Ordinary Meeting of Council

Council Chambers
Civic Centre
Boxshall Street Brighton

Tuesday 15 October 2019 at 7pm

Agenda
Members of the Gallery

Your attention is drawn to Section 92 of Council's Governance Local Law No 1.

Section 92 The Chair's Duties and Discretions

In addition to other duties and discretions provided in this Local Law, the Chair –

(a) must not accept any motion, question or statement which is derogatory, or defamatory of any Councillor, member of Council staff, or member of the community;

(b) may demand retraction of any inappropriate statement or unsubstantiated allegation;

(c) must ensure silence is preserved in the public gallery during any meeting;

(d) must call to order any member of the public who approaches the Council or Committee table during the meeting, unless invited by the Chair to do so; and

(e) must call to order any person who is disruptive or unruly during any meeting.

An Authorised Officer must, if directed to do so by the Chairman, remove from a meeting any Councillor or other person who has committed such an offence.

Your cooperation is appreciated

Chairperson of Council
Order of Business

1. Prayer
2. Acknowledgement of Original Inhabitants
3. Apologies
4. Disclosure of any Conflict of Interest of any Councillor
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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 Original Inhabitants

We acknowledge that the original inhabitants of this land that we call Bayside were the Boon wurrung people of the Kulin nation.

They loved this land, they cared for it and considered themselves to be part of it.

We acknowledge that we have a responsibility to nurture the land, and sustain it for future generations.

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 September 2019.

5.2 Confirmation of the Minutes of the Special meeting of Bayside City Council held on 23 September 2019.

5.3 Confirmation of the Minutes of the Special meeting of Bayside City Council held on 14 October 2019.

6. Public Question Time
7. Petitions to Council

7.1 PETITION TO INSTALL A PEDESTRIAN CROSSING IN THE AREA BETWEEN ST ANDREWS AND CARPENTER STREETS, BRIGHTON

Corporate Services - Governance
File No: PSF/19/960 – Doc No: DOC/19/265959

Petition from residents requesting Council to install a pedestrian crossing at the corner of St Andrews Street and Carpenter Street, Brighton. (143 petitioners – 140 Bayside residents and 3 non-Bayside residents).

“We the undersigned hereby petition Bayside City Council to facilitate safe pedestrian and bicycle movements in Well Street, Brighton by installing a pedestrian crossing in the area between St Andrews Street and Carpenter Street.”

Petition Preamble

“The crossing will improve pedestrian and cyclist safety and provide a link between Church Street and the surrounding residential area south of Well Street.

We are respectfully asking for a similar pedestrian crossing to the one installed in front of 42 Well Street.”

Petition Requirements

The submitted petition containing 143 signatures meets the required format of a petition in accordance with Council’s Governance Local Law No: 1 Clause 65.

Officer Comment

The installation of a signed pedestrian crossing requires approval from the Department of Transport. Approval is dependent on a range of criteria being satisfied relating to the site conditions and the numbers of pedestrians. In response to the petition, an assessment of the current site conditions and pedestrian numbers will be made to establish whether the relevant criteria are satisfied.

Recommendation

That the petition be referred to the Chief Executive Officer for consideration and response.

Support Attachments

Nil
8. Minutes of Advisory Committees

8.1 ASSEMBLY OF COUNCILLORS RECORD

Corporate Services - Governance
File No: PSF/19/960 – Doc No: DOC/19/263840

Executive summary

Purpose and background
To formally report to Council on the Assembly of Councillors records in accordance with the Local Government Act 1989.

Key issues
This report fulfils the requirements of reporting an Assembly of Councillors to the next practical Ordinary Meeting of Council in accordance with the Local Government Act 1989.

Recommendation

That Council notes the Assembly of Councillor records submitted as required by the Local Government Act 1989:

- 1 October 2019 CEO and Councillor only Briefing; and
- 1 October 2019 Councillor Briefing.

Support Attachments

1. Record of Assembly of Councillors - CEO and Councillors only Briefing - 1 October 2019
2. Record of Assembly of Councillors - Councillor Briefing - 1 October 2019
## Meeting Information

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<tr>
<td><strong>Meeting Date</strong></td>
<td>Tuesday 1 October 2019</td>
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<td><strong>Start Time</strong></td>
<td>6.00 pm</td>
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### Matters discussed

- **Matters raised by the CEO**
  - South East Councils Climate Change Alliance (SECCCA) – nomination of Councillor representative
  - Golf Course Redevelopment Standing Advisory Committee

### Matters discussed

- **Matters raised by the Councillors**

### Attendees

- **Councilors**
  - Mayor, Cr Michael Heffernan
  - Cr Sonia Castelli
  - Cr Alex del Porto
  - Cr Laurence Evans
  - Cr Rob Griner
  - Cr James Long
  - Cr Clarke Martin

- **Staff**
  - Mick Cummins
  - Chief Executive Officer

### Apologies

- **Nil**

### Conflict of Interest disclosures

- **Matter No**
  - Councilor making disclosure
  - Councilor left meeting

- **Nil**

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Reviewed June 2012
Record of Assembly of Councillors

Record in accordance with section 80A(1) of the Local Government Act 1989

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<td>- Proposal to enter into a Lease of Billila Homestead (26 Halifax Street, Brighton)</td>
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<td>- Beaumaris Sports Club and RSL lease update</td>
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<td>- Proposed Discontinuance and Sale of the Subterranean part of the Right-of-Way (Road) adjoining 322-326 New Street and 71-73 Bay Street, Brighton</td>
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<td>- Statutory Planning - Community Consultation meetings</td>
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<td>- Consideration of mandatory height controls in the Hampton East Activity Centre and Small Neighbourhood Activity Centres</td>
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<td>- Sandringham Village Streetscape Masterplan - Updated Design for Community Engagement</td>
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<td>- Housing Strategy Review - Draft Updated Strategy</td>
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<td>- Sandringham College - Masterplan Process</td>
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<td>- Seasonal Sports Club Infrastructure Contributions Framework</td>
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<td>- Sportsground Fees and Charges Review</td>
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| **Councillors** | Mayor, Cr Michael Heffernan  
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|             | Cr Alex del Porto  
|             | Cr Laurence Evans |
|             | Cr Rob Grinter  
|             | Cr James Long  
|             | Cr Clarke Martin |

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9. Reports by Special Committees

There were no Reports by Special Committees submitted to the meeting.
Executive summary

Purpose and background
The purpose of this report is to present the findings from Stage 1 of community engagement (Attachment 1) for the Brighton Recreational and Wilson Reserve Masterplan (the Masterplan) and outline the next steps in the process.

In early 2018, a Social Needs Infrastructure Assessment was conducted for Brighton Recreational Centre (the Centre) which found:

- The Centre is ageing and lacks contemporary design features (e.g. natural light, flexible meeting rooms, waiting areas and spaces for socialisation);
- The building lacks storage and spaces for group administration;
- The Centre has minimal interface and connection and access with the neighbouring Wilson Reserve; and
- Many of the existing spaces within the Centre are not fit-for-purpose and require significant set up and pack down between activities.

On 21 August 2018, it was resolved that Council:

1. Endorses the recommendations in the Social Infrastructure Needs Assessment for Brighton Recreational Centre (Attachment 1);
2. Notes the findings from the community engagement activities undertaken to support the recommendation (Attachment 2); and
3. Commences preparation of a Masterplan for the Brighton Recreational Centre and Wilson Reserve area.

The Community Engagement Plan for the Masterplan was endorsed by Council on 18 December 2018 and outlined two stages of consultation to establish a collective vision for the future of Wilson Reserve and the Centre.

Stage 1: Gather information and ideas from the community and key stakeholders to inform the design of the draft Masterplan (this report).

Stage 2: To begin once concept designs are complete. The engagement during this stage will present the draft Masterplan to the community for public comment. The feedback from the community and key stakeholders will inform the design of the final Masterplan (future works).

Key issues

Findings from Stage 1 of community engagement
The engagement results show that Wilson Reserve and the Centre are important recreational and social sites for the community and that there is a strong desire within the community to improve the sites. Another aspect of the engagement was the recognition by respondents that the Centre and Wilson Reserve are community assets that can be shared and enjoyed by all,
and stakeholders were open to opportunities to share facilities to ensure the sites benefited as many people as possible.

The following two sections summarise the most common feedback from the community engagement. Further commentary can be found in the attached report (Attachment 1).

The Centre

The engagement findings show that the Centre is an important community asset. Many respondents spoke about the friendships they made at the Centre and the sense of belonging they experience when they attend classes. The most common suggestions for improving the Centre were:

- Improved and larger Centre;
- Improved gym and gym facilities;
- Canteen, Café, Vending Machine and food;
- Improved childcare and kids spaces;
- Improved parking and access;
- Additional classes (sewing, yoga, tai chi, book club, Pilates, language and first aid); and
- Foam pit.

While a pool/hydrotherapy was mentioned in the feedback, it will not be considered for this site. The location and existing service offering mean that there is insufficient space to consider a pool at the Centre. A separate hydrotherapy feasibility study is currently being prepared with a further report to Council currently scheduled for the May 2020 meeting.

Wilson Reserve

Respondents said Wilson Reserve is an important open space where they can be in a natural environment, socialise and get fit. Almost all respondents acknowledged that Wilson Reserve require upgrading and the site will not meet the needs of the community in the future. The most common suggestions for improving Wilson Reserve were:

- Amenities (e.g., drink fountain, tables, seating etc.);
- Improved surface;
- Undercover area;
- BBQs; and
- Improved parking and access.

Brighton Grammar School: Wilson Reserve Proposal

Brighton Grammar School (BGS) is located opposite Wilson Reserve and regularly use the site for school sport and other recreational purposes. Shortly after Council proposed the Masterplan, BGS approached Council staff to discuss the merits of BGS investing to build a pavilion on Wilson Reserve and improve the sportground surface. A condition of BGS’s investment is the long-term lease back of the pavilion to the school and the guaranteed use of Wilson Reserve for various formal and informal recreational activities.

The BGS proposal has the potential to significantly improve Wilson Reserve at no-cost to Council while providing a high quality open space that meets the community’s needs. It was also clear during the community engagement that stakeholders are open to opportunities like the BGS proposal because there is willingness among stakeholders to share facilities and spaces to ensure as many people benefit from a redevelopment as possible.
Next Steps

The community engagement has been invaluable in providing a greater understanding of what is important to the community and key stakeholders from a redeveloped Centre and Wilson Reserve. The engagement process also showed that stakeholders hold an interest in the redevelopment of either Wilson Reserve or the Centre and there is minimal cross-over in terms of mutual interests. For example, what sports clubs want from the Masterplan is very different to what users of the Centre want from the Masterplan.

Due to the diverse yet equally important interests in the Masterplan, it makes sense to change the scope of the Masterplan into two separate yet complementary projects; one for the Centre and one for the Reserve. This approach will help to ensure any redevelopment will cater to the unique needs and interests of the different user groups.

Council staff will work with the Board and management of the Centre to co-design a refurbished Centre to meet the needs of current and future users. This will be a deliberative process of co-design heavily informed and influenced by the community engagement results.

Staff will also work with BGS and other key stakeholders to explore the option of a pavilion and improved playing surface for Wilson Reserve. Stage 2 of community engagement will be amended to reflect the revised scope of the project.

Recommendation

That Council:

1. Notes the findings from the community engagement undertaken for the Brighton Recreational and Wilson Reserve Masterplan (Attachment 1).

2. Engages key stakeholders of the Brighton Recreational Centre to commence a deliberative co-design approach to redeveloping the Centre.

3. Engages with representatives of Brighton Grammar School to explore and assess the proposal to improve sporting facilities at Wilson Reserve.

4. Receives a report at a future Council meeting detailing the outcomes of the assessment of Brighton Grammar School's proposal to redevelop Wilson Reserve.

Support Attachments

1. Attachment 1 - Community Engagement Report Brighton Recreational Centre and Wilson Reserve Masterplan ↓
Considerations and implications of recommendation

Liveable community

Social
Brighton Recreational Centre provides a variety of programs, activities and services to the community and Wilson Reserve is used for a wide range of formal and information recreational purposes. The community engagement has taken a place-based approach as a way to recognise the importance of this ‘place’ on the local and broader Bayside community.

Natural Environment
Any future redevelopment will recognise Council’s role as environmental stewards, and that Council takes action to protect and enhance the natural environment while balancing appreciation and use with the need to protect natural assets for future generations.

An improved interface between the Centre and Wilson Reserve will promote cohesive access between indoor and outdoor spaces and improve the community’s enjoyment of the natural environment.

Any options would include significant landscape and vegetation improvements to Wilson Reserve.

Built Environment
The aim of any future redevelopment is for Council to work together with the community to plan and deliver infrastructure that responds to the changing needs of the Bayside community.

Customer Service and Community Engagement
The findings of Stage 1 of community engagement are set out in Attachment 1. Key engagement activities have been detailed in this report.

The community engagement occurred between 1 May 2019 and 30 June 2019 and was designed to provide stakeholders and the broader community with opportunities to provide input into what they would like to see from a redeveloped Centre and Wilson Reserve. Over 200 people participated, suggesting over 600 ideas.

A number of engagement methods were used to collect information and ideas. These included, online and hardcopy survey; ‘Have Your Say’ page; ideas wall; Drop-in sessions at the Centre, Brighton Library and Wilson Reserve; and workshops for neighbours of Wilson Reserve, frequent users of the Centre and Wilson Reserve, and the Centre’s Board.

When asked what they love most about the Centre, respondents from across all engagement activities identified the following reasons.

- Children focused activities;
- Adult focused activities;
- Gymnastics;
- Sense of belonging;
- Health, fitness and wellbeing;
- Social interactions; and
- Location.

When asked what they love most about Wilson Reserve respondents from across all engagement activities identified the following reasons:
• Relaxation / passive recreation;
• Dog walking;
• Formal sport;
• Nature;
• Health and wellbeing;
• Nature, open space, location; and
• Social interactions.

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.

Legal
There are no known legal implications associated with the proposition in this report.

Finance
Council’s four year Capital Works Program includes total project budget of $9.87 million. Costs associated with landscaping Wilson Reserve would be confirmed following exploration of the Brighton Grammar School proposal.

Links to Council policy and strategy
Any future redevelopment of Brighton Recreational Centre and Wilson Reserve will meet the aspirations of the Council Plan 2017-2021, specifically ‘Plan for the future of recreation centres, senior centres, U3A and similar community facilities to ensure the assets meet future service needs and deliver strategies for renewal’.

Future redevelopment will also link to the Wellbeing for All Ages and Abilities Strategy 2017-2021, specifically objective 1.2 ‘support opportunities that build social networks and community connections’ and objective 2.1 ‘increase physical activity opportunities’.

Community Engagement Report Brighton Recreational Centre and Wilson Reserve Masterplan
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1 Overview

This document provides a summary of stakeholder and community feedback on Stage 1 of the Brighton Recreational Centre (the Centre) and Wilson Reserve Masterplan (the Masterplan).

The purpose of the community engagement was to gather information and ideas from the community and key stakeholders to inform the design of the draft masterplan. During engagement Council:

- Consulted the community by seeking information and ideas on how they would like to use and interact with Wilson Reserve and the Centre in the future;
- Further involved, consulted and informed key stakeholders and partners; and
- Evaluated the success of community engagement.

The community engagement was guided by Council’s Community and Stakeholder Engagement Policy 2017 and followed the levels of engagement based on the International Association for Public Participation (IAP2) Spectrum.

During engagement Council received many excellent suggestions for how the Centre and Wilson Reserve can be improved. It also became clear that the Centre and Wilson Reserve are important to the community for a variety of reasons and there is a strong desire to improve the sites to meet the future needs of the community.

One of the most pleasing aspects of the engagement process was the recognition by respondents that the Centre and Wilson Reserve are community assets that can be shared and enjoyed by all. Stakeholders were also open to opportunities to share facilities to ensure the Masterplan benefited as many people as possible.

The other main findings from the engagement were:

- The Centre and Wilson Reserve are much loved community assets that greatly benefit the community. The main inclusions respondents want from an updated Centre and Reserve are:
  - a larger and better designed Centre so more frequent and varied classes can be offered;
  - more parking so it is easier to access the Centre and Wilson Reserve;
  - improved oval surface for Wilson Reserve; and
  - improved interface between Wilson Reserve, the Centre and Bayley House.

1.1 What’s next?

Over the following year Council will draw on the engagement findings and work with key stakeholders to design the Masterplan.

When the community engagement plan was endorsed by Council in 2018 it was originally anticipated that the draft Masterplan would be taken to the community for feedback in February 2020. Due to the complexity and size of the possible rebuild and the number of interested stakeholders this will now likely occur in late 2020.

Stakeholders can stay updated on the progress of the Masterplan through the project’s ‘Have Your Say’ page. We will use Have Your Say to communicate any
major updates to those interested in the project and subscribed to the page and welcome questions anytime through the process.

2 Background

Brighton Recreational Centre (the Centre) is located on Outer Crescent, Brighton and is part of the bayside cluster of community centres. The Centre is operated by a not-for-profit community-based organisation, leasing the Council owned building. The Centre provides a range of services and spaces, catering to the needs of a range of different user groups of varying ages and abilities.

In 2018 Council conducted a social needs infrastructure assessment of the Centre that included broad community and stakeholder consultation. The main findings of the assessment were:

- The Centre is ageing and lacks contemporary design features (e.g. natural light, flexible meeting rooms, waiting areas and spaces for socialisation);
- The building lacks storage and spaces for group administration;
- The Centre has minimal interface and connection and access with the neighbouring Wilson Reserve; and
- Many of the existing spaces within the Centre are not fit-for-purpose and require significant set up and pack down between activities.

Based on these findings, the assessment recommended Council undertake a Masterplan process of the Centre and Wilson Reserve. On 21 August 2018 Council resolved to;

- Endorse the recommendations in the Social Infrastructure Needs Assessment for Brighton Recreational Centre;
- Notes the findings from the community engagement activities undertaken to support the recommendation;
- Commences preparation of a Masterplan for the Brighton Recreational Centre and Wilson Reserve area.

The Community Engagement Plan for the Masterplan was endorsed by Council on 18 December 2018 and outlined two stages of consultation.

Stage 1: Gather information and ideas from the community and key stakeholders to inform the design of the draft Masterplan.

Stage 2: To begin once concept designs are complete. The engagement during this stage will present the draft Masterplan to the community for public comment. The feedback from the community and key stakeholders will inform the design of the final Masterplan.

This document summarises Stage 1 of community engagement.

3 Definitions and scope

Stage 1 of community engagement was broad in scope and aimed to gather information and ideas from the community and key stakeholders to inform the design of the draft Masterplan.

The following stakeholders have identified that they have an interest in the project.

- The Centre’s Board.
- Sports groups (including squash, gymnastics, cricket and rugby)
• Sporting associations.
• Individual members of the community.
• Residents directly looking at Wilson Reserve.
• Schools.
• Non-users of the Centre and Wilson Reserve
• Community groups and organisations.
• Council staff.

3.1 Glossary of Terms

<table>
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<tr>
<td>Brighton Recreational Centre</td>
<td>The Centre</td>
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<tr>
<td>Brighton Recreational Centre and Wilson Reserve Masterplan</td>
<td>The Masterplan</td>
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<tr>
<td>Stakeholders</td>
<td>See above for stakeholder list.</td>
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3.2 Related Council documents and consultations

• Council Community and Stakeholder Engagement Policy 2017.
• Bayside Community Plan 2015
• Council Plan 2017-2021
• Wellbeing for all Ages and Abilities Strategy 2017-2021

4 Consultation process

The consultation was designed to provide stakeholders and the broader community with opportunities to provide input into what they would like to see from a redeveloped Centre and Wilson Reserve. We asked for feedback and ideas on what people value most about the existing facilities and how they think they could be improved.

