Agenda Paper

for the

Ordinary Meeting of Council

To be held at the Council Chambers, Civic Centre,
Boxshall Street Brighton

on

Tuesday, 24 July, 2018
at 7:00pm

Cr: Cr Laurence Evans (Mayor)

Councillors: Cr Alex del Porto
Cr James Long BM JP
Cr Michael Heffernan
Cr Clarke Martin
Cr Sonia Castelli
Cr Rob Grinter
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

5. Adoption and Confirmation of the minutes of previous meeting

6. Public Question Time

7. Petitions to Council
   Nil

8. Minutes of Advisory Committees
   Nil

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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 19 June 2018.

5.2 Confirmation of the Minutes of the Special meeting of Bayside City Council held on 10 July 2018.

6. **Public Question Time**

7. **Petitions to Council**

Nil

8. **Minutes of Advisory Committees**

Nil
9. Reports by Special Committees

9.1 MINUTES OF A SPECIAL COMMITTEE TO HEAR SUBMISSIONS IN RELATION TO THE PROPOSED ROAD DISCONTINUANCE AND SALE OF LAND ADJOINING 13 AND 15 NEW STREET AND 7 MAIR STREET BRIGHTON

Corporate Services - Governance
File No: PSF/18/103 – Doc No: DOC/18/164725

Executive summary

Purpose and background

To note the Minutes of the Special committee of Council established to hear submissions in relation to the proposed road discontinuance and sale of land adjoining 13 and 15 New Street and 7 Mair Street Brighton.

Council at its meeting on 22 May 2018 established a Special Committee of Council for the purpose of undertaking the statutory process to hear submissions in relation to the proposed road discontinuance and sale of land adjoining 13 and 15 New Street and 7 Mair Street Brighton in accordance with Section 223 of the Local Government Act 1989.

Key issues

Attached for Council’s information is a copy of the Special Committee of Council minutes of the meeting held on 17 July 2018. It is noted that the submitter was not present at the meeting. It is proposed that Council considers the submission received in conjunction with the report listed as part of this agenda.

Recommendation

That Council receives and notes the Minutes of the Special Committee of Council held on 17 July 2018 to hear the submission in relation to the proposed road discontinuance and sale of land adjoining 13 and 15 New Street and 7 Mair Street Brighton.

Support Attachments

1. Special Committee 7 July 2018 Minutes
Considerations and implications of recommendation

Liveable community

Social
There are no social impacts associated with the minutes of this Special Committee of Council.

Natural Environment
There are no natural environmental impacts associated with the minutes of this Special Committee of Council.

Built Environment
There are no built environmental impacts associated with the minutes of this Special Committee of Council.

Customer Service and Community Engagement
Consultation on the proposal sale of the property was undertaken in accordance with Section 223 of the Local Government Act 1989.

Human Rights
The implications of this report has been assessed and are considered likely to breach or infringe upon the human rights contained in the Victorian Charter of Human Rights and Responsibilities Act 2006.

Legal
The process associated with the proposed sale of land has been undertaken in accordance with Section 189 and Section 223 of the Local Government Act 1989.

Finance
There are no financial impacts associated with the minutes of the Section 223 Hearing.

Links to Council policy and strategy
This is an administrative report that facilitates the process for the proposed sale of property which relates to Council Plan Goal 3 – A Liveable City, Strategy 3.2.1. - Ensuring community assets and infrastructure meet current and expected needs.
Minutes of the
Special Committee of Council Meeting
to hear submissions in relation to:
Special Committee of Council Meeting

held in the Council Chambers, Civic Centre,
Boxshall Street Brighton
on Tuesday 17 July 2018

The Meeting commenced at 6:45pm

Present:  
Cr Alex del Porto  
Cr James Long BM JP  
Cr Laurence Evans (Mayor)  
Cr Michael Heffernan  
Cr Sonia Castelli  
Cr Clarke Martin  
Cr Rob Grinter

Officers in attendance:  
Mick Cummins    Chief Executive Officer
Bill Shanahan    Acting Director Corporate Services
Terry Callant    Governance Manager
Mandy Bartlett    Governance Officer
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1. Welcome and opening of the meeting
2. Apologies
3. Disclosure of any Conflict of Interest
4. Submissions
   4.1 Road Discontinuance and Sale of land adjoining 13 and 15 New Street and 7 Mair Street Brighton - Submission - Mr John Darmody

5. Requests to be heard in support of submissions
   The following listed people have requested to be heard in support of their submission to Special Committee of Council Meeting.
1. Welcome and opening of the meeting

2. Apologies

There were no apologies submitted to the meeting.

3. Declarations of any Conflict of Interest

There were no conflicts of interest submitted to the meeting.

4. Submissions

4.1 ROAD DISCONTINUANCE AND SALE OF LAND ADJOINING 13 AND 15 NEW STREET AND 7 MAIR STREET BRIGHTON - SUBMISSION - MR JOHN DARMODY CORPORATE SERVICES - COMMERCIAL SERVICES

File No: FOL/15/2345 – Doc No: DOC/18/148057

It is recorded that Mr Darmody was not present in the Chamber and therefore was unable to speak in support of his submission.

Moved: Cr Long  Seconded: Cr del Porto

That the written submission from Mr Darmody concerning the proposed road discontinuance and sale of land adjoining 13 and 15 New Street and 7 Mair Street Brighton, be received and noted.

CARRIED

Following consideration of the written submission the Chairperson declared the meeting closed at 7.47pm.
Executive summary

Purpose
To present Council with the Planning Panel Report in relation to Amendment C150, which implements the *Bayside Retail, Commercial and Employment Strategy 2016* (*the RCE Strategy*). Amendment C150 was presented to the 19 June 2018 Ordinary Meeting of Council where Council resolved to defer consideration of Amendment C150 for one meeting cycle to enable further discussion concerning the Laminex site in Cheltenham.

The RCE Strategy reaffirms the need to provide for an increase in employment and business opportunities to meet Bayside’s future population needs. To achieve this, implementation actions and future development guidance relating to Bayside’s activity centres are included to ensure a pleasant, efficient and safe working and living environment for Bayside’s residents and its workforce. The amendment facilitates development in accordance with the objectives of planning in Victoria and provides a long term vision for employment lands.

The strategy concludes that Bayside’s Activity Centres and the Bayside Business District (BBD) will grow and continue to service Bayside’s business and employment needs. In response to this need, Amendment C150 does not seek to change Council current position in relation to the Bayside’s Business District and supports its retention for commercial/employment purposes. Rezoning of the Bayside Business District for residential purposes is not supported.

Background
The RCE Strategy was adopted by Council at its 16 August 2016 Ordinary Meeting of Council, with Council resolving to commence a planning scheme amendment to implement the Strategy.

Amendment C150 was publicly exhibited between 22 June and 24 July 2017 with 16 submissions received raising issues in relation to:

- Rezoning the BBD to allow new residential or mixed use developments to locate in the BBD, in areas where residential uses are currently prohibited;
- Whether Council’s ‘no net loss’ of commercial floor space is a reasonable approach for activity centres, as the market should decide whether increased commercial floorspace is provided;
- Seeking clarification on the Bayside Economic Triangle concept and the implications it has on the residential areas within Highett and Cheltenham; and
- A broad range of issues relating to the Southland and Pennylane Structure Plan process. A number of these matters are outside the scope of the RCE Strategy.
At its 24 October 2018 Ordinary Meeting, Council resolved to request the Minister for Planning to appoint an independent Planning Panel to consider the submissions received.

**Key issues**

The Panel Hearing was held on 22, 23 and 26 March 2018 and the Panel comprised of one Panel member, Mr Con Tsotsoros.

At the hearing, Council was represented by Mr Terry Montebello of Maddocks and called evidence from Mr Julian Szafraniec of SGS Economics and Planning, the firm that prepared the RCE Strategy. Five other submitters were represented at the Panel hearing, one of which called expert evidence.

**Summary of Panel Report and officer comments**

The Panel concluded that the Amendment is supported by, and implements, the relevant sections of the State and Local Planning Policy Framework and is generally consistent with the relevant Ministerial Directions and Practice Notes. It was also concluded that the Amendment is strategically justified and should proceed, subject to addressing the more specific issues raised in submissions as discussed in the Panel report.

The key findings of the Panel are summarised below, followed by the officer’s response. The Panel Report is included at Attachment 1, while a table with the specific officer comments in relation to the Panel’s recommendations is included at Attachment 2.

**RCE Strategy**

The Panel concluded that the RCE Strategy ‘would have benefited from more detailed analysis to support the need to reserve all land in the Bayside Business District for commercial purposes. It would also have benefited from further information to understand any economic relationship between the Southland and Highett Activity Centres and the Bayside Business District to support the economic triangle concept. Accordingly, the RCE Strategy should not be included as a reference document in the Bayside Planning Scheme with respect to the Bayside Business District.’

Despite this, the Panel concluded that the amendment was strategically justified and should proceed with changes.

