiona Stitfold

## **12. Urgent Business**

## **13. Notices of Motion**