A number of engagement methods were used to collect information and ideas. These included;

<table>
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<tr>
<td>1 May – 30 June 2019</td>
<td>An online and hardcopy survey was distributed at drop in sessions and made available on the project Have Your Say Page (see below). The survey provided insights into the community's use of the Centre and Wilson Reserve to understand future needs and aspirations for the facility and site. It was also designed to understand why local residents were not attending programs at the Centre or using Wilson Reserve.</td>
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1 May – 30 June 2019
67 contributions

**Have Your Say** – a project page was established on Council’s website in June 2019. The initial phase outlined the project and invited participants to respond to an online survey. The “gathering ideas” phase ran from Wednesday 1 May to Friday 28 June and over 60 contributions were received.

1 May – 30 June 2019
120 responses

**Ideas wall** – a large piece of butcher’s paper was installed at the Centre so Centre users could suggest ideas for what they would like in an improved site. This tool was selected to encourage those who attend the Centre at times outside of the onsite engagement activity, the chance to participate. It also provided opportunities for young people to give feedback.

8, 9, 24 May
17, 24 June

**Drop in sessions** – held at:

- Brighton Rec (2) Wed 8 May and 24 June (62 attendees)
- Brighton Library (1) Friday 24 May (unknown no. of attendees)
- Wilson Reserve (2) Thurs 9 May and Mon 17 June (15 attendees)

Council Officers reported that respondents represented a range of gender, age, cultural background, user type and abilities.

March 2019

**Workshops** - Three community workshops were conducted which included various stakeholders. Workshop attendees were emailed a copy of what was discussed at the workshop and were provided the opportunity to amend or clarify any points that were made.

- **Brighton Rec Board** (1) Tue 11 June (6 attendees)
- **Frequent Users of the Centre and Wilson Reserve** (1) Wed 12 June (17 attendees)
- **Neighbours of Wilson Reserve** (1) Thur 13 June (7 attendees)

**Commentary on activities**

**Workshops**

The workshops were well attended and involved representations from a wide range of interested parties including Bayley House, sports clubs, Brighton Grammar...
School, sport representatives (e.g., squash, gymnastics, personal training) staff from the Centre and the Board.

The conversations during the workshops centred around three main topics, including:

- Why the Centre and Wilson Reserve is important to the community;
- Ideas + Opportunities for the Centre,
- Ideas + Opportunities for the Reserve and Interface.

The discussion allowed stakeholders to provide feedback which was summarised in the form of sticky notes (see picture). Stakeholders were then invited to speak to the group about their views and why they were important to them. This process allowed attendees to hear a variety of opinions and views about the project and to gain a better understanding of community needs.

*Photo: Feedback about the Centre received from frequent users workshop*

**Drop-ins**
The drop-ins were conducted at the Centre, Wilson Reserve and Brighton Library. The most well attended sessions were at the Centre and the Brighton Library. At the drop-in at the library visitors were offered a free coffee from ‘The Coffee Cart Changing Lives’ if they completed a survey (hard and soft copies made available).

This method meant visitors had time to process their responses while drinking coffee and chatting to Council Officers about the project. The casual and ad-hoc nature of the drop-in allowed for longer conversations with the community about what they wanted from a new Centre and Reserve.

Photo: Drop in Session at Brighton Library

The proceeds from the coffee cart went towards barista training for young people experiencing homelessness. This approach allowed for conversations between Council staff and community members about Council’s role in the community and Council’s focus on improving the lives of all community members.

Finally, the drop-in that had the lowest attendance was at Wilson Reserve, possibly because of the very poor weather. Some neighbours and passers-by still provided feedback on the project and contributed ideas for improvements.

Ideas Wall

The Ideas Wall was installed at the Centre to provide opportunities for young people to contribute ideas. This method was very popular and many young people wrote suggestions for how the sites can be improved.
Survey

Hard and soft copies of the survey were made available for people to suggest ideas for the Masterplan. The soft copy was distributed via the project Have Your Say page and via an iPad at the drop-in sessions and hard copies were left at the Centre and Brighton Library. The two methods allowed for a variety of user types to make suggestions.

Communications

The opportunities to be involved have been widely promoted, through local traditional and social media. Signage on site at Wilson Reserve and Brighton Rec has been effective in raising awareness of the opportunity to have your say in person and online, in particular those who regularly use the facilities at Brighton Rec and Wilson Reserve and live outside Brighton.

The consultation was advertised through:

- Council’s website
- Advertisements in the Bayside Leader
- Paid social media posts via Council’s Facebook accounts
- Letterboxing: We delivered 2,500 flyers to households in Middle Brighton. The flyer contained the survey questions and offered residents the opportunity to drop off the completed survey to the survey box located at Brighton Rec.
- Posters and flyers promoting the consultation were also provided in the foyer of the Brighton Recreational Centre and Brighton Library. These provided information about the project and how to find out more.
- On site signage at each entrance to Wilson Reserve and The Centre

5 Consultation findings

Over 200 people participated in the consultation and 642 ideas for improving the sites were collected. The data collected from drop in sessions, ideas wall, online and hard copy surveys and workshops are synthesised in this section into key themes. In the interest of stakeholder and community privacy, individual quotes have not been included within this public document.

When asked what they loved about the Centre and Wilson Reserve respondents from across all engagement activities identified the following reasons.

The Centre

- Children focused activities
- Adult focused activities
- Gymnastics
- Sense of belonging
- Health, fitness and wellbeing
- Social interactions
- Location

Wilson Reserve:

- Relaxation / Passive recreation
- Dog walking
- Formal sport
- Nature
The responses show that Wilson Reserve and the Centre are important recreational and social sites for the community. Many people spoke nostalgically about the friendships they had made at the Centre and the sense of belonging they experienced when attending classes. They also said that Wilson Reserve is an important open space where they can be in a natural environment, socialise and get fit.

Despite the positive responses almost all respondents acknowledged that Wilson Reserve and the Centre need upgrading and expressed that the sites will not meet the needs of the community in the future.

### 5.1 Consultation Feedback: Community Workshops

The community workshops were relaxed in nature and were designed to facilitate conversation between participants and Council Officers. The following feedback is a compilation of the conversations that were had during the workshops.

- **Community Workshop 13 June 2019: Neighbours (7 attendees)**

<table>
<thead>
<tr>
<th>Themes</th>
<th>Discussion Points</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Why is the Centre important to you?</strong></td>
<td>• Long term community importance.</td>
</tr>
<tr>
<td></td>
<td>• Good view.</td>
</tr>
<tr>
<td></td>
<td>• Keeps people active.</td>
</tr>
<tr>
<td><strong>Ideas + Opportunities for Masterplan</strong></td>
<td>• Exercise equipment</td>
</tr>
<tr>
<td></td>
<td>• Seats for the elderly</td>
</tr>
<tr>
<td></td>
<td>• Planting: Add more natural elements to the park.</td>
</tr>
<tr>
<td></td>
<td>• Keep Park as is.</td>
</tr>
<tr>
<td><strong>What we don’t want from the Masterplan</strong></td>
<td>• BBQ’s: They encourage anti-social behaviours.</td>
</tr>
<tr>
<td></td>
<td>• No basketball because of noise.</td>
</tr>
<tr>
<td></td>
<td>• Fencing.</td>
</tr>
<tr>
<td></td>
<td>• Lights.</td>
</tr>
<tr>
<td></td>
<td>• Pool at Centre.</td>
</tr>
<tr>
<td></td>
<td>• Cricket: Safety of balls hitting houses and young people. Sound is also concerning. School aged cricket would be ok.</td>
</tr>
<tr>
<td></td>
<td>• Toilets, not near residences, possibly connect them to the Centre so the cricket players can use it, but lock the bathrooms at night to avoid anti-social behaviour.</td>
</tr>
<tr>
<td><strong>Concerns</strong></td>
<td>• Playgrounds, kids are playing there are doing recreational drugs.</td>
</tr>
<tr>
<td></td>
<td>• Parking: Outer Crescent is difficult, Middle Crescent not so much. Programs require parents to stay.</td>
</tr>
</tbody>
</table>
Schools/teachers take up street parking. People 'stalk' car spots.

Community Workshop 11 June 2019: Centre Board (6 attendees)

<table>
<thead>
<tr>
<th>Themes</th>
<th>Discussion Points</th>
</tr>
</thead>
<tbody>
<tr>
<td>Why is the Centre important to the community?</td>
<td>• Family connections</td>
</tr>
<tr>
<td></td>
<td>• Long term community importance</td>
</tr>
<tr>
<td></td>
<td>• Keeps people active</td>
</tr>
<tr>
<td></td>
<td>• Business growth</td>
</tr>
<tr>
<td></td>
<td>• Great relationship with Brighton Rotary.</td>
</tr>
<tr>
<td></td>
<td>• Governance is important to ensure continued value to Brighton</td>
</tr>
<tr>
<td></td>
<td>• Engages – Teens, Mums, and seniors.</td>
</tr>
<tr>
<td></td>
<td>• Caters towards 1-90 years old.</td>
</tr>
<tr>
<td>Ideas + Opportunities for Masterplan</td>
<td>• Programs that run into the Reserve</td>
</tr>
<tr>
<td></td>
<td>• Parking under oval</td>
</tr>
<tr>
<td></td>
<td>• Parking is a priority</td>
</tr>
<tr>
<td></td>
<td>• Parking is not just for Centre users</td>
</tr>
<tr>
<td></td>
<td>• Drop off spaces (the cricket club wants this too)</td>
</tr>
<tr>
<td></td>
<td>• More area for Youth</td>
</tr>
<tr>
<td></td>
<td>• A bigger sized Gymnasium</td>
</tr>
<tr>
<td></td>
<td>• More area for Childcare</td>
</tr>
<tr>
<td></td>
<td>• Flexible meeting spaces</td>
</tr>
<tr>
<td></td>
<td>• Café</td>
</tr>
<tr>
<td></td>
<td>• Pottery / Arts space</td>
</tr>
<tr>
<td></td>
<td>• Quiet space for programs like Yoga</td>
</tr>
<tr>
<td></td>
<td>• Squash – if replaced it would need to be for community benefit and multi-use (this is what the squash users suggested too)</td>
</tr>
<tr>
<td>Centre Business Growth Opportunities</td>
<td>• After hours programing + meeting rooms.</td>
</tr>
<tr>
<td></td>
<td>• Kitchen to support alternative use + childcare</td>
</tr>
<tr>
<td></td>
<td>• Consider liquor licence but not for major functions.</td>
</tr>
<tr>
<td></td>
<td>• Café</td>
</tr>
<tr>
<td>Reserve and Relationship to Centre</td>
<td>• Programs into the reserve.</td>
</tr>
<tr>
<td></td>
<td>• Gymnastics break outside (mix of indoor/outdoor activities).</td>
</tr>
<tr>
<td></td>
<td>• Childcare outdoor space (could connect with Birthday celebrations, industrial sized kitchen).</td>
</tr>
<tr>
<td></td>
<td>• Rooms with independent security access to outside (this is what Cricket users said).</td>
</tr>
<tr>
<td></td>
<td>• Fencing around play area.</td>
</tr>
<tr>
<td></td>
<td>• After hours function areas.</td>
</tr>
</tbody>
</table>
- BBQ near the Centre— to attract new people.
- Seating.
- Improvements to landscaping.
- Sensory interests for Bailey House (Bailey House said this too).
- Sensory guidance (and in Centre too) note: Bayside has the highest rates of people that adopt Guide Dog puppies before they go off to school.
- Basketball court
- Balances and shared use
- Cheerleading

Community Workshop 12 June 2019: Frequent users (17 attendees)

<table>
<thead>
<tr>
<th>Themes</th>
<th>Discussion Points</th>
</tr>
</thead>
</table>
| Suggested improvements to the Centre | • Bulldoze the current building and replace with a new state of the art facility with a Brighton feel.  
• 2 level building to fit more services  
• Treatment suites (e.g., physiotherapy and massage)  
• Basement car parking  
• Inviting entrance  
• Areas that can be seen from outside  
• Multi shared facility (e.g., change rooms)  
• Community kitchen  
• Squash courts with moveable walls (squash appeals to 5-90 year olds, hydraulic floor to swap from squash to gymnastics)  
• Opportunity to have a regional squash centre  
• Schools indoor/outdoor fitness activities  
• Trampolining would be great (the current roof height does not allow it.  
• Inclusive facility  
• Underground car park x 3 |
| Suggested improvements to Wilson Reserve | • Lights for outdoor sports – so kids can play after 5:30pm in winter  
• Make oval bigger for adult cricket  
• Make oval bigger  
• Dog activities to draw dogs away from main sports grounds  
• Soccer (but it would need a big car park and may upset residents)  
• Fitness track stations x 3  
• Running track x 2  
• Parameter fencing to assist in preserving the surface against damage. |
- Fence.
- Benches, tables, BBQ, covered areas.
- Service for rugby, soccer, cricket.

**Interface between**
**the Centre and Wilson Reserve**

- Café overlooking the reserve
- Pedestrian access (possibly through a tunnel)
- Partnership between Centre and local schools
- Café + access for outdoor sports to interact with venue
- Better traffic management

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### 5.2 Consultation Feedback: Ideas wall, drop-ins and surveys.

The following sections synthesize the data collected from the ideas wall, drop-in sessions and hard and soft copy surveys.

### 5.3 The Centre

Users and non-users of the Centre provided feedback that they would like an expanded Centre with additional services, including a hydrotherapy pool, book club, Pilates and first aid classes. An expanded and upgraded Centre would also have a facility built that would enable it to offer full-day child care that would see clients able to have up to five full days of child care per week.

The three most common improvement to the Centre were an improved and larger Centre (99 mentions), improved Gym & Gym Facilities (75 mentions) and the inclusion of a café or some sort of food outlet (57 mentions).

![Most requested improvements for the Centre](image)

The below table outlines the number of mentions that the main improvements for the Centre received.
### Suggested improvements for the Centre

<table>
<thead>
<tr>
<th>Main Themes</th>
</tr>
</thead>
<tbody>
<tr>
<td>▪ Improved and larger Centre (e.g., painting, air con) (99 mentions)</td>
</tr>
<tr>
<td>▪ Improved Gym &amp; Gym Facilities (75 mentions)</td>
</tr>
<tr>
<td>▪ Canteen, Café, Vending, Food (57 mentions)</td>
</tr>
<tr>
<td>▪ Improved childcare &amp; kids spaces (31 mentions)</td>
</tr>
<tr>
<td>▪ Improved parking and access (31 mentions)</td>
</tr>
<tr>
<td>▪ Additional classes (sewing, yoga, tai chi, book club, Pilates, language, first aid,) (44 mentions)</td>
</tr>
<tr>
<td>▪ Foam pit (42 mentions)</td>
</tr>
<tr>
<td>▪ Tumble track (33 mentions)</td>
</tr>
<tr>
<td>▪ Pool, hydro therapy etc. (19 mentions)</td>
</tr>
<tr>
<td>▪ Improved opportunities to socialise (18 mentions)</td>
</tr>
<tr>
<td>▪ Other sport (12)</td>
</tr>
<tr>
<td>▪ Retain Squash (9 mentions)</td>
</tr>
</tbody>
</table>

#### 5.4 Wilson Reserve

Compared to the Centre, there was less feedback about Wilson Reserve. This is possibly because on the days of the drop-ins it was very cold and there were not many people on-site. Despite this, the respondents who spoke about Wilson Reserve were passionate and had many great ideas for how it could be improved.

The three most common improvement to the Centre were amenities (drink fountain, tables, seating) (27 mentions), improved surface (21 mentions) and an undercover area (19 mentions).
### Suggested improvements for Wilson Reserve

- Amenities (drink fountain, tables, seating) (27 mentions)
- Improved surface (21 mentions)
- Undercover area (19 mentions)
- BBQ (16 mentions)
- Improved Parking and Access (13 mentions)
- Improved Playground (12 mentions)
- Toilets (12 mentions)
- Plants, Gardens etc. (11 mentions)

### 6 Project evaluation

In terms of stakeholder reach, the engagement activities attracted:

<table>
<thead>
<tr>
<th>Measure</th>
<th>Outcome</th>
<th>Evaluation</th>
</tr>
</thead>
<tbody>
<tr>
<td>At least 20 participants per drop-in session.</td>
<td>Approximately 30 people attended each of the drop in sessions at the Centre and Brighton Library. However, only 14 people attended the 2 drop-in sessions at Wilson Reserve.</td>
<td>Measure partially met, the low number of attendees at the Wilson Reserve drop-in sessions was possibly due to very poor weather.</td>
</tr>
<tr>
<td>At least 30 attendees for the community workshops.</td>
<td>A total of 36 people, representing the broad range of stakeholders attended the community workshops.</td>
<td>Measure met.</td>
</tr>
<tr>
<td>At least 100 survey responses.</td>
<td>A total of 187 survey responses (hard and soft copies)</td>
<td>Measure met.</td>
</tr>
<tr>
<td>At least 50 responses on the ideas well.</td>
<td>A total of 120 responses were communicated.</td>
<td>Measure met.</td>
</tr>
</tbody>
</table>

The response to the community engagement indicates strong interest in a redeveloped Centre and a moderate interest in redeveloping Wilson Reserve. The community workshops, drop-ins, ideas wall and surveys provided many ideas for
improving the sites and provided the project team with a greater understanding of why the sites are important to the community and how they can be improved. The results of the consultation will inform and assist Council’s decision making towards the design of the Masterplan and future direction.

7 Next Steps

The community engagement has been invaluable in providing Council Officers with a greater understanding of what is important to the community from a redeveloped Centre and Wilson Reserve. Guided by this information, Council staff will now work with key stakeholders on designing the draft Masterplan.

The draft Masterplan will be taken to the community for feedback once it is complete. Stakeholder can stay up to date on the project by the project Have Your Say page - https://yoursay.bayside.vic.gov.au/Brighton-Recreational-Centre
10.2 STATUTORY PLANNING - COMMUNITY CONSULTATION MEETINGS

City Planning & Amenity - Development Services
File No: PSF/19/962 – Doc No: DOC/19/263918

Executive summary

Purpose and background

The purpose is to present the proposed approach to Statutory Planning Consultation meetings.

As part of any planning permit application, Council officers must undertake public notification under the Planning and Environment Act 1987 (the Act). This process notifies adjoining neighbours of a proposed use or development and offers them an opportunity to lodge a submission. Predominantly, neighbours will lodge an objection to the proposed use or development. Council must then undertake a complete assessment of the application and have regard to those submissions before making a decision.

The Act is silent on any further engagement with these concerned neighbours and other parties. Most councils have created a forum where they consult with the neighbours in person.

The Statutory Planning team at Bayside currently have a Planning Consultation meeting process, which was originally designed to resolve issues prior to a Planning & Amenity Committee meeting or VCAT.

A review of the meeting format has been undertaken with a view to improving participation in these meetings, focussing on the customer experience of all involved, and to make it very clear the purpose and outcome sought for future Planning Consultation meetings.

Key issues

Feedback from Councillors

A survey was circulated to all Councillors and the results are summarised as follows:

- Councillors generally agreed to with the purpose statement, but would like to see wording amended to include a focus on “bringing property owners together to exchange perspectives and for residents to learn more about their rights”;
- There was a preference that a Planning Consultation meeting be ‘offered’ for all applications where there are three or more objections;
- Councillors felt that where there are 10 or more objections, Planning Consultation meetings become ineffective;
- The preferred Planning Consultation meeting style is for:
  - Mediation (where a consent position is reached), and
  - Consultative/Informative style (where planners bring all parties together to provide information about the application only);
- There was a request for Councillors to be invited to Planning Consultation meetings where they relate to the Councillors’ ward and on larger more contentious applications which create precedent and or community interest;
- There was an overwhelming support from Councillors that they would attend Planning Consultation meetings in their ward and that they would like to remain observers;
- In regard to timing and location of meetings, there was a liking for all days to be used, with a preference for: Mornings (8:30-11am), closely followed by Afternoons (3-5pm) and Evenings (5-6pm), all held at the Sandringham Corporate Centre;
There was a consensus that a successful Planning Consultation meeting was one where all parties agreed to an outcome and the application did not have to proceed to a Planning and Amenity Committee meeting; and

Overwhelmingly, Planning Consultation meetings where preferred to be undertaken regardless of the impact it may have on meeting the statutory timeframes.