**Bayside Business District (BBD)**

Based on available information, the Panel considered that the future demand for commercial floorspace in the BBD can be accommodated on less land than what is available in the Bayside Business District. The Panel considered that:

*The extent of excessive available land may affect the ability for the Bayside Business District to achieve its ambitious vision and to have a consolidated, cohesive and attractive business area. Council should consider the opportunity presented to it through land that is unlikely to be needed for commercial purposes in the Business District and its close location to the Southland railway station. While this opportunity is reviewed, new commercial development should be encouraged toward the western part of the Bayside Business District, which is anchored by new larger scale office buildings to enable orderly planning.*

*The 5.5-hectare Laminex site at 332 Bay Road, Cheltenham is the closest land in the Bayside District to the Southland railway station and is effectively the eastern gateway. The site should be identified for a strategic redevelopment opportunity investigation subject to it positively contributing to achieving the Bayside Business District’s vision and objectives.*
The Panel recommending that Council nominate the Laminex site as a strategic redevelopment opportunity is outside the scope of the Amendment and is premature. The implications of the nomination on Bayside’s Strategic Planning Framework have not been considered, nor has its positive or negative contribution to achieving the Bayside Business District’s vision and objectives.

The Laminex site is already partially within the General Residential Zone and subject to a range of considerations, this can be developed at any stage. A redevelopment outcome that considers commercial uses within the Commercial 2 Zone and residential uses in the General Residential Zone component is something that Council is willing to entertain as it is consistent with the current zone and strategic direction for the site and its context.

The recommendation to add the Laminex site as a strategic redevelopment opportunity for future investigation is a deviation from the Bayside Housing Strategy which nominates the strategic redevelopment sites in Bayside. The Panel has not outlined its assessment of the Bayside Housing Strategy and any implications arising from the inclusion of this site as strategic redevelopment site.

The review of Bayside’s Housing Strategy has commenced and it considered to be the most appropriate vehicle for considering potential redevelopment opportunities.

There is limited explanation provided in the Panel Report as to what it considers a ‘strategic redevelopment opportunity for future investigation’, nor is the criteria adequately defined within the Planning Scheme or Panel Report. In forming its recommendation, the Panel has indicated it has undertaken an assessment of all other land in the BBD to determine whether other sites could also be considered a strategic redevelopment opportunity, however this analysis and any criteria has not been made available, and has not provided other land owners an opportunity to submit on this issue.

The Panel fails to consider that this change to C150 is beyond the scope of the amendment, as it is not justified by the RCE Strategy and substantially transforms what Amendment C150 does.

Given this recommendation is a transformation of the amendment and is not supported by any strategy, policy or analysis of the implications on Council’s broader strategic planning framework, and is beyond the scope of Amendment C150, it is recommended that this change should not be adopted. It is recommended that this is considered through future strategic planning work, particularly the housing strategy review, given the implications that proposed recommendation could have on the broader Bayside Residential Strategic Framework Plan and employment lands.

**Activity Centres**

The Panel concluded in reference to the Southland Activity Centre that:

*Plan Melbourne and the RCE Strategy exclude the Bayside municipality from the Cheltenham-Southland Activity Centre and there is insufficient basis to include residential land in Bayside in this centre. Whether land in the Pennydale residential area should be intensified in response to the new Southland railway station will be pursued through the Southland-Pennydale Structure Plan process.*

The Panel comments to exclude the Pennydale residential area from the Cheltenham-Southland Activity Centre have been reflected in the changes to Clause 21.07, where it is acknowledge that the Cheltenham- Southland Major Activity Centre is located within Kingston. This change to the activity centre hierarchy requires changes to the wording proposed through Amendment C150. These changes have been included in the final amendment documents at Attachment 3.
However, it is our view that the Panel in its comments have failed to have regard to the broader Bayside Activity Centres context and previous advice provided by Panel's Victoria in relation to similar settings. Whilst there are references in Plan Melbourne to the Cheltenham-Southland activity centre being located within Kingston, as this is where the commercial component of the centre is located, Plan Melbourne also acknowledges that centres have different development potential and are to be determined through local strategic planning. The Panel's comments disregard that there are many activity centres which cross municipal and regional boundaries and significant barriers such as highways or railway lines.

In the Panel Report for Amendment C151, which implements the Hampton East (Moorabbin) Structure Plan 2016, the Panel commented:

‘The proximity of the Moorabbin Railway Station to Hampton East is a key reason why the activity centre is part of the broader Moorabbin MAC. However, the Panel agrees with submitters that the Nepean Highway is a considerable obstacle that divides the MAC and is a matter that will need to be addressed. It is not, however a reason for limiting future residential development within this area.’

In determining that the Pennydale area is not within an activity centre, the Panel has not considered Practice Note 58: Structure Planning for activity centres or other adopted Council strategies or policies which outline activity centre boundaries. The Panel's rationale for definitively resolving that the area is not within an activity centre has not been adequately outlined and has the potential for significant policy implications for Bayside’s four activity centres which cross municipal and regional boundaries if Council were to agree with the Panel’s recommendation.

**Bayside Economic Triangle**

In response to comments that the economic triangle concept was too vague, the Panel concluded that:

>The economic triangle concept was founded on three nodes – Cheltenham-Southland Major Activity Centre, Highett Activity Centre and the Bayside Business District and was intended to exclude the residential area within the main roads making up the triangle. There is insufficient information to explain the triangular area’s existing attributes and how they would enable it to successfully transform into an integrated and interactive economic triangle. It is unclear how branding and marketing an economic triangle concept translates to a strategic land use response and it should therefore not be included the Planning Scheme. Council can continue to market the concept through marketing and branding mechanisms outside of the Planning Scheme.

The Panel recommends the deletion of a map at Clause 21.02, Bayside Key Issues and Strategic Vision, to reflect the deletion of the Bayside Economic Triangle. In recommending the deletion of this, the Panel has not articulated the implications on the economic roles of Bayside’s other activity centres, which are also outlined in the map. The Panel has not articulated or considered potential consequences of deleting this map in its entirety and whether this then compromises other aspects of the amendment. As such, it is recommended that Council remove reference to the economic triangle but retain the map as proposed.

**Other matters**

The Panel makes comments in relation to a number of matters which are not before the Panel, and makes conclusions based on submissions without any regard to evidence. An example of this are the Panel’s comments in relation to the design guidelines for the BBD being outdated and contrary to Council’s strategic objectives for the area. Despite this assertion being put to the Panel at the hearing, there was no evidence provided to support this nor any analysis for the Panel to conclude that design guidelines, which are largely outside the scope of the amendment, are ineffective. The design guidelines were intended specifically to encourage a
high amenity office precinct in the area and introduced in 2006. Given the lack of evidence on the matter, the Panel cannot reasonably conclude that the guidelines are contrary to Council’s objectives and should not be given weight in decision making.

There are a number of factual and accuracy errors within the Panel report which result in several of the comments and recommendations being difficult to properly interpret, or being beyond the scope of the Amendment. Further, there are a number of comments throughout the Panel Report which appear to depart from State Policy.

Whilst it is considered that the key recommendations of the Panel go beyond the scope of Amendment C150, the majority of the Amendment is supported and justified by the RCE Strategy. In order to ensure that these changes are reflected in the Bayside Planning Scheme, it will be recommended that Council adopts Amendment C150 as outlined at Attachment 3.

Recommendation
That Council:
1. Adopts Amendment C150 having regard to the Panel’s recommendations, as outlined at Attachment 3;
2. Provides delegation to the Director City Planning and Community Services to make minor editorial changes required to the Amendment documents;
3. Writes to the Minister for Planning requesting approval of Amendment C150; and
4. Writes to all submitters to inform them of Council’s decision.

Support Attachments
1. Bayside C150 Panel Report ⇩
2. Table of C150 Panel Recommendations and officer response ⇩
3. Revised C150 Documents (separately enclosed) ⇦

Considerations and implications of recommendation
Liveable community
Social
The RCE Strategy identifies an approach to continue to ensure Bayside has vibrant commercial precincts which offer a wide range of services and a high level of amenity to meet current and future community needs. The actions to implement the RCE Strategy will ensure that Bayside’s activity centres and commercial areas are viable for businesses and attractive places to live, work and invest in.

Natural Environment
Strategies within the RCE Strategy relating to improvements to public land and greater utilisation of the foreshore may result in impacts to the natural environment. Amendment C150 provides the framework for future works in activity centres to create new connections and environments for Bayside residents to appreciate the natural environment.
Built Environment
The RCE Strategy provides strategies which relate to the future built form of commercial areas in Bayside. The RCE Strategy provides a range of actions which will improve the built environment of Bayside's commercial lands.

Customer Service and Community Engagement
At its 16 August 2016 Ordinary Meeting, Council resolved to request the Minister for Planning to approve Amendment C150 pursuant to Section 20(4) of the Planning and Environment Act 1987.

The Department of Environment, Land, Water and Planning advised Council that public exhibition was required. As such, public exhibition of Amendment C150 occurred between 22 June and 24 July 2017. The exhibition included:

- Notice of the preparation of an Amendment published in the Bayside Leader and Government Gazette;
- Letters to the prescribed Ministers required under the Planning and Environment Act 1987, referral authorities and adjoining municipalities;
- Email notifications sent to submitters to the development of the draft RCE Strategy.