Officers reviewed feedback from applicants and objectors, with key themes being:

- The consultation meetings are often valued and at times achieve positive outcomes;
- Objectors are often unprepared to mediate in sessions and unfamiliar with planning requirements and therefore need more clarity on what will occur; and
- Applicants are relatively flexible with meeting times. While objectors can be constrained with work and family commitments, 4 pm can often be achievable.

Recommendations

As a result of the feedback, the current purpose statement is proposed to be retained, albeit slightly modified to include additional objectives around bringing people together and providing more information to people. The purpose statement will now read (changes in bold):

“A planning consultation meeting gives the applicant, objectors and all relevant parties an opportunity:

- To express their view;
- Get a better understanding of the proposal;
- Bring property owners together to exchange perspectives;
- See if there’s a way to address concerns raised;
- Resolving issues together may avoid having to go to a Planning Committee meeting or VCAT;
- Have a greater say in amendments rather than conditions imposed on their permit; and
- Residents to learn more about their rights.”

It is proposed to create two meeting types, being a Planning Mediation Meeting and a Planning Information Evening (Drop-in Session).

A Planning Mediation Meeting will be held where:

- There is 3 – 10 objectors;
- There is in-principle support for the application by the planning officer;
- Ward Councillors will be invited and those in attendance will be introduced and acknowledged;
- Councillors will be observers in the meeting, to assist in gaining an understanding about the planning application and community concerns. Councillors will not contribute to the meeting, other than to assist with the community’s understanding;
- Councillors will be formally acknowledged at the commencement of such meeting; and
- Meetings proposed to be held on any weekday (excluding Tuesday) at the following times, with best endeavours to accommodate the majority of the parties’ needs:
  - Mornings (8:30-11am),
  - Afternoons (3-5pm), or
  - Evenings (5-6pm); and
- All meetings are held at the Sandringham Corporate Centre.
A Planning Information Evening (Drop-in Session) will be held, where:

- More than 10 objectors;
- All Councillors will be invited;
- Councillors will only be observers in the meeting and Councillors can choose how they interact with other parties;
- Meetings proposed to be held at the following times:
  - Evenings (5-7pm); and
- All meetings are held at the Sandringham Corporate Centre.

Further, as part of the review, it was identified that Statutory Planning team members were often inexperienced in facilitating these meetings and where not equipped to control these meetings when they became emotionally charged.

A procedure has been prepared to operationalise the above.

**Recommendation**

That Council notes the proposed approach to undertaking Statutory Planning Consultation Meetings.

**Support Attachments**

Nil
Considerations and implications of recommendation

Liveable community

Social
The Community Consultation Meetings will provide an opportunity for interested parties to planning applications to come together to articulate how they are impacted by a land use and development proposal.

Natural Environment
There are no identified natural environment impacts associated with the Community Consultation Meetings approach. However, it is noted that the meeting may result in amendments to the land use and/or development outcome which may improve the environmental outcomes proposed.

Built Environment
There are no identified built environment impacts associated with the Community Consultation Meetings approach. However, it is noted that the meeting may result in amendments to the land use and/or development outcome which may improve the built form outcomes being proposed.

Customer Service and Community Engagement
The Community Consultation Meetings are designed to strengthen the engagement of the community in the Statutory Planning application process.

Human Rights
The implications of the Community Consultation Meetings approach 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.

Legal
No adverse implications.

Finance
Where Community Consultation Meetings result in an agreed outcome for all parties, there will be a reduced cost in processing the application. Where an agreement is not achieved an application is likely to proceed to the Victorian Civil and Administrative Tribunal.

Links to Council policy and strategy
The improvement initiatives assists Council in achieving the following goal of the Council Plan 2017 – 2021 (2019 Review):

- Goal 3: Implement improvements to the service, quality, efficiency and communication of Council’s planning permit assessment service to enable prompt assessment of applications that comply with development controls.
Executive summary

Purpose and background
To present Council with the outcomes of an assessment investigating opportunities to justify mandatory height controls in Bayside’s Small Neighbourhood Activity Centres.

At its 19 March 2019 Ordinary Meeting, Council adopted Amendment C126, which implements the Small Activity Centres Strategy 2014 into the Scheme, and submitted the Amendment to the Minister for Planning for approval. Council also resolved to:

- Immediately commence the preparation of a study to support the application of mandatory height controls in Small Neighbourhood Activity Centres where mandatory controls have not been supported by Planning Panels Victoria.

This report outlines the findings and recommendations of the further work and analysis to secure mandatory controls.

Key issues
Whilst the appropriateness of mandatory heights in these centres have been recently considered by a Planning Panel, further analysis undertaken by officers has reassessed the Small Neighbourhood Activity Centres (‘SNACs’) to determine whether the adopted heights are appropriate having regard to the strategic significance of each centre based on its size, legibility and designation for growth within the Bayside Housing Strategy 2012. Based on the criteria developed, four types of centres were identified:

- Category 1 – centres of less than 2,000m²;
- Category 2 – centres with an area greater than 2,000m² but less than 4,500m²;
- Category 3 – centres with an area greater than 4,500m² but less than 10,000m²; and
- Category 4 – centres with an area greater than 1Ha (10,000m²).

Category 1 centres provide far less opportunity for growth due to their context and inability to accommodate taller built form without an abrupt change to the surrounding context and character of an area, resulting in an unacceptable built form outcome. It is considered that a mandatory maximum building height of 3 storeys/11 metres may be justified for these centres.

Category 2 centres also present conditions that warrant the pursuit of mandatory height controls based on their size, type and context however do not warrant a 3 storey height. Instead, a 4 storey/13.5 metres mandatory height control is potentially able to be justified.

Category 3 and 4 centres are generally in less sensitive locations and it is highly unlikely Council would be able to justify mandatory height controls without significantly increasing the heights permissible. Currently, these centres generally have a 3-4 storey discretionary height control; however, based on Council analysis, additional height could be argued to be appropriate.

In order to justify mandatory controls, it is likely that Council would need to increase the maximum specified height more than 2-3 storeys above the discretionary height. Given the
specified maximum height, is unlikely to align with community expectations, and controls of this height could be seen to be inviting development of this height, it is considered appropriate to retain the discretionary height controls in place and undertake a performance based assessment as individual applications are made.

Whilst the Panel for C126 considered that the heights adopted by Council are generally of a scale that is acceptable, opportunity exists to continue to pursue mandatory controls for category 1 and 2 centres.

It should be noted that there is no guarantee that Council will be able to justify the mandatory controls through an amendment process. As with any amendment process, there is a risk that a Planning Panel may find that the mandatory heights are not strategically justified or that they are not needed. There is the related risk that heights greater than Council’s existing controls could be recommended by the Panel, and potentially introduced by the Minister.

This risk is particularly real given past Panels have not supported Bayside’s approach to applying mandatory height controls in areas designated for change, including the C126 Panel which looked at the characteristics of each of these centres in detail.

Further, the community views on the height controls proposed through Amendment C126 were divided, as submitters considered that the height controls were both too low/too high. Expert witnesses at the Panel hearing also had divided views on appropriate heights in these centres. A future amendment to change these height controls would likely result in the same set of issues being raised in submissions:

- Those that support the application of mandatory controls (local residents/community); and
- Those that oppose the application of mandatory controls to their site (often engaging legal representation and expert evidence at a Panel).

These issues have already been considered by the C126 Panel in detail; however, it is possible that with the more detailed and targeted analysis undertaken, more restrictive controls may be able to be justified, where Council can demonstrate this to be ‘absolutely necessary’ as specified in the Practice Note (PPN60). It is anticipated that this will need to be peer reviewed with an expert witness called to support Council’s work.

**Next steps**

Before considering further action in relation to small activity centres, it is recommended to wait for the approval of Amendment C126, as the further work needs to be based on the adopted version of Amendment C126. Progressing this work in advance of Amendment C126 approval may result in unintended consequences.

A report can be presented to Council following the approval of Amendment C126 which outlines the approach for centres where officers consider mandatory controls may be justified.

**Recommendation**

That Council receives a report following the approval of Amendment C126 that outlines opportunities for mandatory height controls in Small Neighbourhood Activity Centres.

**Support Attachments**

Nil
Considerations and implications of recommendation

Liveable community

Social
Planning for appropriate built form outcomes (including building heights) has potential social and economic benefits by creating higher amenity, vibrant, human-scale activity centres.

Amendment C126 seeks to create appropriately scaled, small activity centres through introducing design requirements which will protect local commercial and residential uses, and ensure access for local communities. This will assist in providing a mixture of housing, economic growth and social gathering places in the centres, and supporting housing diversity in appropriate areas.

Natural Environment
Planning for activity centres seeks to reduce car dependency and support sustainable transport usage by increasing the diversity of land uses in the centres. This will ensure dwellings are constructed close to shops and services reducing reliance on private transport.

Built Environment
The proposal to undertake further work to justify mandatory heights has a strong correlation to ensuring appropriate outcomes for the built environment in Bayside. Maintaining and protecting the existing neighbourhood character of Bayside is of high importance to Council and the community.

Customer Service and Community Engagement
The community has had strong involvement in providing feedback to Council on Amendment C126 and there is strong community concern about inappropriate development in Bayside.

Any planning scheme amendment to change the height controls adopted as part of Amendment C126 will need to be publicly exhibited in accordance with the requirements of the Planning and Environment Act 1987. It is expected that submitters will raise issues with the heights proposed and the use of mandatory controls, as was the case with the submissions received to Amendment C126.

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.

Legal
There are no immediate legal implications associated with this preliminary study on the potential to apply mandatory heights as a result of Amendment C126.

Finance
Work to investigate opportunities for mandatory controls has been incorporated as part of Council’s operational budget. Any further planning scheme amendment to introduce additional levels of control is likely to be referred to an independent Planning Panel to consider submissions. It is expected that a Planning Panel process would cost Council
between $40,000 and $60,000 depending on the number of expert witnesses called upon and the level of peer review required. The Planning Panel costs are not currently included in Council’s operating budget.

Links to Council policy and strategy

Bayside Housing Strategy 2012
The Bayside Housing Strategy 2012 provides the vision of directing medium density development into Bayside’s smaller order shopping centres.

The Housing Strategy provides guidance on the level of growth to be accommodated and ensures development must have regard to building rhythm and the surrounding residential character. These centres areas are designated as Moderate or Minimal Change Areas.

The Housing Strategy is currently being reviewed, with a revised Strategy expected to be presented to Council for consideration in 2019/20.

Small Activity Centres Strategy 2014
The analysis undertaken, as described in this report, seeks to further the work undertaken for Amendment C126 which also has its basis in the Small Activity Centres Strategy which defines the role and preferred scale of development for Bayside’s SNACs.

This Strategy was updated in March 2019 to have regard to the recommendations of the Planning Panel appointed to consider submissions to Amendment C126.
Executive summary

Purpose and background
To present Council with a report on opportunities for mandatory height controls within the Hampton East (Moorabbin) Activity Centre, following the Minister for Planning’s decision in relation to Amendment C151.

Amendment C151 implements the Hampton East (Moorabbin) Structure Plan 2016 into the Bayside Planning Scheme by applying the Activity Centre Zone Schedule 1 (ACZ1) to six precincts within the centre, which forms part of the broader Moorabbin Major Activity Centre.

At its 24 October 2017 Ordinary Meeting, Council resolved to:

1. Submit Amendment C151 for Precincts 1, 2 & 4 of the ACZ1 for Approval by the Minister for Planning in the form outlined in this report under Key Issues, Part 1; and
2. Following the Minister for Planning’s decision in relation to the above receives a report that outlines the scope for an additional study for precincts 3, 5 and 6 to secure mandatory controls and decrease heights than those exhibited, including costs, funding options and timing.

The Minister for Planning exercised his powers to apply the ACZ1 to all six precincts within the activity centre, with the new planning controls applied from 15 August 2019. The gazetted controls align with the recommendations of the Planning Panel, which supported Council’s exhibited position except in relation to the mandatory controls proposed.

Key issues
Council sought clarification from the Minister for Planning as to which section of the Planning and Environment Act 1987 (‘the Act’) the Minister called upon to approve both parts of the amendment, as Council had resolved to split the amendment and only Part 1 was before him.

The Minister confirmed in a letter dated 13 August 2019 that Section 35 of the Act provides the ability for the Minister to approve an amendment with changes, and that the Act does not specify any limitations or conditions regarding the extent of changes that can be considered.

As described above, the controls applied by the Minister include discretionary height controls. This contrasts with the intent of the Council resolution of 24 October 2017, which was to seek mandatory and reduced height controls.

It is highly unlikely that further Council strategic work will be able to achieve mandatory height controls for Precincts 3, 5 and 6 of the Hampton East activity centre, given that:

1. The Planning Panel appointed to consider submissions to Amendment C151 determined that discretionary controls should be applied to these precincts; and
2. The Minister for Planning determined to approve discretionary controls for those precincts without Council adopting that part of the amendment.

In making its recommendations, the Panel referred to several past Bayside Council amendments where mandatory controls have not been supported in Major Activity Centres. If
Council is to succeed in obtaining mandatory height controls, it is likely that the maximum specified height will need to increase beyond the existing heights of 3-4 storeys.

Any additional height secured would not align with community expectations for appropriate built form in these precincts, and would lead to built form outcomes that are not consistent with the Structure Plan.

As such, it is recommended that Council does not pursue further mandatory height controls for the Hampton East Activity Centre at this time, as this is highly unlikely to be successful.

Council will monitor built form outcomes and development activity in the centre to ensure that the Structure Plan is being implemented effectively, with opportunity to make any required changes to policy in the future as required.

**Recommendation**

That Council:

1. Does not pursue mandatory height controls in the Hampton East Activity Centre at this time.

2. Monitors development activity in the activity centre to ensure that development is delivering the strategic objectives from the Hampton East (Moorabbin) Structure Plan 2016.

**Support Attachments**

Nil
Considerations and implications of recommendation

Liveable community

Social
The Hampton East (Moorabbin) Structure Plan 2016 seeks to create a more vibrant Hampton East Major Activity Centre (‘MAC’) by guiding future land use, built form, access and movement and landscaping. The adopted controls seek to provide a mixture of housing types to increase housing choice and diversity in an area that is well serviced by shops and transport. In addition, the clustering of medical and health uses along Nepean Highway will provide accessible, convenient medical services for the ageing population of Bayside.

Natural Environment
Amendment C151 provides controls to maintain and enhance the landscaped environment though encouraging new developments to provide canopy trees and other planting in the front and rear yards, particularly in Precincts 5 and 6.

Built Environment
Amendment C151 provides clear guidance on the expected built form outcomes in the activity centre.

Customer Service and Community Engagement
The Structure Plan and Amendment C151 were subject to extensive community consultation, with the community views on issues such as height well considered through those processes.

Human Rights
The implications of this paper 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.

Legal
There are no legal implications arising from this report.

Finance
There are no financial implications arising from this report.

Links to Council policy and strategy

Community Plan 2025
Amendment C151 is broadly consistent with the Community Plan 2025. In particular, it delivers on the following ‘domains of liveability’ and associated ‘community aspirations’:

- Open Space: Amendment C151 seeks to create a centrally located open space to provide a gathering space and improve the amenity of the Centre;

- Local Economy: Amendment C151 seeks to encourage active uses at ground levels of commercial development, improve local employment opportunities and strengthen South Road’s health focussed services; and
• Housing and Neighbourhoods: Amendment C151 provides a framework to manage development within the Hampton East (Moorabbin) MAC, encourages the retention of canopy trees and additional landscaping, and facilitates housing diversity.

**Council Plan 2017-2021**

Amendment C151 is also consistent with the Council Plan 2017-2021. In particular, it is consistent with Goal 3: Housing and neighbourhoods, which includes the strategy to “Develop and review structure plans to ensure localities are developed in line with Council’s Housing Strategy.” Implementing the Structure Plan into the Bayside Planning Scheme through Amendment C151 has enabled the management of new development in the Hampton East (Moorabbin) MAC.

**Bayside Housing Strategy 2012**

The Bayside Housing Strategy 2012 identifies the Hampton East (Moorabbin) MAC as a major focus for future medium and high density residential development within Bayside. It recommends the preparation of a structure plan for the MAC. Amendment C151 has delivered the Bayside Housing Strategy by providing a framework based on the Hampton East (Moorabbin) Structure Plan to manage development and deliver a wide range of housing types and sizes to meet the varied needs of the community.

**Hampton East (Moorabbin) Structure Plan 2016**

Amendment C151 implements the vision of the Hampton East (Moorabbin) Structure Plan 2016 by translating the objectives relating to Land Use, Built Form, Access and Movement, and Landscaping into a series of planning provisions that guide future land use and development in the Hampton East (Moorabbin) MAC.
Executive summary

Purpose
To present Council with an update on the draft Bayside Housing Strategy 2019 and the outcome from community consultation.

Background
The Bayside Housing Strategy 2012 provides the current framework for how residential development in Bayside will be planned and managed until 2031. The Strategy outlines where new housing growth should be located in Bayside, nominating housing growth areas (activity centres, residential areas in close proximity to Elsternwick, Southland and Cheltenham train stations and strategic redevelopment sites) as appropriate locations for housing growth.

The Strategy provides a response to community aspirations of protecting the existing character of Bayside by supporting some of the most conservative planning controls in Victoria.

Council has undertaken a review of the effectiveness of the Housing Strategy, which included analysis of the current and emerging needs of the community by examining updated demographic information. This information was then compared to the existing housing stock to determine if it will meet current and future needs of the Bayside community.

Analysis of housing development data shows that the Housing Strategy has been effective in directing medium and high density development to Bayside’s activity centres and strategic redevelopment sites, whilst retaining the low-rise nature of the established residential areas. As such, there is no need to reconsider the overarching strategic direction of the Housing Strategy and the current review focuses primarily on revising the implementation actions.

To gain a deeper understanding of the community’s needs and help inform this review, the community was asked to provide feedback on the key housing issues in April/May 2019.

Key issues

Outcomes of Community Engagement
The primary focus of community engagement was on the actions in the Housing Strategy that have not yet been implemented, to gain further understanding of community views in relation to implementation of existing objectives. For the reasons described above, the aim of consultation was not to open up discussions as to where housing growth should be located.

The survey was designed to gather community feedback on the key housing challenges in Bayside, namely managing housing growth, delivering homes that are environmentally sustainable, enabling people to age in place, ensuring housing can adapt to changing household needs, protecting and enhancing vegetation and tree cover and planning for and delivering the required social and physical infrastructure.

The key messages received from the community engagement were:

- Survey respondents want a diversity of housing types, including options for adult offspring staying at home longer;
- If additional, housing capacity is needed in the future, most respondents would like it to be located along the Principal Public Transport Network. There were a number of references to spreading development across Bayside rather than consolidating it in
Housing Growth Areas; however, this is not consistent with the community’s desire to protect Bayside’s existing character nor with State Planning Policy;

- The current focus of the Housing Strategy was generally supported, that is, protecting neighbourhood character in Minimal Residential Growth Areas by directing growth to Housing Growth Areas;
- There was overall support for all residential developments having to achieve best practice environmentally sustainable design, although support was greatest for developments of three or more dwellings;
- There was support for Council encouraging developers to build more adaptable housing with most respondents preferring to adapt their existing house rather than move house should household circumstances change in the future; and
- While respondents agreed Council has a role to play in delivering affordable housing, there were mixed views as to how it should be delivered. As part of the separate work of developing an Affordable and Social Housing Policy, further consultation should be undertaken to get a proper understanding of the community’s expectations in regards to delivery.