Through this process, 16 submissions were received. These have been considered by the Panel with submitters provided an opportunity to present to the Panel.

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

Legal
There are unlikely to be any legal implications from adopting the RCE Strategy as per the officer recommendation. If Council were to agree with the Panel's recommendation in relation to the Laminex site, there may be issues of fairness and transparency raised.

Finance
There are no financial implications for Council if adopting the officer recommendation. If Council was to agree with the Panel's recommendation in relation to the Laminex site, there are considerable financial implications for Council in relation to the creation of new infrastructure to support any future residential population at the site.

Links to Council policy and strategy
The preparation of the RCE Strategy was an action from Council’s Economic Development Strategy 2014 and the Bayside Planning Scheme review. Amendment C150 implements the Strategy into the Bayside Planning Scheme and will give effect to the Strategy in policy.

The Bayside Housing Strategy 2012 nominates the strategic redevelopment sites in Bayside, however the Panel’s recommendations would result in a departure from Council’s adopted Housing Strategy. The implications of doing this will need to be further explored before Council agrees to such an approach.
The Panel’s comments that Pennydale is not within an activity centre and then encouraging housing growth to be explored further from Southland – Cheltenham Activity centre appear somewhat contradictory.

The Review of the Bayside Housing Strategy has commenced and the implications and consideration of the Laminex Site at 322 Bay Road, Cheltenham will be considered as part of this process.

**Options considered**

**Option 1**

**Summary**  Adopt Amendment C150 having regard to the Panel’s recommendations, as outlined at Attachments 2 and 3.

**Benefits**

- The Planning Panel has considered the merits of Amendment C150 and has recommended that C150 be approved subject to some changes.
- Will ensure that the strategic direction of the RCE Strategy is translated into the Planning Scheme.
- Will ensure that a net gain of commercial floorspace is sought in Bayside’s activity centres.
- Some of the changes recommended by the Panel are beyond the scope of the amendment and cannot be adopted by Council without raising issues of transparency, fairness and equity.
- The changes recommended by officers are consistent with the intent of the RCE Strategy.

**Issues**

- The Minister for Planning may not agree with Council’s approach to setting aside some of the Panel recommendations.

**Option 2**

**Summary**

Abandon C150.

**Benefits**

- There are no obvious benefits associated with this option.

**Issues**

- Council will not have a policy in the Scheme to ensure that commercial development in activity centres provides for no net loss of commercial floorspace, resulting in residential development encroaching into commercial land.
- This would result in a lack of local economic policy within the Planning Scheme.
Planning and Environment Act 1987

Panel Report

Bayside Planning Scheme Amendment C150
Retail, Commercial and Employment Strategy 2016

30 April 2018
Planning and Environment Act 1987
Panel Report pursuant to section 25 of the Act
Bayside Planning Scheme Amendment C150
Retail, Commercial and Employment Strategy 2016
30 April 2018

Con Tsotsoros, Chair
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List of Abbreviations

- BBD: Bayside Business District
- DELWP: Department of Environment, Land, Water and Planning
- GRZ: General Residential Zone
- Plan Melbourne 2017: Plan Melbourne 2017-2050 Metropolitan Planning Strategy
- RCE Strategy: Bayside Retail, Commercial and Employment Strategy, August 2016
- RCE Background Paper: RCE Strategy Background Issues and Opportunities Paper, November 2015
- SGS: SGS Economics and Planning
- SWOT: Strengths, Weaknesses, Opportunities and Threats
## Overview

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**Submissions**

Submissions received from:
1. Derek Screen
2. See Pickle Pty Ltd
3. Daniel Czech
4. Robert Saunders
5. Sally Connor
6. Fletcher Building Limited
7. Jack Road Investments Pty Ltd
8. Chandos Bay Pty Ltd
9. Carolyn Robinson
10. Simone Boileau
11. John Wright-Smith
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<td>Planning Panels Victoria, 18 December 2018</td>
</tr>
<tr>
<td>Panel Hearing</td>
<td>Planning Panels Victoria, 22, 23 and 26 March 2018</td>
</tr>
<tr>
<td>Site inspections</td>
<td>Unaccompanied, 27 March 2018</td>
</tr>
<tr>
<td><strong>Appearances</strong></td>
<td></td>
</tr>
<tr>
<td>- Bayside City Council represented by Terry Montebello of Maddocks and Tom Vercoe, Acting Coordinator Strategic Planning of Bayside City Council and called the following expert witness:</td>
<td></td>
</tr>
<tr>
<td>- Julian Szafraniec of SGS Economic and Planning on economics</td>
<td></td>
</tr>
<tr>
<td>- Chandos Bay Pty Ltd represented by Caroline Cody of Planning &amp; Property Partners Pty Ltd</td>
<td></td>
</tr>
<tr>
<td>- Derek Screen</td>
<td></td>
</tr>
<tr>
<td>- Laminex Industries (Fletcher Building Ltd) represented by Susan Brennan SC and Roshan Chaile of Counsel, instructed by Sally McIndoe of Norton Rose Fulbright and called the following expert witnesses:</td>
<td></td>
</tr>
<tr>
<td>- Stuart McGurn of Urbis on planning</td>
<td></td>
</tr>
<tr>
<td>- Chris McNeill of Essential Economics on economics</td>
<td></td>
</tr>
<tr>
<td>- Robert Saunders</td>
<td></td>
</tr>
<tr>
<td>- See Pickle Pty Ltd represented by Lucy Eastoe, Senior Associate of Best Hooper Lawyers</td>
<td></td>
</tr>
</tbody>
</table>

**Date of this Report** 30 April 2018
Executive summary

(i) Summary

Bayside’s population is expected to increase by over 12,000 people over the next 15 to 20 years. Employment levels, estimated at 32,000 jobs in 2014, are expected to incrementally grow across most industries in the future, except for the health care and social assistance industry. Health care will be the single largest growth sector of future employment opportunities, while knowledge-based services will be the core economic driver of the future economy. Traditional manufacturing and growth in logistics, warehousing and niche sectors are expected to decline.

The Retail, Commercial and Employment Strategy 2016 (RCE Strategy) was prepared to provide policy direction on the future evolution of activity centres and employment land in the City of Bayside. The Amendment proposes to implement the RCE Strategy by amending the Local Planning Policy Framework and was exhibited between 22 June and 24 July 2017. The exhibited Amendment attracted 16 submissions. Submissions related to the Bayside Business District raised issues about whether the RCE Strategy sufficiently supported proposed policy and strategies, whether strategic redevelopment sites should be identified, the suitability of performance standards and the ‘economic triangle’ concept, and whether the RCE Strategy should be a reference document. Other submissions raised issues about the proposed no-net-loss and net gain of retail and commercial floorspace in activity centres, and Bayside residential land being identified as part of the Cheltenham-Southland Major Activity Centre.

A Public Hearing was held on 22, 23 and 26 March 2018 at Planning Panels Victoria. The Panel has considered all written submissions made in response to the exhibition of the Amendment, observations from site visits, and submissions, evidence and other material presented to it during the Hearing from Council, five parties and three expert witnesses.

The Panel concludes that the Amendment is supported by, and implements, the relevant sections of the State and Local Planning Policy Framework and is generally consistent with the relevant Ministerial Directions and Practice Notes. The Amendment is strategically justified and should proceed subject to addressing the more specific issues raised in submissions as discussed in this report.

RCE Strategy

The Panel concludes that the RCE Strategy would have benefited from more detailed analysis to support the need to reserve all land in the Bayside Business District for commercial purposes. It would also have benefited from further information to understand any economic relationship between the Southland and Highett Activity Centres and the Bayside Business District to support the economic triangle concept. Accordingly, the RCE Strategy should not be included as a reference document in the Bayside Planning Scheme with respect to the Bayside Business District.

Bayside Business District

Based on available information, it appears that future demand for commercial floorspace can be accommodated on less land than what is available in the Bayside Business District.
The extent of excessive available land may affect the ability for the Bayside Business District to achieve its ambitious vision and to have a consolidated, cohesive and attractive business area. Council should consider the opportunity presented to it through land that is unlikely to be needed for commercial purposes in the Business District and its close location to the Southland railway station. While this opportunity is reviewed, new commercial development should be encouraged toward the western part of the Bayside Business District, which is anchored by new larger scale office buildings to enable orderly planning.

The 5.5-hectare Laminex site at 332 Bay Road, Cheltenham is the closest land in the Bayside District to the Southland railway station and is effectively the eastern gateway. The site should be identified for a strategic redevelopment opportunity investigation subject to it positively contributing to achieving the Bayside Business District’s vision and objectives.

The existing Clause 22.04-4 performance standards are unsuitable to implement the RCE Strategy, however, they should remain in the Planning Scheme until suitable design guidelines can replace them. The RCE Strategy and proposed planning provisions envisage a future master planning process to introduce new design guidelines.

The exhibited Jack Road interface policy provisions, many of which have existed as industrial performance standards in the Bayside Planning Scheme since 2000, should not be reintroduced because they are largely redundant and unsuitable, are not sufficiently justified, and may affect the ability to successfully implement the RCE Strategy in this part of the Bayside Business District.

**Activity Centres**

The exhibited Clause 21.03 and 21.07 policies regarding ground level and overall commercial floorspace in activity centres are appropriate and should be adopted.

Plan Melbourne and the RCE Strategy exclude the Bayside municipality from the Cheltenham-Southland Activity Centre and there is insufficient basis to include residential land in Bayside in this centre. Whether land in the Pennsdale residential area should be intensified in response to the new Southland railway station will be pursued through the Southland-Pennsdale Structure Plan process.

**Economic triangle concept**

The economic triangle concept was founded on three nodes – Cheltenham-Southland Major Activity Centre, Highett Activity Centre and the Bayside Business District and was intended to exclude the residential area within the main roads making up the triangle. There is insufficient information to explain the triangular area’s existing attributes and how they would enable it to successfully transform into an integrated and interactive economic triangle. It is unclear how branding and marketing an economic triangle concept translates to a strategic land use response and it should therefore not be included the Planning Scheme. Council can continue to market the concept through marketing and branding mechanisms outside of the Planning Scheme.

The Panel has made a series of recommendations which further support the RCE Strategy objectives and the future vibrancy of Bayside’s activity centres and Business District.
(ii) Recommendations

Based on the reasons set out in this Report, the Panel recommends that Bayside Planning Scheme Amendment C150 be adopted as exhibited subject to the following changes:

1. Amend Clause 21.02 to delete Map 3 [Spatial economic structure of Bayside].

2. Amend Clause 21.07, as shown in Appendix B, to:
   a) abandon the deletion of “There are also other Activity Centres located outside the municipality which have an impact on the economy of Bayside including Southland...”
   b) delete the provision:

   The Cheltenham-Southland Activity Centre is shared with Kingston City Council. While the commercial focus of this Activity Centre is located within Kingston, a large proportion of the residential area within this Activity Centre is located within Bayside.

c) delete any reference to an economic triangle.

3. Amend Clause 21.11 [Map 1] to identify 332 Bay Road, Cheltenham as a ‘Strategic redevelopment opportunity for further investigation’.

4. Amend Clause 22.04, as shown in Appendix B, to:
   a) add in the policy basis:

   332 Bay Road, Cheltenham provides a strategic redevelopment opportunity for further investigation subject to positively contributing to achieving the objectives and vision for the Bayside Business District.

   b) change Figure 1 to identify 332 Bay Road, Cheltenham as a ‘Strategic redevelopment opportunity for further investigation’

c) delete in ‘Urban design guidelines for specific areas’ “Preferred or discretionary controls may only be varied in exceptional circumstances.”

d) delete the Jack Road Interface (R2 – Interface with residential (rear) south of Bay Road) policy

e) delete the Bayside Retail Commercial and Employment Strategy (August 2016) as a reference document.
1 Introduction

1.1 The Amendment

The Amendment proposes to implement the Retail, Commercial and Employment Strategy 2016 (RCE Strategy) by amending in the Local Planning Policy Framework:

- Clause 21.02 (Bayside key issues and strategic vision)
- Clause 21.03 (Settlement and housing)
- Clause 21.06 (Built environment and heritage)
- Clause 21.07 (Economic development)
- Clause 21.10 (Infrastructure)
- Clause 21.11 (Local areas)
- Clause 22.04 (Bayside Business District)
- Clause 22.09 (Gaming)
- referencing the RCE Strategy in the Bayside Planning Scheme.

The Amendment applies to activity centres and employment land, generally within the Commercial 1 or 2 Zones.

The Amendment was authorised by the Department of Environment, Land, Water and Planning (DELWP), under delegation from the Minister for Planning on 7 April 2017, subject to the following conditions:

- Council’s Municipal Strategic Statement and Local Policies must be amended to align with the terminology and hierarchy within Plan Melbourne 2017-2050. Sandringham Village, Bay Street Brighton, Church Street Brighton and Hampton Street must continue to be referred as Major Activity Centres.
- Remove border from Clause 21.01 to align with the Ministerial Direction: Form and Content.

The exhibited Amendment referred to the specified centres as Major Activity Centres and did not propose any change to Clause 21.01.

1.2 Background

The Amendment’s chronology of events outlined below are extracted from Council’s Part A Submission.

<table>
<thead>
<tr>
<th>Date</th>
<th>Event Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>March 2004</td>
<td>Amendment C39 (Bayside Industrial Areas Strategy 2004) exhibited</td>
</tr>
<tr>
<td>22 February to 4 March 2005</td>
<td>Amendment C39 Panel Hearing – Panel recommended that the Amendment be adopted with changes</td>
</tr>
<tr>
<td>17 October 2005</td>
<td>Council adopted C39 (in part) and submitted for approval</td>
</tr>
<tr>
<td>27 July 2006</td>
<td>Part of the Bayside Industrial Areas Strategy 2004 was introduced into the Scheme [Amendment C39 (Part 1)]</td>
</tr>
<tr>
<td>5 October 2006</td>
<td>Part of the Bayside Industrial Areas Strategy 2004 was introduced into the Scheme [Amendment C39 (Part 2)]</td>
</tr>
<tr>
<td>Date</td>
<td>Description</td>
</tr>
<tr>
<td>--------------------</td>
<td>-----------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>26 May 2011</td>
<td>Business Employment Area Policy (Clause 22.04) introduced with Jack Road Interface policy expired on 3 May 2007 [Amendment C99]</td>
</tr>
<tr>
<td>24 February to 20 May 2011</td>
<td>Amendments C100, C101, C102 and C103 (Bay Street, Church Street, Hampton Street and Sandringham Village Major Activity Centre Structure Plans) exhibited</td>
</tr>
<tr>
<td>3 November 2011</td>
<td>Multiple properties on Jack Road and Charlton Avenue rezoned from Business 3 Zone (now Commercial 2) to the Mixed Use Zone and Business 2 Zone (now Commercial 1)</td>
</tr>
<tr>
<td>May to June 2012</td>
<td>Amendments C100, C101, C102 and C103 Panel Hearing – Panel recommended that the Amendments be adopted with changes</td>
</tr>
<tr>
<td>11 September 2012</td>
<td>Council adopted the <em>Bayside Housing Strategy 2012</em></td>
</tr>
<tr>
<td>9 May 2013</td>
<td>Sandringham and Church Street Structure Plans introduced into the Planning Scheme [Amendments C100 and C102]</td>
</tr>
<tr>
<td>4 July 2013</td>
<td>Bay Street and Hampton Street Structure Plans introduced into the Planning Scheme [Amendments C101 and C103]</td>
</tr>
<tr>
<td>25 July 2013</td>
<td>New commercial zones introduced into the Planning Scheme [Amendment VC100]</td>
</tr>
<tr>
<td>30 July 2013</td>
<td>Council endorsed the draft <em>Small Activity Centres Strategy</em> for consultation</td>
</tr>
<tr>
<td>August to September 2013</td>
<td>Community consultation on the draft <em>Small Activity Centres Strategy</em></td>
</tr>
<tr>
<td>24 June 2014</td>
<td>Council adopted the <em>Small Activity Centres Strategy 2014</em></td>
</tr>
<tr>
<td>26 June 2014</td>
<td>The reformed residential zones introduced into the Scheme in accordance with the <em>Bayside Housing Strategy 2012</em> [Amendment C106]</td>
</tr>
<tr>
<td>7 August 2014</td>
<td>The Municipal Strategic Statement was updated to refer to the <em>Bayside Housing Strategy 2014</em> [Amendment C134]</td>
</tr>
<tr>
<td>June 2015</td>
<td>SGS Economics and Planning was appointed to prepare the RCE Strategy</td>
</tr>
<tr>
<td>21 July 2015 to 17 September 2015</td>
<td>Amendment C140 (<em>Bayside Housing Strategy 2012</em>) exhibited</td>
</tr>
<tr>
<td>25 August 2015</td>
<td>Council endorsed a community engagement approach for the RCE Strategy</td>
</tr>
<tr>
<td>27 October 2015</td>
<td>Council endorsed the draft RCE Strategy Issues and Options Paper for consultation</td>
</tr>
<tr>
<td>November 2015 to January 2016</td>
<td>Community consultation on the draft RCE Strategy Issues and Options Paper</td>
</tr>
<tr>
<td>March to April 2016</td>
<td>Amendment C140 Panel Hearing – Panel recommended that Amendment C140 be abandoned</td>
</tr>
<tr>
<td>24 May 2016</td>
<td>Council adopted the draft RCE Strategy for consultation</td>
</tr>
<tr>
<td>7 June to 4 July 2016</td>
<td>Community consultation on the draft RCE Strategy</td>
</tr>
</tbody>
</table>
26 July 2016  Council resolved to abandon Amendment C140
26 July 2016  Council adopted the Sandringham Village Structure Plan Review 2016
16 August 2016  Council adopted the RCE Strategy and requested the Minister for Planning approve Amendment C150 without any public exhibition
16 August 2016  Council adopted the 2016 Bay Street, Church Street and Hampton Street Structure Plan Reviews
10 February 2017  Amendment C150 submitted to DELWP for consideration
March to April 2017  Amendment C126 (Bayside Small Activity Centres Strategy 2014) exhibited
7 April 2017  DELWP conditionally authorised Amendment C150 and required public exhibition
23 May 2017  Council resolved to review the Small Activity Centres Strategy 2014 and Amendment C126 in response to the submissions received through the exhibition process
20 June to 24 July 2017  Amendment C150 exhibited

1.3 Issues dealt with in this Report

The Panel considered all written submissions made in response to the exhibition of the Amendment, observations from site visits, and submissions, evidence and other material presented to it during the Hearing.