The Updated Housing Strategy

As much of the existing Strategy is considered to be working effectively, the changes required are not substantial. The updated Strategy primarily provides guidance on a number of social and environmental aspects of housing and development.

The aspects staying the same in the updated housing strategy are:

- Directing growth to Housing Growth Areas, including activity centres, consistent with State government policy;
- Protecting Neighbourhood Character in Minimal Residential Growth Areas and recognising that the character in Housing Growth Areas will change;
- Actions relating to ensuring the provision of adequate social and community infrastructure and traffic management to respond to the impacts of increased housing growth; and
- Promoting Environmentally Sustainable Design in all new developments.

The additions or changes to the housing strategy are:

- Improving awareness through communicating to residents where housing change is being directed and what type of developments should be expected in different locations;
- Encouraging a variety of housing options for older people, ranging from adaptable housing to enabling ageing in place, to residential aged care;
- Encouraging the delivery of affordable housing, recognising that Bayside has the third highest median weekly rents compared to other municipalities in the Southern Metropolitan Region;
- Updating the residential strategic framework plan to have regard to completed Structure Plans for growth areas;
- A new Implementation Plan which outlines the approach and responsibilities for implementing the remaining actions from the previous Strategy, with specific steps for the following topics:
- Environmentally Sustainable Design - incorporating Sustainable Design in the Planning Process into the Bayside Planning Scheme and investigating other mechanisms to ensure development in Bayside delivers best practice Environmentally Sustainable Design;

- Residential Aged and Disability Care – providing information to developers about the demand for residential aged and disability care accommodation and ensuring these developments respect built form, neighbourhood character and the streetscape;

- Adaptable Housing Design – advocating for and encouraging adaptable housing design;

- Social and Affordable Housing – encouraging more social and affordable housing in Bayside to be provided;

- Vegetation – encouraging the retention of existing canopy trees and the planting of new canopy trees on development sites; and

- Physical and social infrastructure provision – developing a timeframe for prioritised provision of physical and social infrastructure to meet the needs of the increasing population;

- Providing an information sheet for applicants on how Environmentally Sustainable Design can be incorporated into dwelling design;

- Update to reflect the findings of the Port Phillip Bay Coastal Planning Project once completed;

- Removing reference to ‘single dwelling appearance to the streetscape’ from the definition of low density in the Housing Strategy;

- Updating with the most current ABS census data;

- Outlining Bayside’s housing needs and how these needs will be met, focusing on housing need, affordability and diversity;

- Including a new section in the Housing Strategy which demonstrates that Council’s application of the residential zones is delivering housing density and diversity, and reinforce the role that Bayside is playing in implementing Plan Melbourne; and

- Updating the Housing Strategy to require a Neighbourhood Character Study or Urban Design Framework to be undertaken for the Housing Growth Areas around Cheltenham station and Elsternwick instead of a Structure Plan.

**Next Steps**

A final round of community consultation on the updated Housing Strategy will be undertaken with the community in November 2019 prior to it being finalised. Specific feedback will not be sought, as the community have shared their feedback in the form of a detailed survey. Strategic Planners will be available to address any specific questions or concerns raised by residents.

Following this, the revised Housing Strategy will be presented to Council for adoption.
Recommendation

That Council receives a further report with the final revised Housing Strategy following community consultation.

Support Attachments

Nil
Considerations and implications of recommendation

Liveable community

Social
The Housing Strategy guides how residential development in Bayside will be planned and managed over the next twenty years. The Strategy looks at the location and type of residential development required in order to meet the changing needs of the Bayside community. By updating the Housing Strategy we will ensure that the policy directions contained within the Housing Strategy continue to meet the needs of Bayside’s current and future population.

Natural Environment
The Housing Strategy guides how residential development in Bayside will be planned and managed until 2031. The Strategy looks at the location and type of residential development required in order to meet the changing needs of the Bayside community. By updating the Housing Strategy we will ensure that the policy directions contained within the Housing Strategy continue to meet the needs of Bayside’s current and future population.

Built Environment
The Housing Strategy guides how residential development in Bayside will be planned and managed until 2031. The Strategy looks at the location and type of residential development required in order to meet the changing needs of the Bayside community. By updating the Housing Strategy we will ensure that the policy directions contained within the Housing Strategy continue to meet the needs of Bayside’s current and future population.

Customer Service and Community Engagement
The community was asked to provide feedback on the Housing Strategy Review over a seven week period from Monday 1 April 2019 to Sunday 19 May 2019 via an online survey on Council’s Have Your Say platform. During this time, 387 survey responses were received.

To create community awareness of the review and how to provide feedback, the following activities were undertaken:

- Dedicated Have Your Say page with information about the Housing Strategy, the Review and an online survey to complete;
- News item on Council website;
- Social media posts and advertising;
- Two ads in the Bayside Leader;
- Article in Let’s Talk Bayside;
- Email to Have Your Say subscribers;
- Direct advertising with young people using the Bayside Youth Services Facebook page to encourage responses from young people;
- Survey sent to people with limited mobility who have provided information to Council on mobility issues in the past. A few additional questions were included, focusing on design issues and barriers to accessible housing. This was done through Council’s disability inclusion officer to utilise established contacts;
• Email to Bayside Traders groups;
• Article in Council’s internal newsletter ‘In the Loop’ for staff members who are also residents;
• Postcard ad distributed to Bayside libraries, Maternal and Child Health Centres, Brighton Recreational Centre, Sandy Beach Community Centre, Hampton Community Centre, Castlefield Community Centre, Highett Neighbourhood Community House, BayCiSS, Hampton East and local MP offices;
• Ad placed in 3 school newsletters (all schools in Bayside were asked if they would include an ad in the newsletter, the following did: St Finbar’s Primary School, Brighton East; Beaumaris North Primary School; St Mary’s Primary School, Hampton; and Beaumaris Secondary College); and
• Targeted consultation was also undertaken with the Bayside Healthy Aging Reference Group and Housing Associations.

Following the Councillor Briefing, all interested parties will be provided with a project update and have the opportunity to contact Strategic Planner officers with any questions or comments. This will be done via:
• An announcement on the project webpage on Have Your Say;
• A direct email to all registered parties (including survey respondents and special interest groups); and
• An article in Let’s Talk Bayside.

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*.

Legal
The review of the Housing Strategy is not considered to have any legal implications. Should the review recommend changes to the Housing Strategy which require a planning scheme amendment, the amendment would need to be prepared and exhibited pursuant to the *Planning and Environment Act 1987*.

Finance
Resources to undertake a review of the Bayside Housing Strategy have been allocated in the 2018/19 Budget and foreshadowed in the 2019/2010 Budget.

Links to Council policy and strategy
The Bayside Housing Strategy underpins Council’s planning framework. The Housing Strategy Review should not revisit the significant volume of strategic work completed since 2012 unless there is a policy reason to do so. The following Council Strategies are relevant to the Housing Strategy and Housing Strategy Review.
Bayside Community Plan
The Housing Strategy seeks to focus increased housing growth into activity centres which have good access to public transport, services and facilities. This is consistent with the community’s aspiration set out in the Bayside Community Plan:

“By 2025, members of our community will live close to public transport, in a home that suits their stage of life and is close to the services and facilities needed. Development will be sensitive to the neighbourhood character and will enhance what is currently enjoyed in Bayside.”

Bayside City Council Plan 2017 – 2021
Reviewing the Housing Strategy is identified as an action under Goal 3, Housing and neighbourhoods, in the Council Plan.

Ageing Well in Bayside, An Age Friendly Strategy, 2018 – 2018
The Housing Strategy seeks to increase the number and diversity of housing in Bayside close to public transport, services and facilities. It also seeks to encourage more adaptable housing to enable housing to meet the needs of different life stages. This is consistent with the following strategies in the Ageing Well Plan:

“Enable housing developments that seek to increase housing diversity and promote universal housing design.”

“Advocate for, and work with housing providers to retain and expand low cost housing options for older people.”

Bayside Integrated Transport Strategy, 2018 – 2028
The Housing Strategy seeks to increase the number and diversity of housing in Bayside close to public transport. This supports Strategic Direction 15 of the Integrated Transport Strategy:

“New land uses and development will be located in accessible locations that provide the greatest access to public transport and facilitate walking and cycling.”

Bayside Environmental Sustainability Framework, 2016 – 2025
The Housing Strategy seeks to ensure new development incorporates ecologically sustainable design in new developments, with one of the implementation actions of the Housing Strategy being to introduce an Environmentally Sustainable Development Local Planning Policy into the Bayside Planning Scheme.

This is consistent with the following target set out in the Bayside Environmental Sustainability Framework:

“Improved environmental standards for new residential and commercial buildings and renovations in the planning and approval process.”

Other Projects
Current projects which the Housing Strategy Review will directly influence include the Neighbourhood Character Study Review, a project currently at the scoping stage; the Economic Development Strategy review; the Open Space Strategy Review; and the Parking Strategy under development.
Executive summary

Purpose and background

As apartment living becomes a more common housing choice in suburban Melbourne, there is a greater need to ensure that they help make streets and neighbourhoods pleasant places to live and visit. Following the 2017 introduction of the Better Apartments Design Standards in the Victoria Planning Provisions, which aimed to improve the internal design of new apartments and make them more liveable and sustainable, the Government has announced further changes to the planning rules for apartment developments.

The Discussion Paper has a relatively narrow focus. It explores five policy aims for new apartment developments including the need for:

- Green space in common areas of buildings, which preferably include trees to provide shade and urban cooling, and landscaping that softens the street;
- High quality building facades made from robust, durable and attractive materials that complement surrounding buildings and provide visual interest;
- Protection from wind impacts on surrounding streets and open space, so the spaces are comfortable to use and likely to be used more often;
- Active engaging streets that enhance the amenity, safety and walkability of the neighbourhood; and
- Better managed construction impacts of building work on existing neighbourhoods.

Key issues
Council officer comments in relation to each of the proposed changes are outlined below. In general, officers agreed with the outcomes to be achieved and support the increased guidance provided through the changes.

Green Space
- In many cases, a site is moonscaped before a planning permit application is lodged, making the retention of canopy trees through the development process challenging. Whilst there is little that the Planning system can do to combat this (in the absence of a vegetation protection/environmental overlay in place), it would be helpful if there was a consideration in policy as to the location of any trees removed within the preceding 12 months prior to an application being made, consistent with the requirements of Clause 55.03-8.
- The objective seeking to 'provide landscaping that supports wellbeing and amenity'. Council has concerns about the standards specified and whether these provide a measure in relation to 'wellbeing', and whether this could be better clarified in the standards.
- In relation to the provision of communal open space, 25m² does not realistically provide opportunity for reasonable recreation needs.

- In order to ensure a clear alignment with Clause 52.03-8, a reference to improving stormwater quality through landscaping design could be incorporated into the requirements for a landscaping plan, as this relates partly to the decision guideline relating to soil type and drainage patterns of the site.

- The communal open space provisions do not really make reference to roof decks as potential common areas. This is a particularly useful method for providing common areas in apartment buildings, particularly on narrow lots. The reference to roof decks is primarily located in the Apartment Design Guidelines for Victoria, rather than within the relevant clause.

Building Facades

- Additional guidance is sought as to what constitutes ‘durable’ materials, as this is a reasonably subjective term. Additional guidance for planners may be necessary to ensure the outcomes are being delivered and consistently being applied across Melbourne.

Wind Impacts

- Council does not have any comments to make in relation to wind impacts, as there are limited number of developments in Bayside that will exceed the five storey height to where this applies. Those matters can be dealt with using the proposed objectives and standards, supported by technical advice as required.

Active streets

- The wording proposed refers to ‘street fronts’ whereas elsewhere in the Scheme this is referred to as ‘street frontages’ – it would be helpful to have consistent language used throughout.

- In relation to site services, it would be beneficial to have a standard that refers to site services being sited away from habitable room windows where possible.

Construction impacts

- Whilst Council supports greater transparency in relation to the management of construction impacts, Council is concerned that requiring a Construction Management Plan as part of an application, and amending the Apartment Design Guidelines for Victoria to include this as a condition, have the potential to conflict. Typically Council requires this level of information as a planning permit condition and requiring this at the start of the process is unlikely to be helpful. An alternative could be to specify the requirement for a condition of permit within the Scheme, as there is the potential for information provided with the application to change once submitted as a condition of permit. This could potentially lead to confusion with the community if the measures to be implemented are different. Further, Council may refer construction management plans to external authorities for consideration, for example, VicRoads or the Environment Protection Authority. Clarity is required that if a Construction Management Plan is provided with an application, whether it is expected that this will generate a referral to the relevant authority.

Council officers have made a submission to the proposed changes to the Better Apartment Design Standards and Apartment Design Guidelines for Victoria, as submissions were due by Friday 27 September 2019.

Following consideration of this report, an endorsed Council submission will be submitted to this process.
Recommendation
That Council endorse the officer submission to the Better Apartments in Neighbourhoods Discussion Paper, in accordance with this report.

Support Attachments
1. Copy of Bayside City Council's Submission to Better Apartments in Neighbourhoods
Considerations and implications of recommendation

Liveable community

Social
The development of the Better Apartments Design Standards were a response to concerns that some apartment developments were not providing safe and healthy environments. Further refinements to the standards will continue to ensure positive social outcomes.

Natural Environment
The standards seek to introduce additional guidance in relation to landscaping and deep soil planting which will have a positive impact on Bayside's natural environment.

Built Environment
The changes proposed will ensure that future built form is improved to create a higher quality of design and ensure that development contributes to more robust apartment buildings that contribute to the life of their neighbourhood and provide a legacy of quality housing stock for future generations.

Customer Service and Community Engagement
The State government have released the Discussion Paper for community consultation, with submissions due by 27 September 2019. An interim officer position has been submitted, which is consistent with this report.

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.

Legal
There are no legal implications associated with this report.

Finance
There are no financial implications associated with this report.

Links to Council policy and strategy
The submission to the Discussion Paper aligns with strategic objective 3.1 of the Council Plan which acknowledges:

“We want a Bayside where housing and neighbourhoods are protected and significant development is directed to specified and planned activity centres and strategic locations, providing a transition to surrounding residential areas and incorporating improved infrastructure and open space.”

The changes proposed through the Discussion Paper generally align with this objective as the document provides greater guidance for new housing development in Bayside.
Engage Victoria - Your submission has been received on Better Apartments in Neighbourhoods

Hi Guest,

Thank you for your submission on Better Apartments in Neighbourhoods through Engage Victoria.

A copy of your submission is provided below.

For each of the proposed changes your submission could:

- state your (or your organisation’s) position on the issues raised and on the proposed changes
- explain your position, supporting your explanation with evidence as you see fit
- explain any other change you would like

Green space

Please provide feedback on the proposed changes for the landscaping standard, communal open space standard, the design response and the Apartment Design Guidelines for Victoria.
See sections 2.4, 2.5, 2.6 and 2.7 of the Better Apartments in Neighbourhoods Discussion Paper for more information.

1. In many cases, a site is moonscaped before a planning permit application is lodged, making the retention of canopy trees through the development process challenging. Whilst there is little that the Planning system can do to combat this (in the absence of a vegetation protection/environmental overlay in place), it would be helpful if there was a consideration in policy as to the location of any trees removed within the preceding 12 months prior to an application being made, consistent with the requirements of Clause 55.03-8. 2. The objective seeking to ‘provide landscaping that supports wellbeing and amenity.’ Council has concerns about the standards specified and whether these provide a measure in relation to ‘wellbeing’, and whether this could be better clarified in the standards. 3. In relation to the provision of communal open space, 25m2 does not realistically provide opportunity for reasonable recreation needs. Council has concerns that this could lead to ‘token’ outcomes that do not provide any substantial benefit for residents. More clear direction as to the purpose of the space could be provided within the Scheme to ensure that the outcomes are able to be delivered, rather than common areas for the sake of common areas. 4. In order to ensure a clear alignment with Clause 52.03-8, a reference to improving stormwater quality through landscaping design could be incorporated into the requirements for a landscaping plan, as this relates partly to the decision guideline relating to soil type and drainage patterns of the site. 5. The communal open space provisions don’t really make reference to roof decks as potential common areas. This is a particularly useful method for providing common areas in apartment buildings, particularly on narrow lots. The reference to roof decks is primarily located in the Apartment Design Guidelines for Victoria rather than within the relevant clause.

Appearance of the building

Please provide feedback on the proposed new external walls and materials standard and changes to the design response and the Apartment Design Guidelines for Victoria.
See sections 3.4, 3.5 and 3.6 of the Better Apartments in Neighbourhoods Discussion Paper for more information.

Additional guidance is sought as to what constitutes ‘durable’ materials, as this is a reasonably subjective term. Additional guidance for planners may be necessary to ensure the outcomes are being delivered and are being consistently applied across Melbourne.

Wind impacts

Please provide feedback on the proposed new wind impacts standards and changes to the Apartment Design Guidelines for Victoria.

See sections 4.4 and 4.5 of the Better Apartments in Neighbourhoods Discussion Paper for more information.

Street interface

Please provide feedback on the proposed changes for the integration with the street standard, vehicle access standard and site services standard and changes to the Apartment Design Guidelines for Victoria.

See sections 5.4, 5.5, 6.6 and 5.7 of the Better Apartments in Neighbourhoods Discussion Paper for more information.

1. The wording proposed refers to ‘street fronts’ whereas elsewhere in the Scheme this is referred to as ‘street frontages’ – it would be helpful to have consistent language used throughout. 2. In relation to site services, it would be beneficial to have a standard that refers to site services being sited away from habitable room windows where possible.

Construction impacts
Please provide feedback on the proposed new construction impacts standard and changes to the Apartment Design Guidelines for Victoria.

See sections 6.4 and 6.5 of the Better Apartments in Neighbourhoods Discussion Paper for more information.

Whilst Council supports greater transparency in relation to the management of construction impacts, Council is concerned that requiring a Construction Management Plan as part of an application, and amending the Apartment Design Guidelines for Victoria to include this as a condition, have the potential to conflict. Typically Council requires this level of information as a planning permit condition and requiring this at the start of the process unlikely to be helpful. An alternative could be to specify the requirement for a condition of permit within the Scheme, as there is the potential for information provided with the application to change once submitted as a condition of permit. This could potentially lead to confusion with the community if the measures to be implemented are different. Further, Council may refer construction management plans to external authorities for consideration, for example, VicRoads or the Environment Protection Authority. Clarify is required that if a Construction Management Plan is provided with an application, whether it is expected that this will generate a referral to the relevant authority.

I am making this submission:

on behalf on a local council

Name
Tom Vercoe

Organisation (if relevant)
Bayside City Council

Contact email
10.7 UPDATE ON 3D MODELLING TOOL

City Planning & Amenity - Urban Strategy
File No: PSF/19/954 – Doc No: DOC/19/260913

Executive summary

Purpose and background

To present Council an update on the 3D modelling tool project.

At its 25 June 2019 Ordinary Meeting, Council received a report on the 3D modelling project, the report exploring the benefits of the technology and three case studies of Councils that have implemented 3D models. Council resolved to commence the preparation of a project brief and engage a specialised consultant to understand the real cost, schedule and options available to implement a 3D modelling system for Bayside. It was resolved that Council would be presented with the anticipated costs of a model at its Ordinary Meeting on 15 October 2019.

Key issues

The proposed approach to develop the 3D model involves the project being driven by an internal resource rather than external consultants. The internal resource is a two year contract position for a 3D Spatial Information System Analyst that has been funded for the Information Services team as part of the 2019/2020 budget. The recruitment process for the role is complete.

The position will operationalise the project by formulating processes and action plans to support the development, administration, data and ongoing maintenance of the 3D model. Objectives of the action plans will include the training of staff within the Urban Strategy, Development Services, and Amenity Protection departments in using and viewing the software, and organising the receipt of 3D building models (BIMs) from developers for planning applications.