The Panel has reviewed a large volume of material. The Panel has had to be selective in referring to the more relevant or determinative material in the Report. All submissions and materials have been considered by the Panel in reaching its conclusions, regardless of whether they are specifically mentioned in the Report.

This Report deals with the issues under the following headings:

- Planning context
- Retail, Commercial and Employment Strategy
- Strategic justification
- Bayside Business District
- Other issues.
2 Planning context

Council responded to the Strategic Assessment Guidelines as part of the Explanatory Report and in its Part A and B Submissions.

The Panel has reviewed Council’s response and the policy context of the Amendment, and has made a brief appraisal of the relevant zone and overlay controls and other relevant planning strategies in Chapter 4. Chapter 2 provides planning context information which informs Chapter 4.

2.1 Policy framework

<table>
<thead>
<tr>
<th>Table 1 Planning Policy Framework</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>State</strong></td>
</tr>
<tr>
<td><strong>Clauses</strong></td>
</tr>
<tr>
<td><strong>11 Settlement</strong></td>
</tr>
<tr>
<td>11.06 Metropolitan Melbourne</td>
</tr>
<tr>
<td>11.06.1 Jobs and investment</td>
</tr>
<tr>
<td>Objective: To create a city structure that drives productivity, attracts investment, supports innovation and creates jobs.</td>
</tr>
<tr>
<td><strong>Local</strong></td>
</tr>
<tr>
<td><strong>Clauses</strong></td>
</tr>
<tr>
<td><strong>21 Municipal Strategic Statement</strong></td>
</tr>
<tr>
<td>21.02 Bayside key issues and strategic vision</td>
</tr>
<tr>
<td>21.02.3 Key issues</td>
</tr>
<tr>
<td>Economic development</td>
</tr>
<tr>
<td>The need to support and strengthen economic development within appropriate locations.</td>
</tr>
<tr>
<td>The need to retain and strengthen the Bayside Business Employment Area as a business employment area of quality and profile within the south-east region of Melbourne.</td>
</tr>
<tr>
<td>The need to retain core retail function and appropriate retail mix within Activity Centres despite significant competition from outside centres.</td>
</tr>
<tr>
<td>21.07 Economic development</td>
</tr>
<tr>
<td>21.07.1 Activity centres</td>
</tr>
<tr>
<td>Objective 1: To support the economic and social sustainability of activity centres.</td>
</tr>
<tr>
<td>Objective 2: To encourage new economic development which maintains and enhances the supply of and access to a range of employment and training opportunities.</td>
</tr>
<tr>
<td>21.07.2 Bayside Business Employment Area</td>
</tr>
<tr>
<td>Objective: To transform the former Bayside Industrial Area from a traditional industrial precinct into a key Business Employment Area of a quality and profile which will enable it to fulfill an identifiable niche in the south-east region of Melbourne.</td>
</tr>
<tr>
<td><strong>22 Local Planning Policy</strong></td>
</tr>
<tr>
<td><strong>Clauses</strong></td>
</tr>
<tr>
<td><strong>22.04 Business and Employment Area Policy</strong></td>
</tr>
<tr>
<td>22.04.2 Objectives</td>
</tr>
<tr>
<td>To promote the comparative locational advantages of the area for business.</td>
</tr>
<tr>
<td>To transform the area from a primarily industrial precinct into a key business employment node within the south-east region of Melbourne.</td>
</tr>
</tbody>
</table>
2.2 Relevant planning strategies or policies

The following planning strategies and policies were identified as relevant to the Amendment in submissions, evidence and at the Hearing:

- Plan Melbourne 2017-2050
- Bayside Industrial Area Strategy 2004
- Bayside Small Activity Centres Strategy 2014
- Bayside Housing Strategy 2012
- Activity centre structure plans.

Plan Melbourne 2017-2050

Plan Melbourne is a planning strategy which expresses the Government’s policy and vision for metropolitan Melbourne to 2050. The following information is relevant to the Amendment.

Outcome 1: Melbourne is a productive city that attracts investment, supports innovation and creates jobs

Direction 1.1: Create a city structure that strengthens Melbourne’s competitiveness for jobs and investment

Policy 1.1.7 Plan for adequate commercial land across Melbourne

Outcome 2: Melbourne provides housing choice in locations close to jobs and services

Direction 2.1: Manage the supply of new housing in the right locations to meet population growth and create a sustainable city.

Bayside Industrial Area Strategy 2004

The Bayside Industrial Area Strategy reviews the future planning and development of industrial zoned land in known as the Bayside Industrial Area. This area closely follows the Bayside Business Employment area in Map 1 to the existing Clause 21.11-9 in the Bayside Planning Scheme. The Strategy seeks to:

- Investigate the strengths, weaknesses, opportunities and threats impacting on current land uses and industrial activities in the study area.
- Evaluate the current and future economic viability of key businesses, business sectors and major land uses / activities in the study area.
- Develop a shared vision for the future of the Cheltenham / Sandringham Industrial Area to best position it to meet the changing requirements of the 21st Century.
- Produce a strategy for the study area that will assist in revitalising and building a viable future for the City’s Industrial Areas or recommend appropriate medium-long term strategic change to land use and development in the area.
- Identify actions and priorities needed to be taken by both the public and private sectors to achieve improved and sustainable physical, social, environmental and economic outcomes in the study area.
- Provide a basis for the preparation of design guidelines for the Bayside Industrial Area.

It identifies opportunities to transition traditional industries towards high amenity business that would be more compatible with the amenity and character of the area and respond better to the skills of the residents in the surrounding area.

The Strategy is referenced throughout the Bayside Planning Scheme.

**Bayside Small Activity Centres Strategy 2014**

The Bayside Small Activity Centres Strategy recommends changes to planning provisions and policies, including zones and boundaries, to better manage smaller order activity centres in Bayside. It identifies each small centre’s existing and potential role as a commercial and community hub so that planning provisions can manage change and development to take on roles that benefit the Bayside community. The Strategy is referenced in the Bayside Planning Scheme and refers to the Bayside Housing Strategy 2012.

**Bayside Housing Strategy 2012**

The Housing Strategy provides a vision, objectives, strategies and a 56-action implementation plan for managing residential development in Bayside over a twenty-year period. It designates housing growth area boundaries, key focus residential growth areas and moderate residential growth areas at activity centres throughout Bayside. Relevant recommendations are:

Recommendation 45 (High priority):

> Prepare built form guidelines for all small neighbourhood activity centres, which would become the Small Activity Centres Strategy 2014.

Action 53 (Critical priority):

> Undertake a Retail Strategy to examine the critical floor space and mix of commercial and office uses required to support the existing and future population throughout the municipality and particularly within the ‘Housing Growth Areas’ and the Bayside Business Employment Area.

The RCE Strategy sought to implement Action 53.

**Activity centre structure plan reviews**

At the Hearing, Council referred to, and provided copies of, the following structure plans:

- Bay Street Structure Plan Review, August 2016
- Church Street Structure Plan Review, August 2016
- Hampton Street Structure Plan Review, August 2016
2.3 Planning scheme provisions

The Amendment does not propose to rezone any land or introduce, change or delete any planning scheme overlay.

2.4 Ministerial Directions and Practice Notes

Council submitted that the Amendment meets the relevant requirements of:
- Ministerial Direction 11 (Strategic Assessment of Amendments)
- Ministerial Direction on the Form and Content of Planning Schemes under section 7(5) of the Act.

Council submitted that the Amendment is consistent with Planning Practice Note 46 (PPN46) Strategic Assessment Guidelines, June 2015.
3 Retail, Commercial and Employment Strategy

3.1 Background

The Amendment changes the Local Planning Policy Framework to implement the RCE Strategy.