In parallel, there is a need to procure appropriate software for the 3D Model, which will leverage the data that Council has already purchased. The proposed requirements for the software include the ability to:

- Import/Convert existing data to a 3D environment;
- Analyse various environmental and built form impacts;
- Undertake scenario modelling;
- Visualise and manipulate data; and
- Provide immersive (first person) exploration of the existing, proposed and changed built environment

The software requirements and procurement process will be finalised in line with an approved capital budget of $75K for the Virtual Interactive Digital 3D Model of Bayside. Based on preliminary analysis it is expected that the software will cost approximately $20K, and the implementation of the software and integration with our existing data is estimated to be $55K.

This tool will enable significant benefits to Council in understanding how developments will impact on abutting properties and undertake the appropriate assessments in accordance with the Bayside Planning Scheme (at a micro level). The 3D Model will enable Councillors and community members to conceptualise any proposed development with the use of 3D technology so that there is common understanding of the direct impacts on the surrounds with certainty and accuracy.
The tool will also enable strategic understanding and scenario modelling of built form including (but not limited to) height controls, and shadow impacts, and flood level impacts. This will assist in determining appropriate planning controls required with greater understanding and confidence.

The approach to staging the delivery of the 3D model is continuing to be refined however is likely to be influenced by the person appointed to the position. As this project is expected to become a normal part of Council’s operations, it is considered unnecessary to provide further updates in relation to this project.

The project will reconcile with the current tree monitoring project Council is undertaking to map all trees across Bayside. This work is currently being implemented and is expected to be completed later in 2019. When combined with LiDAR data, this will allow for a 3D model of trees and vegetation to be obtained. This can then be expanded to buildings, allowing for an early version of a 3D modelling tool.

This project will continue to be led by the Information Services team in partnership with key stakeholders across the organisation. It is anticipated that targeted, first generation 3D models will be available in early 2020.

Recommendation

That Council notes the report provided on the 3D modelling tool.

Support Attachments

Nil
Considerations and implications of recommendation

Liveable community

Social
There is a strong relationship between social interaction and the provision of a high amenity urban environment. The 3D modelling tool would contribute to ensuring that the high level of amenity and character within the built and natural environment is not only maintained, but maximised, through the application of planning controls.

Natural Environment
The work being completed through the Urban Forest Strategy case study can be applied as a dataset which contains mapping of the municipality’s vegetation cover and tree canopy, integrating with a 3D modelling tool. The modelling would seek to monitor, protect and enhance the urban forest and assist in combatting climate change impacts.

Built Environment
The 3D modelling tool provides the opportunity to assess planning applications from a different lens, monitor the urban growth of the municipality, and maintain the high amenity of the Bayside locality and character.

Customer Service and Community Engagement
As this report suggests, the implementation of the 3D modelling tool could be a public platform, and would assist the community’s understanding and visualisation of proposed developments within Bayside. The modelling tool would also provide an opportunity to engage with the community, advocate and educate in relation to built form outcomes.

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.

Legal
There are no immediate legal implications associated with the scoping for a 3D modelling tool. Progressing the implementation of the 3D Modelling tool with an internal full time employee located in Information Services will remove the need to procure an external consultant, and eliminate the complications of data ownership and legal rights and access to data.

Finance
Resources have been provided for in Council’s 2019/20 budget to prepare and deliver a 3D modelling tool.

Links to Council policy and strategy
The protection of the Bayside built and natural environment has been directly implemented in a number of Council’s strategies. The implementation of a 3D modelling tool would be able to assist in reaching the objectives of these strategies, including:
• Bayside Tree Strategy;
• Open Space Strategy;
• Bayside Environmental Sustainability Framework;
• Wellbeing for All Ages and Abilities Strategy;
• Water Sensitive Urban Design – Compliance Guidelines for New Development;
• Neighbourhood Character Review;
• Bayside Housing Strategy;
• Structure Plans; and
• Bayside Landscape Guidelines.
Executive summary

Purpose and background
The purpose of this report is to present the Seasonal Sports Club Contribution Framework (the Framework) (Attachment 1) for Council endorsement.

The Framework provides an opportunity for seasonal sports clubs to propose improvement works while ensuring the project is well scoped, fit-for-purpose, site and sport specific and will meet current and future club needs. The Framework provides a transparent, considered and consistent decision making approach to evaluating requests from sports clubs wanting to fund infrastructure projects on Council-owned or managed land.

Since 2012, Council has invested approximately $37 million to improve the standard of sportsgrounds, sportsground lighting and associated infrastructure to encourage flexible and innovative scheduling of local sport competitions.

This investment has been guided by action plans developed through extensive research undertaken as part of the development of the Bayside Recreation Strategy 2013 – 2022 (the Strategy). The Strategy, has guided the planning, management and provision of recreation facilities and service within the municipality.

In April 2019, Council adopted the revised Sportsground Pavilion Improvement Plan (SPIP) which provides the adopted pavilion standards. These standards reflect the evolving needs of community sports clubs and with a broader community focus, responds to the increased demand for meeting spaces that allow the broader community to facilitate opportunities to encourage an active, connected and engaged community.

The growth of grassroots participation across cricket, soccer and AFL has resulted in sports clubs requiring access to additional infrastructure including extensions to cricket nets, batting cages and other facilities for training purposes.

Key issues
Sportsground Pavilion Improvement Plan (SPIP)

In 2019, a review of the SPIP was undertaken to ascertain if Council was delivering fit-for-purpose and fiscally responsible sports infrastructure. The review was informed by comprehensive benchmarking of both the local government sector and relevant state sporting association facility guidelines.

Recommendations from the review were adopted by Council in April 2019 and stipulate that requests exceeding standards, which are deemed site and facility appropriate will be fully funded by the club.

Protection of Bayside open space network

It is critical that planning of sports infrastructure that exceeds Council’s SPIP standards and is not identified as an essential element to facilitate community sport or proposes loss of open space, are appropriately vetted prior to consent being provided for work.

All project proposals received are subject to the club obtaining relevant authority approvals or relevant permits.
Club managed projects

A review of the current club-managed construction on Council land process, which enables clubs to undertake work on Council owned or managed land for projects up to the value of $50,000, identified critical flaws and in some instances exposure for Council to liability risk associated with the continuation of this process in its existing format.

The intent of the process was to reduce barriers for clubs wanting to improve sports infrastructure. It is recognised that clubs have the capacity to deliver projects at a reduced cost through the use of in-kind labour, equipment/plant supply by members or sponsors of the club.

While flaws were identified, it is recognised that club driven, funded and managed infrastructure improvements can enhance the existing sports facilities. Clubs undertaking these minor projects can also support Council to deliver the key objectives of the Council Plan and other relevant strategies and through introduction of a more structured and robust process, should continue to be offered.

Application process

Prior to the commencement of each tenancy period (February and August), clubs wanting to undertake projects on Council owned or managed land may submit applications via Council’s website seeking approval.

All applications must be fully scoped and contain detailed plans for the consideration of the assessment panel. While the application process will open biannually, the Recreation and Events team will be available to provide support and guidance on the suitability of the proposal and necessary documents and permits. All mandatory documents must be submitted before an application will be considered.

Assessment criteria

Submissions will be assessed against criteria that measure:

- the suitability of the proposal (essential to deliver community sport);
- site restrictions;
- existing Council strategies or plans;
- complexity;
- impact on residential amenity;
- proof of funding; and
- broader community benefit.

Successful submissions will be allocated a Council project manager to oversee the project and will be scheduled for delivery based on availability.

Projects will be separated into two categories for delivery:

1. Require connection to, or request modifications of sports pavilions; and
2. Low risk projects in open space.

Category 1 projects will be delivered by Council’s allocated project manager while category 2 projects can be delivered by qualified representatives from the club and will be subject to compliance with scheduled milestones to be inspected by Council’s project manager.
Recommendation
That Council adopt the Seasonal Sports Club Contribution Framework as contained in Attachment 1.

Support Attachments
1. Attachment 1 - Seasonal Sports Club Contribution Framework

⇩
Considerations and implications of recommendation

Liveable community

Social
Participation in sport provides opportunities for the community to build social networks and community connections while being healthy and active.

Natural Environment
The natural environment will be protected wherever possible to prevent over development of open space, balancing the benefits of community sports infrastructure and the natural environment.

Built Environment
The local context will be considered through the design phases of any new facility.

Customer Service and Community Engagement
The Framework has been informed through consultation with key stakeholders, state sporting associations, local government authorities and sport clubs that’s have undergone planning or delivery of sports pavilions or delivered projects using the current self-managed projects process.

The first round of applications to be considered under the Framework will open in February 2020, with details of the assessment criteria and how to apply distributed to sports clubs in December 2019.

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.

Legal
Sports clubs will be required to sign a Memorandum of Understanding detailing their agreement to fund the additional scope of the sports infrastructure project.

Finance
Sports clubs will be required to fund the cost of the additional project scope elements in excess of Council’s standards. Clubs will be required to enter into an agreement with Council detailing the financial commitment, timelines and any ongoing maintenance or renewal costs.

Links to Council policy and strategy
Improvement to sport and recreation facilities is supported by several key strategy and policy documents including the Council Plan 2017-2021, Bayside 2020 Community Plan and Wellbeing for All Ages and Abilities Strategy 2017-2021.

The Council plan includes an action to:
Develop a transparent decision making framework for co-contributions to infrastructure investment.

The Bayside Open Space Strategy 2012 recognises that projected population growth will have a significant impact on the demand for open space over the next 20 years.

The development of additional fit for purpose sportsgrounds is in line with several Key
Principles included in the Bayside ‘Active by the Bay’ Recreation Strategy (2013-2022) including:

1. The provision of recreational opportunities for all;
2. Providing great places for people to recreate in, and to be socially connected; and
3. Responding to identified recreational needs of the community.
Seasonal Sports Club Contribution Framework - Discussion Paper

Bayside City Council
Ordinary Council Meeting - 15 October 2019
Attachment 1

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Executive Summary

The development of the Seasonal Sports Club Contribution Framework (the Framework) was undertaken to provide a transparent, considered and consistent decision making approach to evaluating requests from sports clubs wanting to fund infrastructure projects on Council owned or managed land.

The Framework has been informed through consultation with key stakeholders, state sporting associations, local government authorities and sports clubs that’s have undergone planning or delivery of sports pavilions or delivered projects using the current self-managed projects process.

At the April 2019 Ordinary meeting of Council, the revised Sportsground Pavilion Improvement Plan (SPIP) was adopted. The opportunity for clubs to request and fully fund additional spaces is supported, subject to site suitability, evidence of need and proof of required financial contribution. The design process will be deferred until evidence of funding is provided and signed agreement of a memorandum of understanding (MOU) is obtained.

A review of the existing self-manage capital projects process, allowing clubs to use in-kind labour to deliver sports infrastructure under $50K, identified significant process flaws with potential risk to reputation relating to poorly constructed or maintained community infrastructure or inappropriate development of Council owned or managed land.

It is recognised that club driven, funded and managed infrastructure improvements can enhance the existing sports facilities and support Council to deliver the key objectives of the Council Plan and other relevant strategies and through introduction of a more structured and robust process, should continue to be offered.

It is recommended that:

- Sports clubs are informed of requirement to demonstrate proof of financial contribution to all sports pavilion projects;
- Council introduces a seasonal application process to consider and prioritise projects where clubs are funding the development of sports infrastructure on Council owned or managed land;
- Assessment of projects is undertaken by a working group with representation from Recreation and Events, Open Space, City Assets and Projects and Environmental Sustainability teams;
- Subject to the complexity and scope of proposal, successful projects are appointed a Council project manager to manage the delivery of the work or undertake inspections at predetermined hold points; and
- Council develop an online application form and assessment criteria to consider club funded capital project proposals.
Purpose

The purpose of the Seasonal Sports Club Contribution Framework (the Framework) is to provide a decision making approach to evaluate requests from sports clubs wanting to contribute to infrastructure projects on Council owned or managed land.

The Framework will provide an opportunity for seasonal sports clubs to guide infrastructure planning while ensuring the outcome is well scoped, relevant, fit for purpose, site and sport specific and will meet club current and future needs.

The Framework responds to Council Plan 2017-2021 action item ‘Develop a transparent decision making framework for co-contributions to infrastructure investment.’ This framework will align sports club capital contributions at sportsgrounds with the delivery of Council’s four year capital works program.

Scope

The scope relates to:

- Incorporated organisations under a tenancy arrangement with Council, such as a licence or seasonal allocation (permit), for the use of organised sport; and
- Capital works for community sport and recreation facilities that are listed in Council’s asset register and are located on Council owned or managed land.

The scope does not apply to:

- Commercial tenancies which are determined through an open market process;
- Community groups and facilities that are located on land that is not owned or managed by Council;
- Private or commercially based sporting and recreation infrastructure;
- Community groups and facilities that do not provide organised sport including but not limited to Community Halls, Libraries, Senior Centres;
- How Council prioritises capital works investment; or
- Maintenance responsibilities or operational matters.
Council’s Better Place Strategic Planning Framework

The Framework will enhance liveability by providing infrastructure that fit for purpose and accessible to the broader community.

The following documents have been analysed to inform the recommendations of the Seasonal Sports Infrastructure Contributions Framework:

- Sports Facility Users Guide 2018;
- Council Plan 2017 – 2021;
- Community Plan 2025;
- Active by the Bay Recreation Strategy 2013 – 2022;
- Wellbeing for All Ages and Abilities Plan 2017 -2021;
- Leasing and Licence Policy 2018;
- Self-Managed Projects Framework 2010; and
- Sportsground Pavilion Improvement Plan 2019.

Key Actions of the Council Plan (2017-2021) aligned to this policy include:

- Upgrade recreation and sports pavilions to provide female-friendly facilities and disability access requirements to meet the identified needs of the users.
- Promote public safety and amenity.
- Improve public health and wellbeing in the areas of: an engaged and supported community, a healthy and active community and a safe and healthy environment where people can live, work and play.
- Ensure the financial sustainability of Council over time, in line with the objectives of Council’s long term financial plan.
Definitions

Allocation: Allocated access to a sportsground through a Seasonal Tenancy Agreement.
Capital: Money, investment.
Contribution: Payment, support.
Council: Bayside City Council, being a body corporate constituted as a municipal Council under the Local Government Act 1989.
Maintenance: Works required to maintain Occupational Health and Safety standards and the continual intended use.
Seasonal Tenancy Agreement: An agreement that provides seasonal use of sportgrounds and sports pavilions.
Sports club: All incorporated entities allocated a sportground, open space or pavilion at a sportsground.
Sportsground(s): Surfaces used to conduct structured sports including, natural grass and synthetic surfaces.
Sportground Pavilion: Building that supports community sport.

Background

Since 2012, Council has invested approximately $37 million to improve the standard of sportgrounds, sportsground lighting and associated infrastructure to encourage flexible and innovative scheduling of local sport competitions.

This investment has resulted from the delivery of the action plans developed through extensive research undertaken as part of the development of the Bayside Recreation Strategy 2013 – 2022 (the Strategy). The Strategy, has guided the planning, management and provision of recreation facilities and service within the municipality.

Council has progressed rapidly through the infrastructure actions from the Strategy with only sportsgrounds reconstructions and pavilions remaining to be delivered. It is expected that the outstanding infrastructure actions will be finalised by 2024 with work scheduled to commence in 2019/20 on the new Recreation Strategy.

In 2015, significant growth in junior and female participation was witnessed primarily through the introduction of National AFL women’s competition and the subsequent introduction of women and girls AFL in local football leagues. The growth and lack of appropriate facilities to support participation resulted in the review of the SPIP and a commitment from Council to accelerate the program to renew all 27 sports pavilions within a nine year period.

The Strategy, identified the need to prepare a framework to address funding contributions by sports clubs for capital works undertaken at Council facilities.

Current Situation

Council is approached on an ad hoc basis by sports clubs wishing to contribute and/or fund capital projects on Council owned or managed land. A key driver of this trend is the desire to fast-track development of what is considered important community infrastructure that will provide better opportunities for people to be active and engaged in the local community.

In the absence of a strong policy position, Council staff currently assess proposals by sports clubs on a case by case basis. With the current fiscal environment that sees Council delivering an
unprecedented capital works program, appropriate contributions from sports clubs for capital improvements may benefit the community and lead to continued development of Council owned or managed facilities.

Key Issues and Findings

Sportground Pavilion Improvement Plan (SPIP)

In 2019 a review of the SPIP was undertaken to ascertain if the SPIP was delivering fit for purpose and fiscally responsible sports infrastructure. It was determined that while overall the intent was being achieved, some recommendations and standards were no longer appropriate to facilitate community sports and that omissions from the facility standards were evident. When considering a home ground pavilion it was recommended that an additional 130m² footprint was required in an AFL pavilion and 117m² for other sports pavilions. As a result the estimated costs of the SPIP were revised.

Benchmarking against other Local Government Authorities and State Sporting Associations, identified that Council’s facility standards closely align with the preferred standards of the major codes, AFL, Soccer and Cricket, with the most significant variation in the provision of community space. It was also identified that while female participation is a new challenge for AFL clubs, associations and Council, additional changerooms to cater for this growth are not required, with changes to game day management and fixtures paramount to assist in managing this growth.

The SPIP provides the adopted pavilion standards. If clubs request inclusions above the pavilion standards, design changes until proof of contribution and site compatibility is evident.

Community expectations and site constraints

Community expectations for sports infrastructure is changing and clubs are now seeking the provision of facilities above those necessary to support community level sport. Sports clubs are commonly requesting larger changerooms, increased social spaces, gymnasium facilities, coaching and development spaces and trainers rooms.

In some instances the footprint of sports infrastructure will significantly increase and is placing pressure on Council’s finite open space. When considering any infrastructure development above Council’s standards, the impact on the broader community and environmental impacts on the site must also be considered, notwithstanding a club’s ability to fund the facilities.

Self-Managed Projects

In 2010 Council introduced a self-managed construction projects on Council land process, which enables clubs to undertake work on Council owned or managed land for projects up to the value of $50,000. The intent of this process was to reduce barriers to develop sports infrastructure, through the use of suitability qualified individuals within the sports club network clubs to deliver projects at a reduced cost through in-kind labour or supply of equipment/plant. The process also provided a level of control for Council preventing unauthorised and inappropriate development of infrastructure on Council owned or managed land.

The process requires clubs to satisfy a number of requirements before gaining landlord consent to deliver the project including but not limited to:

- A tenancy agreement with Council to occupy the site;
- Written agreement from other tenants at the site to undertake the work;
- A project proposal and concept plan for initial discussion;
- Proof of need and broader community benefit of the proposal;
- Evidence of funds to undertake the works including detailed design as required;
- Evidence of use of qualified and registered trades to undertake the works;
• Accepts all responsibility for all actions, claims, losses, damages, penalties or demands associated with the project;
• Accepts the project will not alter the status of the organisations occupancy of the facility;
• Obtain all relevant permits and meet all of the conditions of that permit;
• All works must be designed and constructed to Australia Standards including AS1428.2;
• All components of the work must be supervised by registered builder/engineering practitioner and Council must be provided with copies of all relevant insurances, workers compensation cover and building practitioner registration;
• Provide as built plans; and
• Club acknowledges full responsibilities for ongoing maintenance and renewal of asset.

A 2017 review of the self-managed process, identified critical flaws in the process including:

• Lack of compliance with the conditions of the permit, including meeting appropriate depth of cabling to meet building codes;
• Issuing of compliance permits for non-compliant projects;
• Failure to undertake community consultation as directed;
• Installation of infrastructure in a location, other than that agreed;
• No ownership or responsibility taken by Council departments of the work during or after construction, with the Recreation and Events team left to manage delivery of projects outside of their area of specialty;
• Changes to proposal during construction without landlord consent;
• Demarcation of works that can have an impact on the warranty or defects period offered by the contractor;
• No strategic assessment of project, with projects typically rushed to meet unrealistic timelines;
• Damage caused to Council’s open space network resulting from construction processes with clubs viewing this as outside of scope; and
• Impact on workload of multiple departments through approval of adhoc projects.