The RCE Strategy Background Issues and Opportunities Paper (RCE Background Paper) was prepared in November 2015 by SGS Economics and Planning (SGS) and was used to inform the final 2016 RCE Strategy. The RCE Strategy seeks to provide policy direction on the future evolution of activity centres and employment land in the City of Bayside with the following vision:

_Bayside’s retail, commercial and employment lands will continue to provide a variety of employment opportunities and services for local residents in the 21st Century. Possessing some of the best local strip centres in Victoria, Bayside will seek to further enhance its local economy through incremental growth in its Activity Centres to address evolving services needs. An innovative reimagining of its ex-industrial lands will provide a focus for high quality jobs locally in a high amenity and well connected environment._

(i) Key trends and forecasts

The RCE Strategy identifies the following key trends for Bayside:

- Bayside’s employment estimated at 32,000 jobs as of 2014.
- Knowledge based services will be the core economic driver of the future economy.
- Health care will be the single largest growth sector of future employment opportunities.
- Retail and hospitality, including online trading, casual dining and supermarkets catering for convenience meals will experience ongoing changed.
- Traditional manufacturing and growth in logistics, warehousing and niche sectors will decline.
- Employment levels are expected to incrementally grow across most industries in the future, except for the health care and social assistance industry.
- Bayside’s population is expected to increase by over 12,000 people over the next 15 to 20 years.
(ii) Strategies

To achieve its vision, the RCE Strategy applies 12 strategies, group by three themes, as summarised in Table 2.

<table>
<thead>
<tr>
<th>Table 2</th>
<th>RCE Strategy themes, strategic response and actions</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Theme</strong></td>
<td><strong>Strategic response</strong></td>
</tr>
<tr>
<td>Policy gaps, issues and opportunities</td>
<td></td>
</tr>
<tr>
<td>Strategy 1</td>
<td>Present the spatial economic structure and clearly articulate the vision for each location.</td>
</tr>
<tr>
<td>Strategy 2</td>
<td>Review the activity centre vision to ensure that the future character and economic role are clearly articulated within the policy setting.</td>
</tr>
<tr>
<td>Strategy 3</td>
<td>Expand the commercial and retail offering of activity centres beyond core business hours.</td>
</tr>
<tr>
<td>Strategy 4</td>
<td>Attract advanced business services to the BBEA through the creation of an economic triangle between Highett, Southland and the BBEA.</td>
</tr>
<tr>
<td>Economic issues</td>
<td></td>
</tr>
<tr>
<td>Strategy 5</td>
<td>Support the trending shift in the economy towards professional services.</td>
</tr>
<tr>
<td>Strategy 6, 9</td>
<td>Respond to demographic change and the needs of an aging population.</td>
</tr>
<tr>
<td>Strategy 7</td>
<td>Consolidate key centres and ensure that Bayside’s largest activity centres remain the primary source of retail activity.</td>
</tr>
<tr>
<td>Centre specific opportunities</td>
<td></td>
</tr>
<tr>
<td>Strategy 4, 5</td>
<td>Strategically evolve the BBEA economic precinct towards advanced business services.</td>
</tr>
<tr>
<td>Strategy 8</td>
<td>Continue to grow Bay Street’s strengths in many facets of retail and commercial businesses which service the needs of the population.</td>
</tr>
<tr>
<td>Strategy 9</td>
<td>Leverage off Church Street’s dual strength of high fashion and the presence of the Cabrini Hospital, to facilitate the development of a mini-health cluster.</td>
</tr>
<tr>
<td>Strategy 10</td>
<td>Take advantage of the locational opportunities of Sandringham and Black Rock’s proximity to, and identity with, Port Phillip Bay.</td>
</tr>
<tr>
<td>Strategy 11</td>
<td>Strengthen Hampton East’s ability to attract commercial office demand and development.</td>
</tr>
<tr>
<td>Strategy 12</td>
<td>Accommodate the residential population within the Hampton activity centre and provide population serving uses.</td>
</tr>
</tbody>
</table>

3.2 Key themes

(i) Activity centres

The RCE Strategy states that activity centres provide the opportunity to expand by 2031:
- retail floorspace by 47,100 square metres from an existing 131,300 square metres
- commercial floorspace by 10,500 square metres from an existing 55,175 square metres.

Bayside has activity centres ranging from local centres to large neighbourhood centres. It acknowledges that the following centres are presently referred to as Major Activity Centres:
- Bay Street, Brighton
- Church Street, Brighton
- Hampton Street, Hampton
- Sandringham.

The Strategy seeks to classify any centre larger than 10,000 square metres but without a Discount Department Store or Department Store as a Large Neighbourhood Centre. It states that the four existing Major Activity Centres and the Hampton East centre align with this definition and explains:

*This Strategy does not change or alter the classification of the centres but rather changes the language to better reflect their economic role and context.*

The Strategy’s adopted retail classifications, hierarchy and terminology is summarised in Table 3.

### Table 3  RCE Strategy adopted retail classifications and hierarchy

<table>
<thead>
<tr>
<th>Centre type</th>
<th>Description</th>
<th>Centres in Bayside</th>
</tr>
</thead>
</table>
| Regional            | Size: Between 40,000 sqm to 150,000 sqm  
Typical approximately 70,000 sqm  
Average catchment: minimum 100,000 people | None  
Westfield Southland considered a Regional centre and is in Kingston               |
| Sub-regional        | Size: Between 15,000 sqm to 50,000 sqm  
Typical approximately 25,000 sqm  
Average catchment: minimum 45,000 people | None                                                                               |
| Large Neighbourhood | No Discount Department Store or Department Store  
More than 10,000sqm | Bay Street, Brighton; Church Street, Brighton; Hampton Street, Hampton; Sandringham; and Hampton East |
| Neighbourhood       | No Discount Department Store or Department Store  
Between 2,000 sqm to 25,000 sqm  
Average catchment: 10,000 to 25,000 people | Martin Street [Gardenvale]; Beaumaris Concourse; Black Rock; and Highett.            |
| Local centre        | Smaller retail nodes serving day-to-day needs of residents within walking distance. Usually have small groceries, milk-bars, a takeaway restaurant and maybe a café. | Exist but none listed                                                              |

### (ii)  Bayside Business District

Regarding this district, the RCE Strategy states:

*Council envisions a 21st century innovation precinct which is nationally competitive and provides employment opportunities for advanced business services of the highest calibre, to not only its local residents, but also residents of the surrounding region. Businesses attracted to the precinct would become key components of the supply chains of the future and generate significant wealth for the local and regional economy.*

The RCE Strategy explains that four options (see Figure 1 below) were presented to the community. It states that community generally favoured Option 2 and:
The community also felt that Options 3 and 4 would encounter some significant difficulties in implementation, as accommodating an entirely new residential neighbourhood could result in various unintended consequences.

**Figure 1  Four Bayside Business District options – assessment and preferred option**

<table>
<thead>
<tr>
<th>Measures</th>
<th>Option 1 – Business as Usual</th>
<th>Option 2 – Advanced Business Services</th>
<th>Option 3 – Residential Redevelopment</th>
<th>Option 4 – Hybrid Development</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Outcomes</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Corporate Employment</td>
<td>✔ ✔ ✔ ✔</td>
<td>✔ ✔ ✔ ✔</td>
<td></td>
<td>✔</td>
</tr>
<tr>
<td>Population serving Employment</td>
<td>✔ ✔</td>
<td></td>
<td>✔</td>
<td></td>
</tr>
<tr>
<td>Housing provision</td>
<td>-</td>
<td></td>
<td>✔</td>
<td>✔</td>
</tr>
<tr>
<td><strong>Management</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Public Investment</td>
<td>✔</td>
<td>✔ ✔ ✔ ✔</td>
<td></td>
<td>✔</td>
</tr>
<tr>
<td>Risk</td>
<td>✔</td>
<td>✔ ✔ ✔ ✔</td>
<td>✔</td>
<td>✔</td>
</tr>
</tbody>
</table>

Source: RCE Strategy, Figure 11. Preferred option shown in purple.
4 Strategic justification

4.1 Submissions

(i) Planning context

The Amendment’s Explanatory report and Council’s Part A and B Submissions provide reasons why Council considers that the Amendment:

- supports relevant policies and strategies outlined in Chapter 2 of this report
- is strategically justified.

Council’s reasons and comments are summarised below.

The Amendment is founded on the RCE Strategy which reaffirms the need to increase Bayside’s employment and business mix to meet its future population needs. The Strategy’s activity centre strategies will “ensure a pleasant, efficient and safe working and living environment for Bayside’s residents and workforce.”

The Amendment encourages housing supply to locate in Bayside’s activity centres to create a sustainable city. Locating residential growth in activity centres contributes to housing diversity within Bayside and provides housing close to services, jobs and transport.

The Amendment will enable Bayside to grow its employment precincts and provide its residents with an opportunity to work in the municipality. It reinforces the current policy direction to transform the Bayside Business District from a predominantly industrial precinct into a key business employment node within Melbourne’s south-east region.

No submitter considered that the Amendment had insufficient strategic justification that warranted it being abandoned.

(ii) RCE Strategy data and methodology

Council submitted that the RCE Strategy is “an independent, comprehensive and well-balanced economic analysis which strategically justifies the Amendment”. It conducted a community engagement program comprising broad and targeted community consultation on the matters identified in the RCE Background Paper to inform the final RCE Strategy.

Council called economic evidence from Mr Szafraniec of SGS Economics and Planning. At the Hearing, he explained that the RCE Strategy was prepared before Plan Melbourne 2017, Australian Bureau of Statistics Census 2016, draft Pennysdale Precinct Structure Plan and before Southland train station commenced operation. He said the RCE Strategy refers to the Southland train station as one factor which made the area conducive to office development. He considered that Plan Melbourne 2017 would not materially affect the Strategy’s findings.

Regarding the Bayside Business District, Mr Szafraniec referred to sections of the RCE Strategy such as the national and Melbourne metropolitan statistics, Bayside population and employment growth projections and the SWOT\(^1\) analysis to explain how the Strategy reached its conclusions. Under cross-examination, he stated that there was no detailed data

\(^1\) Strengths, Weaknesses, Opportunities and Threats
analysis or associated methodology in the RCE Strategy or its Issues and Opportunities paper to explain how the Strategy’s employment number forecasts and employment floorspace were derived.

Laminex Group Pty Ltd (Laminex) called economic evidence from Mr McNeill of Essential Economics. Mr McNeill’s evidence provided a map showing existing industrial land in the south-east corridor, as reproduced in Figure 2.

Figure 2 Industrial land use, south-east corridor 2016

Laminex is a subsidiary of Fletcher Building (Australia) Pty Ltd which owns and operates a 5.5-hectare site at the Bayside Business District’s eastern boundary. Mr McNeill considered that the RCE Strategy did not have the depth of analysis needed to base the preferred directions, including identifying future demand and exploring competitive market factors. Ms Brennan, who represented Laminex with Mr Challe at the Hearing, expressed a stronger view by submitting that the RCE Strategy:

- is ill-timed, misconceived and not based on proper or rigorous analysis of relevant options
- fails to justify the proposition that the entirety of the land within the BBEA is required for these uses
- illogically discounts the possibility that land within the BBEA may support hybrid development.

Ms Brennan described the RCE Strategy as vague and imprecise with insufficient data to support strategies such as reserving all land in the Bayside Business District for commercial uses. Accordingly, the RCE Strategy should not be referenced in the Planning Scheme.
Jack Road Investments considered there was a misalignment between the comprehensive strategic approach sought through the RCE Strategy and its Issues Paper and what is proposed through the Amendment. It described the Amendment’s response as “business as usual.”

4.2 Discussion

The need for the RCE Strategy has been identified since 2004 in Council’s adopted Bayside Industrial Area Strategy (Action S3). The Amendment will help guide future retail and commercial land needed by 2031 to support Bayside’s relatively modest population growth. Like areas throughout Melbourne, there is an identified potential tension between State and local planning policy seeking to locate, and intensify, housing in activity centres and locations with train stations and policy seeking to ensure sufficient retail and commercial land to service the future population. Council has clearly considered both policy objectives, and the Amendment goes a long way to manage both in a coordinated manner.

The RCE Strategy provides interesting statistics that profile national and metropolitan economic employment trends. However, the Panel could not find sufficient data analysis to support some of the outcomes sought through the Strategy.

Bayside Business District

Regarding the Bayside Business District, the RCE Strategy states:

_Council envisions a 21st century innovation precinct which is nationally competitive and provides employment opportunities for advanced business services of the highest calibre, to not only its local residents, but also residents of the surrounding region._

It explains that the vision to evolve the Business District towards advanced business services is supported by a thorough process of “economic analysis, conceptualisation of possible outcomes, options assessment and community engagement.” While the Panel commends Council for adopting an ambitious challenge, the RCE Strategy does not explain how the broad-level statistics translate to the District’s specific objectives or how it can successfully transform itself into a nationally competitive district with advance business services.

The Panel agrees with Mr McNeill that the RCE Strategy does not have the sufficient depth of analysis needed to base some of the preferred directions. Issues related to the Bayside Business District are considered in Chapter 5.

Activity centres and economic triangle

The RCE Strategy refers to competition from other activity centres but does not include any primary or tertiary catchment retail spending figures or escaped expenditure analysis to support and quantify the statement. This would have assisted to understand any economic relationship between the Southland Activity Centre in Kingston and Bayside activity centres. The proximity and triangular arrangement does not mean that there is, or will be, interacting economic activity between them. The RCE Strategy would have benefited from further information about the evolution and role of the economic triangle.

Issues related to activity centres and the triangle are considered in Chapter 6.
4.3 Conclusions

The Panel concludes:

- The RCE Strategy would have benefited from:
  - more detailed analysis to support the need to reserve all land in the Bayside Business District for commercial purposes
  - further information to understand any economic relationship between the Southland and Higheett Activity Centres and the Bayside Business District to support the economic triangle concept.

- The Amendment is:
  - supported by, and implements, the relevant sections of the State and Local Planning Policy Framework
  - generally consistent with the relevant Ministerial Directions and Practice Notes
  - strategically justified and should proceed subject to addressing the more specific issues raised in submissions as discussed in the following chapters.
5 Bayside Business District

5.1 Background

The Bayside Business District is in the Bay Road and Reserve Road area in Cheltenham, as shown in Figure 3.

Figure 3 Bayside Business District broad land uses

Source: Exhibited Clause 21.11

It is currently identified as the Bayside Business Employment Area in the Bayside Planning Scheme. The Cheltenham Cemetery, which is excluded from the District, separates the industrial and commercial and uses the block bound by Bay and Reserve Roads and Tulip and George Streets. The RCE Strategy analyses broad land uses, as shown in Table 4.

Table 4 Bayside Business District land uses in 2015

<table>
<thead>
<tr>
<th>Land Use</th>
<th>Floorspace (sqm)</th>
<th>Proportion</th>
</tr>
</thead>
<tbody>
<tr>
<td>Manufacturing</td>
<td>116,727</td>
<td>28.9%</td>
</tr>
<tr>
<td>Office</td>
<td>66,929</td>
<td>16.6%</td>
</tr>
<tr>
<td>Warehouse/Wholesale</td>
<td>56,126</td>
<td>13.9%</td>
</tr>
<tr>
<td>Large Format (Bulky) Retail</td>
<td>43,622</td>
<td>10.8%</td>
</tr>
<tr>
<td>Vacant</td>
<td>32,044</td>
<td>7.9%</td>
</tr>
<tr>
<td>Residential</td>
<td>24,770</td>
<td>6.1%</td>
</tr>
<tr>
<td>Service Industry</td>
<td>21,649</td>
<td>5.4%</td>
</tr>
<tr>
<td>Construction</td>
<td>16,983</td>
<td>4.2%</td>
</tr>
<tr>
<td>Leisure and Recreation</td>
<td>15,834</td>
<td>3.9%</td>
</tr>
<tr>
<td>Community Services</td>
<td>8,649</td>
<td>2.2%</td>
</tr>
<tr>
<td>Car Park</td>
<td>312</td>
<td>0.1%</td>
</tr>
<tr>
<td>Transport and Storage</td>
<td>295</td>
<td>0.1%</td>
</tr>
<tr>
<td>Total</td>
<td>403,850</td>
<td>100.0%</td>
</tr>
</tbody>
</table>

Source: GIS analysis of Bayside City Council NBS land use model.
The Bayside Business District boundary in Clause 22.04 varies to the one in the RCE Strategy, a map tendered at the Hearing (Document 19) and Analysis of Mixed Use Zone in the Bayside District (Document 21). Both latter documents exclude the Laminex site. At the Hearing, Council advised at the site was inadvertently excluded.

5.2 Future demand

(i) The issue

Council submitted that it adopted Option 2 in Table 11 of the RCE Strategy to enable only commercial uses in the Bayside Business District. The issue is the extent and type of demand for land needed for commercial purposes.

(ii) Evidence and submissions

Council submitted that its preference to enable the Business District for only commercial purposes is supported by the Commercial 2 Zone which applies to most land and prohibits accommodation, including a dwelling. Council explained that, while Option 4 (Hybrid development) in the RCE Strategy comprised a hybrid of commercial and residential land uses, it was concerned that there was no suitable zone to manage the proportion of residential development to ensure that it did not transform more into Option 3 (Residential redevelopment). This includes the Mixed Use Zone which is a residential zone.

At the Hearing, there was considerable discussion about the scale of demand the Business District may ultimately attract, floor space to meet this demand, and how this floor space may be provided.

In his evidence, Mr Szafraniec stated that, based on revised figures from March 2018, Bayside’s population is expected to increase by 12,500 persons over the next 15 years. He added the RCE Strategy projects that Bayside will have an additional 9,000 jobs focussed in health, professional services, retail and hospitality over the same period.

Mr McNeill stated that the RCE Strategy refers to industry employment trends in metropolitan Melbourne which conclude that there is a shift from traditional secondary industry to tertiary sector industries such as health care, education and professional, scientific and technical services.

In line with the RCE Strategy, Mr Szafraniec’s evidence presented employment figures based on industry. Mr McNeill’s evidence provided both labour force and workforce figures by occupation for Bayside2, because he considered that they provide greater insight into land use requirements.