A key strength of this process is the development of appropriate sports infrastructure at no cost to Council, delivered by community members for the benefit of the community. This process in its current format is not supported by officers due to the significant risks associated with this practice. Opportunity exists to refine this process to mitigate risk, while providing clubs with opportunities to invest in the development of sports infrastructure.

It is recommended that:

• Proposals requiring connection to pavilion switchboards are managed by Council;
• Proposals requesting modifications to pavilion floor plans including outdoor shelters and verandahs are managed by Council;
• Proposal must address the connecting open space including matching levels, reinstatement of grass, appropriate drainage and repair of damaged cause by construction;
• Proposals must be submitted via the online application process. Applications submitted outside of this platform will not be assessed;
• Proposal must align with goals detailed in the Recreation Strategy/Council Plan and provide evidence of need and broader community benefit of the project;
• Projects approved for delivery by the club, must adhere to specified hold points. Works must not proceed without signed agreement of Council;
• In partnership with the proposing club develop a community engagement plan to notify residents of proposed works. A representative of the Recreation and Events team will attend scheduled drop in sessions.
Open Space Strategy

The Open Space Strategy 2012 provides a Council position of, no net loss of open space. Policy 1.2 specifies that:

- A net loss of public open space is recognised as space that has been sold to another agency without being replaced. It is space that cannot be recovered.
- Installation of infrastructure that supports the use of the open space is not a loss of open space. Installation of park infrastructure such as BBQs, seats and lighting, expansions to existing pavilions, car parking for the open space.
- Installation of infrastructure that does not support the use of the open space is a loss of open space. Kindergartens, community centres, car parking for shopping centres.
- Council will be made aware of the implications of any decision making by other agencies that may create a net loss of open space and develop strategies to address this net loss.

It is critical that planning of sports infrastructure that exceeds Council's SIPP standards, is not identified as an essential element to facilitate sport or results in duplication of assets provided elsewhere in the municipality are appropriately vetted prior to consent being provided for work.

Recommendation

Where opportunity exists, it is proposed that Council form partnerships with tenant sports clubs wanting to fund the development of sports infrastructure that adds value to existing sports facilities.

Requests for additional requirements beyond Council's pavilion standards, will be considered with planning deferred until proof of required financial contribution is evident. Clubs will be required to agree to conditions outlined in a Memorandum of Understanding (MOU) including, payment schedule and any ongoing maintenance or financial commitments arising from the project.

Clubs seeking infrastructure projects outside of the SIPP will be required to apply via the online application ensuring all mandatory documentation is provided for consideration by Council staff.

It is recommended that:

- Sports clubs are informed of requirement to demonstrate proof of financial contribution to all sports pavilion projects;
- Council introduces a seasonal application process to consider and prioritise projects where clubs are funding the development of sports infrastructure on Council owned or managed land;
- Assessment of projects is undertaken by a working group with representation from Recreation and Events, Open Space, City Assets and Projects and Environmental Sustainability teams;
- Subject to the complexity and scope of proposal, successful projects are appointed a Council project manager to manage the delivery of the work or undertake inspections at predetermined milestones; and
- Council develop an online application form and assessment criteria to consider club funded capital project proposals.
Executive summary

Purpose and background
This report presents the outcomes of the Year 2 review (2018/19) of Council’s Wellbeing for All Ages and Abilities Strategy 2017-2021 (WAAA).

The WAAA meets the requirements of the Public Health and Wellbeing Act 2008 and Disability Act 2006, whilst streamlining community services planning for health and wellbeing from early childhood, through to youth, adult lives and older years.

The WAAA Evaluation Plan provides a framework to measure and monitor the WAAA goals and objectives with annual progress reports provided prior to a comprehensive outcome report to be developed in 2021.

Four Action Plans support the implementation of the WAAA; Early Years, Youth, Healthy Ageing and Healthy Communities. Activities targeting people with disabilities are integrated in each Action Plan. These action plans identify actions that will be taken by Council and partners to achieve the three goals and 12 objectives of the WAAA.

Key issues
The annual review captures information from the period of July 2018 to October 2019. Actions have been undertaken by departments across the organisation. Highlights of the activities are shown in Attachment 1.

Goal 1: An engaged and supportive community
An engaged and supportive community allows people from all ages and abilities access to services and resources that enhance their wellbeing and enable them to live full lives. Goal 1 has objectives to improve mental health and resilience; support opportunities that build social networks and community connections; strengthen volunteerism; and improve access to affordable, appropriate and inclusive services.

Over the last 15 months the activities shown in Attachment 1 have contributed towards individuals feeling more connected within Bayside particularly in regards to cultural diversity and inclusion, and has strengthened the community’s resilience to sustain positive mental health and access to available services.

Activities have also built social connectedness and social inclusion through increased awareness of homelessness, increased engagement in volunteering opportunities and promotion of Council’s grants program ensuring an engaged and healthy community.

Goal 2: A healthy and active community
Eating well and being physically active is important to maintain and protect the longevity of good health and wellbeing. Goal 2 has objectives to increase physical activity opportunities; increase healthy eating; and increase participation in health assessments and self-care.

Over the last 15 months the activities shown in Attachment 1 have assisted individuals in Bayside to participate in inclusive physical activity including encouraging all abilities, women and a cross section of ages in a variety of recreational opportunities.
In addition, there was a focus on improving health assessments and self-care with a focus on nutrition by promoting the benefits of breastfeeding, increasing the sale of healthier food and drink options at sport club canteens and encouraging healthy eating practices alongside social inclusion within vulnerable communities.

**Goal 3: Safe and sustainable environments**

A safe environment where people can live, work and play has a direct impact on the community’s physical, social and emotional wellbeing. Goal 3 has objectives to reduce family violence; reduce the consumption of alcohol and other drugs; improve community safety; improve environmental sustainability; and improve community resilience to extreme weather events.

Over the last 15 months the activities shown in Attachment 1 have contributed towards making Bayside a safer community by addressing issues relating to family violence, road safety, gender equality and environmental sustainability. Attachment 2 has been developed to represent these achievements.

**Recommendation**


**Support Attachments**

1. Attachment 1 - Wellbeing for All Ages and Abilities Highlight of Activities - Year 2 2018/19
2. Attachment 2 - Wellbeing for All Ages and Abilities Infographic - Year 2 2018/19
Considerations and implications of recommendation

Liveable community

Social
Council has a key role in ensuring that the health and wellbeing of the community is a priority. The WAAA is driven by the social model of health with key principles including addressing the broader determinants of health, acting to reduce social inequities, empowering individuals and their community and enabling access to health care. The activities undertaken over the last 15 months have positively contributed to achieving the WAAA goals of an engaged and supportive community; a healthy and active community; and safe and sustainable environments.

Natural Environment
The WAAA acknowledges that open space and the natural environment play an important role in contributing to community health and wellbeing. This is evident in objectives 3.4 and 3.5 of the WAAA.

Built Environment
The WAAA influences the built environment with a particular focus on affordable housing, safe and appropriate playgrounds and accessible walking paths and community facilities.

Customer Service and Community Engagement
Over 1,000 community members provided input into the development of the WAAA. Further engagement is undertaken on an as needs basis with community members and relevant stakeholders regarding activities addressing the WAAA goals and objectives.

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.

The WAAA Strategy addresses Article 25 of the Universal Declaration of Human Rights that "everyone has the right to a standard of living adequate for the health and well-being of himself and of his family".

Legal
All Victorian local governments are required under Section 263 of the Public Health and Wellbeing Act 2008 to develop a MPHWP within 12 months of Council elections. The WAAA Strategy is Council’s response to this requirement and is reviewed annually.

Finance
There are no direct financial implications for Council associated with the recommendation included in this report. Any future changes to service needs or costs associated with the Action Plans being developed will be subject to budget and funding considerations at the time.

Links to Council policy and strategy
The WAAA is a key strategic document, along with the Council Plan and Community Plan which strongly links to the ‘Liveability’ domain in the Better Place Approach Framework.

The WAAA supports the Community Plan aspirations and the 2017-2021 Council Plan goals and objectives to ensure the vision of working together to ‘make Bayside a better place’ is
achieved. In particular, the WAAA directly aligns with Goal 7 in the Council Plan, “Bayside’s community will be supported and engaged to live an active and healthy lifestyle regardless of age, geographical location, personal circumstance or physical abilities.”
ATTACHMENT 1

Wellbeing for All Ages and Abilities Highlight of Activities – Year 2 2018/19

**Goal 1: An engaged and supportive community**

**Early Years**

Receipt of a $1.6 million Victorian State Government grant towards the development of an Integrated Children’s Centre in Fern St, Black Rock due to be completed in 2021.

**Youth**

Delivered two Youth Mental Health First Aid courses to 40 participants, in response to challenges identified by more than 5,000 young people in Bayside through the annual Youth Resilience Survey.

Delivered the “Bayside Says No To Bullying” event with 100 participants attending the forum and 150 participants attending the games day, in response to challenges identified by more than 5,000 young people in Bayside through the annual Youth Resilience Survey.

**Aged and Disability**

Established a partnership between schools and Council’s social support program to provide a socialisation opportunity between students and older residents. 15 students attend and support 15 older clients with activities. Provides a socialisation opportunity and exposure to different skills and interests for participants.

Information forum delivered through Council and other services for 42 unpaid carers where 86% of participants reported an increase in knowledge in supporting their own wellbeing and increased awareness of available support services.

**Healthy Community**

Increased the reach of BaysideVolunteering.com to over 1000 users with an average of 41 vacant volunteering opportunities listed every month and 77% of opportunities receiving volunteer applications.

My Name Is Project increased awareness of homelessness and social inclusion. Launch event hosted over 100 attendees including internal staff and representatives from 22 external organisations with an overall media reach of over 3.7 million.

Doubled the number of individuals and families receiving Financial Hardship grants to provide increasing access to services and programs.

The Reconciliation Action Plan was endorsed following a community engagement event with over 80 community members attending. Establishment of the Reconciliation Advisory Group. Internal acknowledgements implemented such as email signature and acknowledgement mural and plaque in Corporate Centre Foyer.

Supported 14 cultural diversity and inclusion programs and events through community grants scheme.
Goal 2: A healthy and active community

Early Years

Educational videos developed by lactation consultants to promote the benefits of breastfeeding and available community support and information. These are on display at all Bayside Maternal and Child Health Centres.

Participation rates of Indigenous and Torres Strait Islander families in the Maternal and Child Health Service increased to 89%.

Hosted the first Dunkley Fox Estate Community Dinner with 30 adults and 12 children actively participating in all aspects of planning and delivery of the event.

Aged and Disability

Report presented to Council outlining research findings highlighting a range of support for a hydrotherapy service for Bayside residents exists.

Healthy Community

International Women’s Day event for 180 residents which focused on physical activity opportunities and the promotion of women in sport.

Beach access achieved at Half Moon Bay and Hampton beaches. Widely used by lifesaving clubs, however community bookings have been lower than expected. Working to increase knowledge of availability of the service within the wider community.

Funded $49,000 across 14 community organisations to improve inclusion and access for people with disabilities.

Supported Brighton Soccer Club to deliver the Healthy Eating Nudge Trial, increasing the availability and sale of healthier food and drink options. Number of green (healthy) drinks sold increased by 102% and the number of red (unhealthy) drinks sold decreased by 45%.

8 member Community Reference Group formed for the Thomas Street All Abilities and Ages Playground redevelopment with regular participation and feedback provided to the project.

Partnered with local neighbourhood houses to host an R U OK? Day expo showcasing 34 community organisations. The aim of this event was to encourage residents to connect with and become increasingly active within their local community. Lower than expected attendance (35 residents) with plans to narrow the target audience for next year’s event.
Goal 3: Safe and sustainable environments

Early Years

1,191 family violence screening assessments completed which resulted in 52 family consultations, 19 counselling sessions, 6 safety plans and 4 referrals being made.

Participated in the Nappy Collective by collecting and donating over 2000 nappies to support families in crisis or need.

Youth

Sustainable practices incorporated into the planning and delivery of all Youth Services events after the provision of training to a committee of young people aged 14-23 who plan and deliver youth community events in partnership with Council.

Aged and Disability

Increased awareness of home safety strategies reported by 19 older people who participated in an information forum in partnership with Victoria Police to improve perceptions of safety.

Improved confidence and knowledge of road rules reported by 15 older people who participated in 8 hours of safe driving education.

Healthy Community

Provided family violence training and developed webpages for community members with a focus on support services. The webpages average 102 views per month and 4 community members attended training. Women’s Health in the South East’s evaluation of the training and feedback on webpages is that the resources provide localised resource information and equips community members with tools to be active bystanders in preventing family violence.

Received $83,000 Vic Health grant to deliver an art project highlighting gender inequality "Changes faces: reframing women in local democracy". 142 participants currently confirmed. A comprehensive evaluation process is underway with 70 baseline surveys completed to date. Portrait week 7-11 October when participants will have their photographs taken. Photos to be displayed in 2020.
Wellbeing for All Ages and Abilities
Strategy 2017-2021

Year 2 Highlights (July 2018 – October 2019)
Goal 1: An engaged and supportive community

As an engaged and supportive community, we aim to empower people and build community connections, strengthen volunteerism, and improve access to affordable, appropriate and inclusive services.

Over the last 15 months, the following highlights have been completed towards achieving Goal 1.

- Increased the reach of Bayside Volunteering by over 100 users with an average of 41 vacant volunteering opportunities listed every month and 77% of opportunities receiving volunteer applications.
- Delivered the ‘Bayside Says No to Bullying’ event with 100 participants attending the launch event and an overall media reach of over 1 million.
- My Name Is Project increased awareness of homelessness and social inclusion with over 100 homes attended at a launch event, including an overall media reach of over 20 million.
- Supported 14 cultural diversity and inclusion programs and events through community grants.
- Increased the reach of the Bayside Youth Mental Health First Aid courses to more than 5,000 young people in Bayside through the annual Youth Resilience Survey.

Information forum provided for 42 unpaid cases that supported their wellbeing and increased knowledge of available services.

The Reconciliation Action Plan was endorsed following a community engagement event with over 90 community members attending.
Goal 2: A healthy and active community

Eating well and being physically active is important to maintain and protect the longevity of good health and wellbeing. Goal 2 has objectives to: increase physical activity opportunities; increase healthy eating; and increase participation in health assessments and self-care.

Over the last 15 months the following highlights have been completed towards achieving Goal 2:

- Funded $49,000 across 14 community organisations to improve inclusion and access for people with disabilities.

- Supported Brighton Soccer Club to deliver the Healthy Eating Nudge Trial, increasing the availability and sale of healthier food and drink options.

- Partnered with local neighbourhood houses and community organisations to host an R U OK? Day expo encouraging residents to connect with their local community.

- Report presented to Council outlining research findings highlighting a range of support for a hydrotherapy service for Bayside residents exists.

- International Women’s Day event for 180 residents which focused on physical activity opportunities and the promotion of women in sport.

- Participation rates of Indigenous and Torres Strait Islander families in the Maternal and Child Health Service increased to 89%.

- Hosted the first Dunkley Fox Estate Community Dinner with 30 adults and 12 children actively participating in all aspects of planning and delivery of the event.

- Beach access for all abilities achieved at Half Moon Bay and Hampton beaches.

- 8 member Community Reference Group formed for the Thomas Street All Abilities and Ages Playground redevelopment.

- Educational videos developed to promote the benefits of breastfeeding and available community support.
Goal 3: Safe and sustainable environments

A safe environment where people can live, work and play has a direct impact on the community’s physical, social and emotional wellbeing. Goal 3 has objectives to: reduce family violence; reduce consumption of alcohol and other drugs; improve community safety; improve environmental sustainability; and improve community resilience to extreme weather events.

Over the last 15 months the following highlights have been completed towards achieving Goal 3.

- Participated in the Nappy Collective by collecting and donating over 2000 nappies to support families in crisis or need.
- Completed 1,191 family violence assessments which resulted in 19 counselling sessions, 6 safety plans and 4 referrals being completed.
- Sustainability workshop delivered to Boombox Events FREEZA committee regarding the organisation and planning of sustainable events.
- Hosted an information forum for older people in partnership with Victoria Police to improve perceptions of safety for 20 older people.
- Received $83,000 Vic Health grant to deliver an art project highlighting gender inequality “Changes faces: reframing women in local democracy”. Portrait week 7-11 October when participants will have their photographs to be displayed in 2020.
- Safe driving program provided for 15 older people to improve confidence and maintain knowledge of road rules.
- Developed webpages for community members with a focus on support services. These currently average 102 views per month.
- Provided family violence training to external community members with a focus on support services.
10.10 BEAUMARIS SPORTS CLUB AND RSL LEASE PROPOSAL

Executive summary

Purpose and background
The Beaumaris Sports Club Pty Ltd (BSC) currently occupies the first floor of the Pavilion at Banksia Reserve in Beaumaris. BSC is the overarching body of the three combined clubs being the Beaumaris Football Club, Beaumaris Cricket Club and the Beaumaris Tennis Club. BSC has not achieved a profitable business model which has led to significant impacts on the operations of the Football, Cricket and Tennis Clubs. BSC agreed to make significant financial contributions to the development of the pavilion. This included provision to take out a $1,000,000 loan of which Council had provisionally agreed to act as guarantor for an amount of $700,000. To date, BSC has provided $217,000 of its contribution and currently owes Council a further $1.3M with a further $213,000 due in future years under the existing funding arrangements. In its current situation, BSC has stated it cannot obtain a loan, nor repay the debt owed to Council.

The inability to deliver a profitable model on top of the debt servicing requirements related to the installation of a commercial kitchen, and the ongoing staffing and building operational costs has led to the BSC seeking other mechanisms to deliver a workable community club model. This has included reducing operating hours, significantly decreasing paid staff, introducing greater volunteer contribution and seeking to renegotiate a number of supplier arrangements.

The Beaumaris Returned Services League (BRSL) has been meeting regularly at BSC and has sought to join BSC as the fourth member. The intention is to create a predominantly volunteer based sports club that is able to provide some support to the clubs to ensure that they remain viable into the future.

This report seeks a resolution of Council to support the BRSL’s request for a long term lease over part of the pavilion (the Banksia Room). This would require BSC to break its current lease and a new lease over the remaining space would need to be granted. A copy of the proposed lease areas is included in Attachment 1.

Key issues

Tenure

BRSL require a long term lease to justify the investment of RSL funds. BRSL are seeking a lease over the Banksia Room for 49 years in exchange for $1.6M of upfront rent. The BRSL have advised that in order to obtain RSL board trustees approval, and subsequent release of funds, the BSC must be debt free.

BSC’s lease would be surrendered and a new lease offered on the same tenure, including rental and maintenance obligations for the remainder of the current areas occupied by the BSC. The two leases over portions of the space will run to different timeframes. The existing BSC lease will need to be amended to include shared spaces that the BRSL will have right of access, and will need to be maintained in future leases.
Request for Lease

BSC and BRSL have developed a working agreement in relation to the proposed lease arrangements. This includes how the groups will operate together and how any arrangements with changes in club usage would be managed. The clubs understand that the site has been constructed to support the sporting clubs and the ongoing sporting interest in the site.

As briefly outlined earlier in this report, in order for a working four combined clubs model to be introduced, BSC will need to be free of debt. In order to achieve a debt free BSC, and deliver a working outcome at the site, Council would be required to forgive the debt owed by the BSC of $1.533M. As part of a lease break arrangement, a payment of up to $700,000 would be made to BSC (subject to further detailed negotiation) in compensation for giving up control over the leased area. This would allow BSC to pay out its debt to other parties. Council would retain the remaining funds of approximately $900,000.

Should the proposal be agreed, BSC would become a predominantly volunteer based model with significantly lower overheads. This would allow the four combined clubs model the greatest opportunity to succeed and provide some financial viability back to the sporting clubs which made up the original three combined clubs (BSC) model.

Hours of operation

The hours of operation are governed by planning permit 2012/698/2

- Sunday 6:30am – 9:00pm
- Monday – Wednesday 6:30am – 10:00pm
- Thursday 6:30am – 10:30pm
- Friday and Saturday 6:30am – 12:00am

It should be noted the liquor licence operates from 12 noon each day with bar closing 30 minutes before venue closing time.

Other impacts

Should nothing change on the site, it is likely BSC will never be in a position to repay any of the money owed to Council.

In the event this proposal is not supported, the BSC will continue with its current lease arrangement which is due to expire 17 December 2032.

The BSC/BRSL Memorandum of Understanding acknowledges no gaming machines or wagering outlets will be supported on the site.

BRSL is also seeking to be able to make further improvements for storage and library space at a future time as part of BSC’s revised four combined clubs model.

Under the existing lease arrangements, Council is responsible for the structural maintenance of the building. A portion of the building is used for seasonal allocation and is controlled by Council. As part of negotiations, a request for the clubs to take on greater responsibility was made but the clubs would not agree to this request as they were concerned about the impact of this on the clubs viability.
Recommendation

That Council

1. Commence the statutory procedures under Sections 190 and 223 of the Local Government Act 1989 to lease part of the Beaumaris Sports Club known as the Banksia Room at 68 Oak Street, Beaumaris with the Beaumaris Returned Services League on the following terms:
   - Term: 49 Years
   - Rent: $1,600,000
   - Payment of Rent: In advance and upon lease execution.

2. Commence statutory procedures under Section 190 and 223 of the Local Government Act 1989 to lease the currently occupied area, minus the Banksia Room, at the Beaumaris Sports Club, 68 Oak Street, Beaumaris to the Beaumaris Sports Club for a term of 13 years on the same terms as the current lease.

3. Directs that under Section 190 and 223 of the Local Government Act 1989, public notices of the proposals to lease the parts of the Beaumaris Sports club as described be given.

4. Authorises the Director Corporate Services to undertaken the administrative procedures necessary to enable Council to carry out its functions under section 223 of the Act in relation to the lease proposals.

5. In the event a submission is received, convene a Section 223 Special Committee of Council meeting to be held on Wednesday 27 November 2019 commencing at 6.30pm at the Council Chambers, Boxshall Street, Brighton to hear any submitters that wish to be heard.

6. Receive a further report after the completion of the above statutory processes, in order for Council to consider and make a decision about whether to grant the leases described in clause 1 and 2 above, and to consider and decide whether to complete the financial arrangements contemplated in the report.

Support Attachments

1. Attachment 1 Lease Plan for BSC and RSL areas
2. Attachment 2 MOU between BSC and BRSL
Considerations and implications of recommendation

Liveable community

Social
BSC provides positive benefits for young people and adults through their participation and engagement in sport and recreation activities at Banksia Reserve. The proposed model between the RSL and the sporting clubs is supported by all the clubs under an MOU that provides for broad based intergenerational use of the facility where the clubs believe mutual benefits can be achieved through a thriving community venue.

Natural Environment
There are no specific impacts on the natural environment as a result of this report.

Built Environment
BSC pavilion is fully accessible and includes a number of design elements befitting such a high profile facility.

Customer Service and Community Engagement
Discussions and meetings have been undertaken with all the clubs involved to determine if a viable working model could be achieved.

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.

Legal
Council has provided a 15 year lease for BSC to occupy the pavilion at Banksia Reserve. This lease has approximately 13 years remaining.

The leased area of the Banksia Room will need to be legally excised from BSC leased area to provide a new lease to BRSL.

A statutory process to lease will be required. This will include both the proposed provision of a new lease to BRSL for 49 years and also the revised lease to BSC.

The proposal will also need to be approved by the RSL board of trustees should it be supported.

Finance
As part of facilitating this lease break, BRSL propose to pay $1.6M in upfront rent in exchange for a lease of 49 years. For the RSL board to approve the transaction they require BSC to be debt free and financially viable. The buy-in amount for the Banksia Room to break the lease with BSC would be approximately $700,000 and is subject to further detailed negotiation should the proposal be agreed. Council would receive the remaining amount of $900,000 in exchange for the long term lease.
BSC currently owe Council $1.53M.

Should nothing change on the site it is likely BSC will never be in a position to repay any of the money owed to Council.

**Links to Council policy and strategy**


The BSC project contributes to the above plans and strategies by:

- Providing community-based recreation facilities for children and adults;
- Using open space and parkland to meet the needs of the Bayside community; and
- Ensuring the use of open space and parkland is fit-for-purpose with appropriate infrastructure.

**Options considered**

**Option 1**

<table>
<thead>
<tr>
<th>Summary</th>
<th>Do not support the proposal by BSC and RSL.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Benefits</td>
<td>Avoids consultation and potential concern of a long term, 49 year lease at a site where there has previously been challenging lease processes.</td>
</tr>
<tr>
<td></td>
<td>Avoids potential concern over the lease break and forgiveness of debt owed by BSC to Council.</td>
</tr>
<tr>
<td>Issues</td>
<td>BSC may well fail without the RSL buy in. Should BSC fail it is likely liquidators would be required to liquidate assets. The leased areas would not be available for an unknown period of time.</td>
</tr>
<tr>
<td></td>
<td>Council may not recover any of the $1.53M owed to Council.</td>
</tr>
<tr>
<td></td>
<td>The clubs have some financial liability for BSC debenture holders and may in turn fail if these debts are called in. Council may be subject to adverse local community sentiment if BSC fails.</td>
</tr>
</tbody>
</table>
Beaumaris Sports Club (BSC) proposal for the entry of
Beaumaris RSL Sub-Branch as a fourth member club

26th September 2019

Proposed Memorandum of Understanding for presentation and
consideration by the Bayside City Council

The Beaumaris RSL Sub-Branch ("BRSL") and the Beaumaris Sports Club ("BSC") through its existing member clubs, the Beaumaris Football Club ("BFC"), Beaumaris Cricket Club ("BCC") and Beaumaris Lawn Tennis Club ("BLTC") have agreed the contents of this Memorandum of Understanding for presentation and consideration by the Bayside City Council ("the Council") for the BRSL to become the fourth member club of the current BSC.

The BRSL is requesting from the Bayside City Council:

1. A 49 year lease over the area of the BSC building known as the “Banksia Room” for an upfront $1.6 million payment.

2. The BSC must be free of outstanding debt including monies owed to Council, benefactor loans, debenture holders and supplier loans.

3. Provisions be made in the lease to protect the BRSL’s right to use of all facilities on 1st floor should other clubs vacate before 49 years elapse.

4. During the lease term pokies or any such gaming machines or wagering outlets can never be located at the BSC

5. Support as landlord for future planning permit application to extend Banksia room to create a member’s lounge library and underneath storage/landscaping at BRSL cost subject to a full consultation process with all clubs.

The existing BSC operating model will cease to exist and a body created that includes the 4 clubs created with a new set of operating rules agreed by all member clubs. The key principles agreed are:

6. The newly created body will be renamed.

7. The 3 sporting clubs will have control and responsibility for the sporting facilities on the ground floor including gymnasium and meeting room. All areas on top floor will be communal but subject to designated seasonal allocations and sensitive to the need for each of the clubs to have a space to call their own. A booking system will be initiated for planned use of upstairs facilities and the individual clubs important calendar dates will be respected.

8. A facility governing and management committee will be created with all member clubs having equal representation and an odd number of independent numbers to ensure a productive and fair decision making process. The member club representatives must have the support of their respective club’s committees and be empowered to make decisions on their club’s behalf for the benefit of the entirety of the entity. This committee will be responsible for managing the facilities.

9. A profit sharing formula will be developed to distribute reserves after the operating costs of the communal areas of the facility have been settled and can include, but not limited to, components such as:

- fixed amounts to member clubs for providing members to the management and governing committee.
- amounts to reward the clubs for their members volunteer hours contributed to reduce the facility’s communal first floor operating costs.
- amounts to reward the clubs for their members total $ spend on food and drinks to encourage promotion of all areas of the facility.
- An amount to be retained by the facility for future requirements.

The formula recognises that each member club requires a financial return from the facility but no one sharing scheme suits all clubs as they experience different constraints.

The amount payable to each club is to be calculated annually based on the year end financial reports in order to reward member clubs for their effort and contribution during that period and provide incentive for future positive contribution. Payments to be made progressively in advance if required and cash flow permits.

10. The catering function will be managed by the BS & RSL governing and management committee and is to provide a menu that contains choices and pricing alternatives to suit the financial capacity and preferences of all its members.

11. The canteen profits will be distributed based on effort contributed.

12. An independent dispute resolution procedure will be developed.

13. This agreement can only be amended by agreement of all the Presidents of the member clubs and will remain in force until the formal rules of association of the newly body are adopted.

Signed by:

Troy Arendaricakas  
Beaumaris Cricket Club President  
30/9/2019

Terry Lucas  
Beaumaris Football Club President  
30/9/2019
Item 10.10 – Reports by the Organisation
Executive summary

Purpose and background
This report seeks Council approval to commence the statutory procedures in accordance with Section 189 and 223 of the Local Government Act 1989 (Act) to subdivide Council-owned land at the rear of 37-39 Melrose Street, Sandringham into 3 lots. Lot 1 is intended to be offered for purchase to 37 and 39 Melrose Street, Sandringham. Lot 2 is intended to be offered for purchase to 58-60 Station Street, Sandringham to protect the view aspect of the new development. The remaining Lot will be retained by Council as a ‘road’ to allow access and egress from the Council car park.

Bayside City Council acquired the land on 30 May 1980. The Council titles derive from a subdivision of the parent properties at 37 and 39 Melrose Street, Sandringham. Council records indicate that in the late 1970s the former City of Sandringham reviewed car parking requirements in consideration of the development proposal for the Sandringham Shopping Centre. In consideration of that proposal, Council subdivided 37 & 39 Melrose Street and retained the rear portions of the site for integration into the laneway structure to accommodate ingress and egress from the adjoining Council-owned carpark.

Key issues
The land comprises part of a paved roadway surface that forms part of an existing laneway structure incorporating car parking bays. The land has no formal ‘road’ status attaching to each of the respective titles.

Sandringham City Council (Bayside City Council as a successor in law) is the registered proprietor of the land that is more particularly described as comprising all or part of the following Certificates of Title:

- Rear of 37 Melrose Street, Sandringham (part of the land) – Volume 9381 Folio 757 – Lot 1 Title Plan 158981N (formerly known as part of Lot 52 on Plan of Subdivision 001368 )

- Rear of 39 Melrose Street, Sandringham (all of the land) – Volume 9409 Folio 545 – Lot 1 on Title Plan 080804T (formerly known as part of Portion 22 of Moorabbin).

Offer to purchase
A new residential/retail development has recently been constructed at 58-60 Station Street, Sandringham. A report was approved at the 25 June 2019 Ordinary Meeting of Council in relation to this property and a Section 163 agreement. The upper levels of the building have extensive bay views over Council-owned land and the adjoining laneway. The owner of 58-60 Station Street is seeking to purchase the airspace portion of the Council land at the assessed market value of $100,000 in an effort to protect the view aspect of his property – particularly the upper levels.
The property at 37 and 39 Melrose Street is an office and retail premises comprising two separate titles. Both titles have no formal right to traverse Council’s land other than a 1.22 metre wide drainage easement favouring the title to 37 Melrose Street, Sandringham. The Melrose Street property owners are seeking to purchase Council’s land at the assessed market value of $175,000 in order to provide vehicular access from the rear laneway to their property.

The proposed sale of the parcels of land totals $275,000 plus GST.

Proposal outline

Following a review of a Swept Path Analysis it is recommended that Council undertakes a three-lot subdivision comprising:

1. 108.8m2 (subject to survey) lot that is partially restricted in height (Blue hatched land in attachment 1);
2. an air space stratum lot of 67.52 m2 (subject to survey)(Yellow coloured land in attachment 1); and
3. 14.8m2 (subject to survey) ‘road’ splay lot.

Lot 1 is intended to be offered for purchase to 37 and 39 Melrose Street, Sandringham. Lot 2 is intended to be offered for purchase to 58-60 Station Street, Sandringham to protect the view aspect of the new development. Lot 3 is intended to be retained by Council for the purposes of a ‘road’ to accommodate ingress and egress from the adjoining Council-owned car park.

Attachment 1 provides a diagram of the proposed lots.

Car parking and access

Council commissioned a Swept Path Analysis that recommended an irregular-shaped splay portion of the land, described in Title 1 and being 14.8m2 in area, be retained as part of the laneway. This will facilitate two-way traffic flow around the subject land parcels as well as maintaining access driveways that are required to accommodate 30 or more movements in peak hour and also to maintain the status quo of the existing westbound traffic restriction on the laneway that leads to Waltham Street (Refer Attachment 2). Modifications to the adjacent kerb including relocation of the existing light pole will also be required. The estimated cost of the modifications required by Council is $20,000.

It is intended that the laneway will remain open providing accessible ingress and egress points, including Beach Street, Waltham Street and Chalmers Avenue, Sandringham.

The subject land provides for two formal car parking bays and a painted out ‘no parking’ area that is used to access 39 Melrose Street. The two formal bays have been obstructed with skip bins, construction equipment and building material whilst the adjoining development has been under construction. No complaints have been received by the Council about the inability to use the bays during the construction phase.
Recommendation

That Council:

1. Commence the statutory procedures in accordance with the *Local Government Act 1989*, for the sale of land adjoining 58 Station Street and 37-39 Melrose Street, Sandringham highlighted in Attachment 1 as follows:
   a) All land hatched blue to the owners of 37-39 Melrose Street, Sandringham; and
   b) All airspace highlighted in yellow to the owners of 58 Station Street, Sandringham.

2. Advertise the Public Notice outlining the Proposal in accordance with Section 223 of the *Local Government Act 1989* including the sale of the land for a total of $275,000 plus GST.

3. In the event that submission/s are received, convene a Section 223 Special Committee of Council meeting on Monday 25 November 2019 commencing at 6:30pm at the Council Chambers, Boxshall Street, Brighton to hear any submitters that wish to be heard.

4. Following the consideration of any submissions, Council receive a further report at an Ordinaly Meeting of Council.

Support Attachments

1. Attachment 1 Proposal Outline of Lots
2. Attachment 2 Swept Path Analysis
Considerations and implications of proposition

Social
The proposal aims to dispose of poorly utilised property.

Natural Environment
There are no impacts associated with this report.

Built Environment
The sale of the property will decrease Council’s yearly maintenance, cleaning and public liability expenses associated with laneways.

Customer Service and Community Engagement
Council Officers have consulted Council’s Sustainability and Transport Team and consulted with an independent Traffic Engineer and Planner.

It will be necessary for Council to undertake statutory procedures in accordance with Sections 189 and 223 of the Local Government Act 1989 for the sale of Council owned land. The procedures require Council to give public notice of its intention to sell the land and invite submissions from affected parties.

Human Rights
There are no Human Rights issues or implications identified in relation to this report.

Legal
Council is required to complete the statutory consultation required as part of the Local Government Act 1989 requirements.

Council is required to have a market valuation not more than 6 months old at the time of sale.

Titles 1 and 2 will require a formal subdivision, certification and title release of the land prior to settlement of the transfer of land.

Finance
Council’s independent valuer, Charter Keck Cramer, has valued the proposed lots (exclusive of GST) as shown in the table below:

Table 1:

<table>
<thead>
<tr>
<th>Lot</th>
<th>Property</th>
<th>Area m2 (subject to survey)</th>
<th>Market Value</th>
<th>GST</th>
<th>Purchase Price</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Land at rear of 37-39 Melrose Street, Sandringham that is partially restricted in height and, comprising of the balance of Title 1 (after road splay excision) and the whole of the ground level of Title 2</td>
<td>108.8</td>
<td>$175,000</td>
<td>$17,500</td>
<td>$192,500</td>
</tr>
<tr>
<td>2</td>
<td>An air space stratum lot at the rear of 37-39 Melrose Street Sandringham</td>
<td>67.52</td>
<td>$100,000</td>
<td>$10,000</td>
<td>$120,000</td>
</tr>
</tbody>
</table>
Links to Council policy and strategy

The Council Plan 2017-2021 provides direction on the potential sale of land.

Council Plan 2017-2021 Goal 8 – Financial Responsibility and Good Governance

Bayside will enjoy strong and effective democratic representation from its Council and responsive and financially-responsible services and facilities that meet community needs.

   Council Plan Strategy - Ensure the financial sustainability of Council over time, in line with the objectives of Council’s long term Financial Plan.

   Council Plan Strategy - Review Council’s property portfolio to provide clarity on tenant responsibilities, maximise community benefit, and ensure financial sustainability.

Options considered

Option 1

<table>
<thead>
<tr>
<th>Summary</th>
<th>Do not sell the land.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Benefits</td>
<td>Ability to maintain Council’s Property Portfolio.</td>
</tr>
<tr>
<td>Issues</td>
<td>Notionally redundant land retained by Council and requiring ongoing maintenance and expenditure by Council.</td>
</tr>
<tr>
<td></td>
<td>Retains the two car parks.</td>
</tr>
</tbody>
</table>

Option 2

<table>
<thead>
<tr>
<th>Summary</th>
<th>Only sell the air rights (lot 2)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Benefits</td>
<td>Ability to maintain Council’s Property Portfolio at ground level.</td>
</tr>
<tr>
<td></td>
<td>Retains the two car parks.</td>
</tr>
<tr>
<td>Issues</td>
<td>Notionally redundant land retained by Council and requiring ongoing maintenance and expenditure by Council.</td>
</tr>
</tbody>
</table>
**Title Plan**

**Location of Land**
- Parish: Moorabbin
- Township: Bayside
- Crown Division: Crown Portion: 22/FT1

**Left Plan Reference:** LP1568
**Obtained From:** VOL 828 VOL FOL 757
**Depth Limitation:** NML

**Description of Land/Encumbrance Information**

- All that piece of land in the Parish of Moorabbin County of ——
- Source being part of Lot 52 on Plan of Subdivision No. 1550 and being part of Crown Portion 22 which land is shown enclosed by continuous lines on the map
- Hereon together with a right of carriage way over the road shown marked B on the said map and over Melrose Street

**Encumbrances Referred To**

- As to the land shown marked A
- The Right of Carriage Way created by
- The said transfer

---

**Table of Parcel Identifiers**

<table>
<thead>
<tr>
<th>Parcel 1 = Lot 52 (FT) on LP1568</th>
</tr>
</thead>
</table>

**NOTE:** Where multiple parcels are referred to or shown on this Title Plan the objects are not transferable separately and such parcels under Section 6A of the Sale of Land Act 1982

**Edition 1**

**TP 156981N**

**Notations**

**AIRSPACE ABOVE GROUND LEVEL TO 5B STATION**

**Table of Parcel Identifiers**

| Parcel 1 = Lot 52 (FT) on LP1568 |

**Note:** Where multiple parcels are referred to or shown on this Title Plan the objects are not transferable separately and such parcels under Section 6A of the Sale of Land Act 1982

**Edition 1**

**TP 156981N**

**Notations**

**AIRSPACE ABOVE GROUND LEVEL TO 5B STATION**

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**Item 10.11 – Reports by the Organisation**
Executive summary

Purpose and background
The purpose of this report is to seek approval to commence the statutory procedures under section 206 and Clause 3, Schedule 10 of the Local Government Act 1989 (Act) to discontinue the subterranean part of the right-of-way (subterranean road) adjoining 322-326 New Street and 71-73 Bay Street, Brighton (identified in Attachment 1) and to sell the subterranean land by private treaty to the owner of 322-326 New Street, Brighton.

Key issues
An enquiry has been received from the owner of 322-326 New Street and 71-73 Bay Street, Brighton in relation to the possible discontinuance and sale of the subterranean road. The applicant seeks to utilise the subterranean land to construct a two-level basement that will connect 322-326 New Street with 71-73 Bay Street, Brighton.

The road is a constructed right-of-way providing vehicular and pedestrian access at ground level to the abutting lots including 322 and 326 New Street, 71-73 Bay Street, 75-79 Bay Street and 2 Vaucluse Street, Brighton.

The road was first granted from the Crown in 1840 and the terms of the grant did not restrict the depth of the title. As such, there is no depth limitation that applies to the road land. Land below ground level retains 'road' status.

The road is described as Lot 1 on Title Plan 954531H Certificate of Title Volume 11494 Folio 788. It is further described as part of Dendy’s Crown Special Survey, Parish of Moorabbin.

The subject Road is not listed on Council’s Register of Public Roads as described in Schedule 1 of the Road Management Act 2004.

Town Planning permit
A planning permit was endorsed by Council on 12 May 2017 and subsequently amended on 26 September 2018 and 16 July 2019, to provide for an extension of the basement car park. The basement extension plans traverse the subterranean portion of the road connecting 322-326 New Street to 71-73 Bay Street Brighton.

The amended planning permit proposes a basement level of approximately 6.1 metres wide by 60.31 metres over both levels of basement totalling approximately 368m² per level.
Application to purchase

The owner of both sites is seeking to purchase the subterranean portion of the road by private treaty to enable the development to be constructed in accordance with the planning permit amendment of 16 July 2019.

As part of the potential sale, Council will ensure a Section 173 agreement is entered into with the developer in order to provide liability and maintenance of those parts of the development projecting into the sub-soil of land under the care and management of Council. The agreement will cover repair and maintenance of the underground surface, what is to occur if the Basement is ever demolished and releases/indemnities in favour of Council with respect to any failure of the Basement and/or Road due to the developer’s failure to comply with its obligations under the section 173 agreement or, due to design failure or latent conditions of the Sites or the Road.

On construction completion, the road at ground level will be added to Council’s Public Road Register to be described as a public road that Council considers reasonably required for general public use. Council will also become the responsible coordinating road authority as the owner and controller of the road ‘at ground’ and airspace above.

Preliminary consultation

Preliminary consultation with adjoining owners has raised objections against the total closure of the laneway and concerns about the temporary and permanent ingress/egress access to abutting properties specifically, the private car park at the rear of 75-79 Bay Street and the garage situated at the rear of 2 Vaucluse Street. Other concerns relate to the volume of traffic generated by the development proposal, strength of the road structure to accommodate the volume of traffic and heavy trucks including waste management, quality of construction and maintenance liability of the Council retained stratum road lot.

The owner has agreed, in the event Council resolves to discontinue and sell the subterranean portion of road, to construct a temporary road on the northern boundary of the development. The access point to 2 Vaucluse and 75-79 Bay Street will be from New Street during the excavation and construction of the 2 levels of basement and new road surface. The owner has estimated that the works will take 3-4 months but has allowed 6 months for the temporary road.

The construction, maintenance and liability issues will be addressed by the Planning Permit requirement to enter into a Section 173 Agreement.

Offer to purchase

The owner of the two development sites has agreed in principle to purchase the land for $440,000 GST inclusive subject to the Section 173 conditions and terms noted.
Recommendation

That Council:


2. Advertise the Public Notice outlining the Proposal in accordance with Section 223 of the *Local Government Act 1989* including the discontinuance and sale of the land for $400,000 plus GST.

3. In the event that submission/s are received, convene a Section 223 Special Committee of Council meeting on Monday 25 November 2019 commencing at 7:30pm at the Council Chambers, Boxshall Street, Brighton to hear any submitters that wish to be heard.

4. Following the consideration of any submissions, Council receive a further report at an Ordinary Meeting of Council.

Support Attachments

1. Attachment 1 - Subterranean Discontinuance Plan ↓
2. Attachment 2 - Basement Plans ↓
Considerations and implications of proposition

Social
This proposal aims to dispose of poorly utilised property. Adjoining owners that have access to the road will continue to be able to utilise the road.

Natural Environment
The subterranean land is known to have contaminated soil and groundwater at depth which is alleged to have been sourced from a former underground storage tank situated adjacent to the laneway on the eastern most boundary of 326 New Street, Brighton.

If Council were to sell the land, the purchaser would remediate the site at their expense which serves as an environmental and financial benefit to Council as any disposal of contaminated land reduces Council’s potential future liability.

Built Environment
The discontinuance and sale of the subterranean road will provide the abutting property owners an opportunity to gain title to the land which is no longer required by Council for municipal purposes. The discontinuance and sale will also enable subsurface basement integration between 322-326 New Street and 71-73 Bay Street, Brighton properties.

Customer Service and Community Engagement
Consultation has been undertaken with all adjoining property owners, relevant Council departments and external service authorities.

No objections have been received from internal service authorities.

Council has consulted external infrastructure authorities. South East Water was the only provider to indicate they had a sewage pipe within the road. The proposal is subject to any required service authority easements and, a Section 173 Agreement in accordance with the Planning Permit Provisions.

Adjoining property owners have raised objections and concerns against the proposal.

It will be necessary for Council to undertake statutory procedures in accordance with Sections 189 and 223 of the Local Government Act 1989 for the discontinuance and sale of the land. The procedures require Council to give public notice of its intention to discontinue and sell part of the road including the invitation of submissions from affected parties.

Human Rights
There are no Human Rights issues or implications identified in relation to this report.

Legal
Council is required to complete the statutory consultation required as part of the Local Government Act 1989 requirements, inviting submissions from affected parties. In addition, all adjoining property owners will be advised of the Proposal in writing and informed of their right to make a submission.

Submitters may request to be heard by a Special Committee of Council prior to a decision being made regarding the Proposal. In the event that any submitters request to be heard in
support of their written submission, a Special Committee of Council will hear and consider
the submission/s received.

If any written submissions are received, a further report will be presented to Council to
enable the consideration of such submissions prior to making a decision on the Proposal.

The road title will require a formal subdivision, certification and title release of the land prior
to settlement of the transfer of land.

Finance
Council’s valuer has assessed the subterranean portion of the road at $550,000 + GST on
the basis that there are no significant contamination issues.

Officers have agreed to sell the land, subject to Council and statutory approval, to the
applicant for $400,000 + GST. Council has been advised that the land is contaminated and
requires remediation as part of any development. An estimate to remediate the land has
been provided at $237,000 + GST. As a result, it was appropriate for officers to negotiate a
reduced sale price.

Links to Council policy and strategy
Council’s ‘Discontinuance and sale of Right-of-Ways, Roads and Reserves Policy’ provides
direction on the discontinuance of roads and potential sale of land.

Council’s Property Strategy Principle One

Seeks Council to maximise community benefit and public value from the property portfolio.

Council Plan Goal 7 – Financial Responsibility and Good Governance

7.1.1 Developing alternative income sources to take pressure off rate increases and improve
long term financial viability.

Options considered

Option 1

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<thead>
<tr>
<th>Summary</th>
<th>Do not sell the land.</th>
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<tr>
<td>Benefits</td>
<td>Ability to maintain Councils Property Portfolio.</td>
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</tbody>
</table>
| Issues        | Notionally redundant land retained by Council and, requiring ongoing
                   maintenance and expenditure by Council including potential contamination
                   issues.                                    |
Proposed Subterranean Road Discontinuance

(Road adjoining 322-326 Bay Road & 71-73 Bay Road Brighton)
Basement 1

Orange highlight – land beneath Road

Green highlight – Land beneath 71-73 Bay Street
Basement 2

Orange highlight – land beneath Road

Green highlight – Land beneath 71-73 Bay Street
10.13 COUNCIL ACTION AWAITING REPORT

Executive summary

Purpose and background
This report presents to Council a schedule of actions pending for the period to 15 October 2019.

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 - to 15 October 2019
<table>
<thead>
<tr>
<th>DATE OF MEETING</th>
<th>ITEM</th>
<th>COUNCIL RESOLUTION</th>
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| 24/05/16        | 10.2  | **Sandringham Village Streetscape Masterplan**  
3. In the event that the bus route change to Bay Rd, Beach Road, Melrose Street and Station Street does not proceed and the Village Square concept not be achievable, a revised Master Plan without the Village Square concept will be presented to a future Council meeting for adoption. | CP&A     | In the event that the bus route changes in Bay Road, Beach Road, Melrose Street and Station Street and does not proceed and the Village Square concept not be achievable, a revised Master Plan without the Village Square concept will be presented at a future Council meeting for adoption. |
| 24/05/16        | 10.7  | **Childrens’ Sensory Garden Investigation**  
That Council:  
1. notes the typical elements of a suburban sensory garden;  
2. proposes the CSIRO site is the preferred location for the establishment of a sensory garden in Bayside;  
3. seeks community feedback regarding the concept of establishing a sensory garden in Bayside to inform future decisions on this matter; and  
4. receives a further report detailing the financial implications associated with the establishment of a sensory garden. | ERI      | 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.  
The timeline of this report will be subject to the transfer of land (one hectare passive open space) is confirmed and planning can commence. |
| 24/10/17        | 10.1  | **Amendment C151 – Hampton East (Moorabbin) Structure Plan**  
That Council following the Minister for Planning decision in relation to the above receives a report that outlines the scope for an additional study for precincts 3, 5 and 6 including costs, funding options and timing. | CP&A     | The Minister for Planning has approved Amendment C151 in its entirety. The CEO has written to the Minister for Planning seeking further clarification on the circumstances of the approval. A report relating to options for Council will be presented to Council once the approved amendment documents have been released and the implications considered. |
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<tbody>
<tr>
<td>24/10/17</td>
<td>10.16</td>
<td><strong>HMVS Cerberus – Heritage Works Permit Update</strong></td>
<td>ERI</td>
<td>A future report will be presented to Council if the permit approved method concrete infill proves problematic or beyond the current Council approved budget.</td>
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<td>That Council:</td>
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<td></td>
<td>2. Receives a further report once Heritage Victoria has assessed the permit application for conservation and stabilisation of the HMVS Cerberus.</td>
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<tr>
<td>21/8/18</td>
<td>10.7</td>
<td><strong>Early Years Infrastructure Plan</strong></td>
<td>C&amp;CE</td>
<td>A report will be provided to Council on the completion of the development works.</td>
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<td>That Council:</td>
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<td>4. receives a further report detailing options for the long term use of the Brighton South Playhouse, once temporary relocations for displaced services undergoing redevelopment works are completed;</td>
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<td>7. receives a further report following a review of the Infrastructure Plan in year five.</td>
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<td>20/11/18</td>
<td>10.6</td>
<td><strong>CSIRO - Legal Agreements Update</strong></td>
<td>Corp</td>
<td>A report will be submitted to Council following the execution of the Deed of Agreement with the CSIRO.</td>
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<td>That Council:</td>
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<td>Receives a report following the execution of the Deed of Agreement with the CSIRO which outlines the details of the Deed agreement and next steps.</td>
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<tr>
<td>18/12/18</td>
<td>10.6</td>
<td><strong>Tulip Street Basketball Courts Extension - Project and Funding Update</strong></td>
<td>ERI</td>
<td>A report will be submitted to a future meeting.</td>
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<td>That Council:</td>
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<td>2. Receives a further report at a future meeting detailing State Government grant opportunities and preferred funding model for the Tulip Street Basketball Courts Extension project;</td>
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<td>DATE OF MEETING</td>
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<tr>
<td>18/12/18</td>
<td>10.8</td>
<td><strong>Community Engagement Plan for Wilson Reserve and Brighton Recreational Centre Masterplan</strong>&lt;br&gt;That Council:&lt;br&gt;2. Requires a report detailing the outcomes of the community engagement and the draft Masterplan by June 2020.</td>
<td>ERI</td>
<td>A report will be submitted to Council by June 2020.</td>
</tr>
<tr>
<td>19/3/19</td>
<td>10.3</td>
<td><strong>Proposal for an Urban Forest Strategy</strong>&lt;br&gt;2. Requires a further report at the 17 December 2019 Ordinary Meeting of Council reporting on the outcomes of the case study.</td>
<td>CP&amp;A</td>
<td>A report will be submitted to the December 2019 Ordinary Council Meeting.</td>
</tr>
<tr>
<td>23/4/19</td>
<td>10.1</td>
<td><strong>Response to Petition - To Ban Smoking in and around Ricketts Point Marine Sanctuary</strong>&lt;br&gt;2) Requires a progress report on the various stages of developing the Local Law following the completion of the engagement, research and risk assessment process, to determine specific areas proposed to be declared as smoke free.</td>
<td>CP&amp;A</td>
<td>A report will be submitted to a future meeting.</td>
</tr>
<tr>
<td>23/4/19</td>
<td>10.4</td>
<td><strong>2019 Bright n Sandy Food and Wine Festival Service Review</strong>&lt;br&gt;4. Provides a report on an event review following the 2020 Bright n Sandy Food and Wine Festival.</td>
<td>ERI</td>
<td>A report will be submitted to a future meeting, following the 2020 Bright n Sandy Food and Wine Festival.</td>
</tr>
<tr>
<td>21/5/19</td>
<td>10.8</td>
<td><strong>Bayside Planning Scheme Review 2019</strong>&lt;br&gt;• Considers the proposed changes to the local and state sections of the Bayside Planning Scheme proposed under the Smart Planning Program in a further report to be presented to Council in the 2019/2020 financial year.</td>
<td>CP&amp;A</td>
<td>A report will be submitted to a future meeting in the 2019/2020 financial year (at or before June 2020).</td>
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<tr>
<td>DATE OF MEETING</td>
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<td>25/6/19</td>
<td>10.11</td>
<td>Mid-Century Modern Heritage Study - Preliminary Assessment finalised</td>
<td>CP&amp; A</td>
<td>A report will be submitted to a future meeting at or before the November 2019 Ordinary Council Meeting.</td>
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<td>3. Receives a further report with the final citations at or before its 19 November 2019 Ordinary Meeting.</td>
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<td>25/6/19</td>
<td>10.12</td>
<td>3D Modelling Tool</td>
<td>CP&amp; A</td>
<td>A report is included on the Agenda for the October 2019 Ordinary Council Meeting</td>
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<td>1. Receives a report at the 15 October 2019 Ordinary Meeting of Council that presents the anticipated costs of such a model.</td>
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<td></td>
<td>2. Receives a report at its 15 October 2019 Ordinary Meeting with the findings and recommendations from the study.</td>
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<tr>
<td>25/6/19</td>
<td>10.14</td>
<td>Small Neighbourhood Activity Centre Building Height Review (Amendment C126)</td>
<td>CP&amp; A</td>
<td>A report is included on the Agenda for the October 2019 Ordinary Council Meeting</td>
</tr>
<tr>
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<td>2. Receives a report at its 15 October 2019 Ordinary Meeting with the findings and recommendations from the study.</td>
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<tr>
<td>25/6/19</td>
<td>10.15</td>
<td>Housing Strategy Review - Engagement Update</td>
<td>CP&amp; A</td>
<td>A report is included on the Agenda for the October 2019 Ordinary Council Meeting</td>
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<tr>
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<td></td>
<td>2. Receives a report at the October 2019 Ordinary Council meeting to consider the draft updated Housing Strategy.</td>
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<tr>
<td>25/6/19</td>
<td>10.17</td>
<td>Bayside Tennis Strategy</td>
<td>ERI</td>
<td>A report will be submitted to a future meeting.</td>
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<tr>
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<td></td>
<td>1. Receives a future report regarding the future of the Bodley Street Tennis Centre, Beaumaris.</td>
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Item 10.13 – Reports by the Organisation
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<tr>
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<tr>
<td>25/6/19</td>
<td>10.20</td>
<td><strong>Parking Technology, Church Street Major Activity Centre - Engagement Findings</strong></td>
<td>ERI</td>
<td>A report will be submitted to a future meeting.</td>
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<td>3. Receives a report at a Council meeting at least 6 months after the signs and smartphone application are active on:</td>
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<td>- the evaluation of the introduction of in-ground vehicle detection sensors in the Church Street Major Activity Centre; and</td>
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<td>- if the project has proven successful, the development of a multi-year program to install parking management technology (i.e. parking sensors) in Bay Street, Hampton Street, Sandringham Village, Martin Street, Beaumaris Concourse and the Black Rock Activity Centres in both on and off-street parking spaces.</td>
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<tr>
<td>23/7/19</td>
<td>10.1</td>
<td><strong>Billilla Homestead Expression of Interest &amp; Leasing</strong></td>
<td>CORP</td>
<td>A Special Meeting of Council will be held on 23 October 2019 to consider a report on this matter.</td>
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<tr>
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<td></td>
<td>That Council authorise officers to negotiate further with Yesodei HaTorah in relation to a future lease of the Billilla Homestead and gardens and a report be provided to the September 2019 Ordinary Council meeting.</td>
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<tr>
<td>23/7/19</td>
<td>10.5</td>
<td><strong>Vegetation Protection Overlay (Schedule 3) Controls &amp; Implementation</strong></td>
<td>CP&amp; A</td>
<td>A report will be submitted to the December 2019 Ordinary Council Meeting.</td>
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<td>d) Receives a report to the December 2019 Council meeting with a detailed analysis on the use of bonds in Melbourne and their practicality and effectiveness for:</td>
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<td>i) protecting private and public trees during development;</td>
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<td>ii) ensuring compliance with tree retention and replanting requirements at the completion of a development; and</td>
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<td>iii) for ensuring longer term compliance with replanting requirements.</td>
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<tr>
<td>20/8/19</td>
<td>10.3</td>
<td>Brighton Secondary College Synthetic Hockey Facility - Management Committee Financials Update</td>
<td>ERI</td>
<td>A report will be submitted to Council no later than 31 August 2020.</td>
</tr>
<tr>
<td>DATE OF MEETING</td>
<td>ITEM</td>
<td>COUNCIL RESOLUTION</td>
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</tbody>
</table>
| 17/9/19         | 10.1 | **Nursery and Bushland Maintenance - Service Delivery Model**  
3. Receives a report on the performance of the Civil Infrastructure and Open Space Maintenance Contract in the areas related to the Nursery at its meeting in December 2020. | ERI | A report will be submitted to the December 2020 Ordinary Council Meeting. |
| 17/9/19         | 10.3 | **Hampton Community Infrastructure Feasibility and Masterplan**  
| 17/9/19         | 13.1 | **Notice of Motion No: 286 - Undergrounding of Powerlines**  
That Council receives a report at the 17 December 2019 Ordinary Meeting of Council on the merits of undergrounding powerlines in the municipality and the mechanisms by which this could occur. The report to consider the opportunities, costs and implications of powerline undergrounding related to development in activity centres, streetscape upgrades and broader residential areas, and also explore Council’s potential role, given Council does not own or manage powerlines. | ERI | A report will be submitted to the December 2019 Ordinary Council Meeting. |
11. Reports by Delegates

1. Association of Bayside Municipalities – Cr Laurence Evans
2. MAV Environment Committee – Director Environment, Recreation & Infrastructure
3. Metropolitan Transport Forum – Director Environment, Recreation & Infrastructure
4. Municipal Association of Victoria – Cr Alex del Porto
5. Inner South Metropolitan Mayors’ Forum – The Mayor Cr Michael Heffernan
6. Metropolitan Local Government Waste Forum – Cr Clarke Martin

12. Urgent Business
13. Notices of Motion

13.1 NOTICE OF MOTION NO: 287 - PROPOSED REVISION OF CLIMATE CHANGE STRATEGY

Corporate Services - Governance
File No: PSF/19/960 – Doc No: DOC/19/264153

I hereby give notice that I intend to move at the Ordinary Council Meeting to be held on 15 October 2019 at 7pm at the Council Chambers, Civic Centre, Boxshall Street, Brighton the following Notice of Motion:

Motion

“That Council receives a report at the December 2019 Ordinary Council Meeting on the proposed revision of the Climate Change Strategy that was adopted in 2012 and the merits of Council declaring a Climate Emergency.”

Cr Laurence Evans OAM

Support Attachments
Nil