Labour force

Mr McNeill’s evidence identified that in 2016, approximately 56.1 per cent of Bayside’s resident labour force were employed as managers or professionals, while 12.8 per cent were employed as clerical and administrative workers. Mr McNeill noted that, generally, these

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2 Labour force: persons who live in Bayside and are employed; Workforce: persons who work in Bayside whether residents of Bayside or not.
occupations worked in an office. He presented labour force projection figures which suggest that the resident labour force is likely to increase by approximately 6,700 persons between 2016 and 2031.

Workforce

Mr McNeill found that Bayside’s workforce was smaller than the labour force, which he considered normal in a large metropolitan Melbourne which has dense job provision in the Central Business District and inner core.

(iii) Discussion and conclusion

The RCE Strategy, and the evidence of Mr Szafraniec and Mr McNeill unanimously agree that Bayside’s workforce will evolve towards more tertiary sector jobs such as health, professional services, retail and hospitality. The Panel concludes that the Bayside Business District will accommodate a considerable portion of the additional 9,000 jobs over the next 15 years. Many of these jobs will likely be accommodated in Bayside’s activity centres. The Bayside Business District will therefore need land and floorspace for less than 9,000 jobs.

5.3 Land and floorspace need

(i) The issue

The issue is how much land and floorspace is needed to support future demand in the Bayside Business District.

(ii) Evidence and submissions

Under cross-examination, Mr Szafraniec acknowledged the RCE Strategy did not include job density figures and agreed with Ms Brennan that the floorspace to office workers is declining, although he considered that it was only declining to a small degree. He agreed that many business precincts rely on key anchors or the conglomeration of ‘like’ industries to be successful.

Mr McNeill presented three scenarios for potential office floorspace and employee capacity in the Commercial 2 Zone land based on several assumptions, as summarised below.

<table>
<thead>
<tr>
<th>Table 5</th>
<th>Mr McNeill’s capacity analysis scenario testing</th>
</tr>
</thead>
<tbody>
<tr>
<td>Assumptions</td>
<td>Scenario 1</td>
</tr>
<tr>
<td>Commercial 2 area</td>
<td>76 hectares</td>
</tr>
<tr>
<td>20 per cent redeveloped as offices</td>
<td>15 hectares</td>
</tr>
<tr>
<td>10 per cent redeveloped as offices</td>
<td>-</td>
</tr>
<tr>
<td>50 per cent redeveloped as offices</td>
<td>-</td>
</tr>
<tr>
<td>40 per cent site coverage</td>
<td>6 hectares</td>
</tr>
<tr>
<td>Office space expressed in square metres</td>
<td>60,400sqm</td>
</tr>
<tr>
<td>Three level buildings (office floor space sqm)</td>
<td>181,200sqm</td>
</tr>
<tr>
<td>No of employees: 20 sqm for each job</td>
<td>9,060 employees</td>
</tr>
</tbody>
</table>
Mr McNeill explained that he assumed 20 square metres of office floorspace for each job, which is a long-term benchmark. More intense business areas such as Melbourne’s Central Business District apply 15 square metres for each job. Mr Szafraniec disagreed with the 20 square metres for each office job because he said that this figure was more akin to an area such as Southbank. Mr McNeill responded that they are two completely different environments because Southbank does not have 40 per cent site coverage.

During cross-examination, Council asked Mr McNeill for an example comparable with the employment density of approximately 600 people for each hectare, shown in Table 6.1 of his evidence. Mr McNeill responded with the Botanicca Corporate Park in Richmond which has 17.75 square metres for each employee which is broadly consistent with the 20-square-metre calculation. He added that Botanicca had 800 employees for each hectare which is higher than his assumed 600 employees for each hectare in his evidence.

Mr McNeill stated that he applied three storeys and 40 per cent site coverage because he considered that it reflected existing patterns in the Business District, such as the relatively new multi-level office buildings towards its western boundary. He added that employment numbers would likely increase if four storeys or above was adopted.

Mr McNeill acknowledged that scenario testing is a ‘blue sky’ exercise. He added that locking away the entire employment area at the expense of other land uses has no regard for changing economic circumstances. Mr McNeill explained that the Business District’s success is dependent on external factors such as:

- underlying land value and its impact on development intensity
- its relative competitive position against other office, business services and innovation nodes
- economic cycles and employment trends
- vacancy rates, and the development cycle
- business operation innovation, including its impact on the need for offices, buildings, and land use
- the viability of landowners sitting on existing assets over the long term, with the expectation that a higher order use will be enabled through a favourable planning setting.
- prevailing economic conditions at a national, state and local level.

Mr McNeill stated that while there is insufficient demand to occupy all land in the Business District, its Commercial 2 Zone clearly acknowledges that traditional industry uses are unlikely to remain.

Regarding the Laminex site, Council responded that Mr McNeill’s evidence did not provide “a compelling case for why alternative and more modern businesses would not be attracted to a site of this significance.” Instead, Council considered that his analysis of the Bayside labour and work force (existing and projected) illustrated the ongoing need for employment land in the municipality.

Jack Road Investments Pty Ltd submitted that a strategic shift towards a framework which enables a greater land use mix, including residential, is needed to make the Bayside Business District economically viable and socially sustainable. It considered that land in the Business District should be rezoned to enable this mix.
Council and Mr Szafraniec were concerned that enabling some residential development into the District, without appropriate planning provisions to manage its extent, may result in significantly more residential development than anticipated, thereby restricting the ability to achieve the RCE Strategy objectives. Council considered that a possible zone, the Mixed Use Zone, did not enable it to limit residential land uses, therefore there was no assurance that there would be an appropriate proportion of commercial land uses to residential land use. Mr Szafraniec acknowledged the importance and challenge associated with residential development pressure, and stated:

... spot rezonings of selected sites connected to any commercial or industrial zoned land also have the potential to shift expectations across the remainder of the precinct. This can lead to pressure for further rezonings, or under investment in employment uses as owners assume that eventually their land will be rezoned for residential.

Residential use may currently be the highest and best financial use for a site. However, if replicated across existing employment areas it can have adverse economic consequences for the local and broader community. Such an outcome represents a lost opportunity for the broader metropolitan economy which gains benefits from agglomerating more employment within well connected locations and close to residents.

(iii) Discussion

The ability to implement Option 2 in a suitable time horizon relies on the scale of demand the Business District can ultimately attract, floorspace to meet this demand, and how this floorspace will be provided.

As outlined in Chapter 4, the RCE Strategy does not provide sufficient data to confidently reach the conclusion that all land within the Business District will be required.

The Panel does not share the same view as Council regarding Mr McNeill’s evidence. It considers that Mr McNeill’s evidence provides reasonable assumptions to better understand demand for future commercial floorspace. It agrees that his capacity analysis scenario is blue sky thinking, however, it is more advanced than what can be found in the RCE Strategy. The Panel accepts Mr McNeill’s external factors that will influence the Business District’s success and highlights “its relative competitive position against other office, business services and innovation nodes”.

While the RCE Strategy acknowledges other competing industrial/business areas within Bayside’s region, the Panel considers that it has not sufficiently captured their competitive strength. As Melbourne’s metropolitan economic conditions continue to evolve, existing employment areas such as Monash National Employment Innovation Cluster are likely to expand their staging. Larger scale industrial areas such as Moorabbin may also seek to transition toward commercial land uses. This has already occurred at the Parkview Estate, which abuts Cheltenham and Moorabbin, on the well-exposed Warrigal Road in Heatherton.

Council is commended for adopting the strategic direction to transition from a relatively lower employment density and generally single level land use to one which can use land more efficiently. Based on available information, the Panel considers that that future
demand for commercial floorspace can be provided on less land than what is available in the Bayside Business District.

Mr McNeill’s evidence provides the closest profile to understand the extent of misalignment between floorspace demand and land supply. His most conservative scenario (Scenario 3) would require 15 of the 76 hectares of Commercial 2 land available in the Business District, which could accommodate 22,650 employees. Even if figures were readjusted to apply more conservative employee density figures sought by Council and Mr Szafraniec, there is still likely to be considerably more land than required to accommodate its share of the additional 9,000 employees in Bayside over 15 years.

It is acknowledged that existing industrial land uses will occupy land for some time while the District transitions to its ultimate form. However, any future strategy for the Bayside Business District should be forward looking to achieve its ambitious vision and to have a consolidated, cohesive and attractive business area.

While this area may be competing with other existing and emerging employment areas in the region, it has a unique attractor that the others don’t – a neighbouring railway station. While the RCE Strategy identified the Southland railway station, Council should consider the opportunity presented to it through the availability of land that is unlikely to be needed in the Business District and its location close to the Southland railway station. While other industrial/business areas in the region may have several other key attractors, the railway station presents a unique opportunity to present something more exciting at the Bayside Business District beyond a standard employment area so that it can attract the types of businesses that will help achieve its vision.

The Panel does not make any recommendations about:

- suitable land uses for the additional land that is unlikely to be used for commercial purposes in the Bayside Business District
- whether some other land uses could be located above or behind commercial uses as an incentive to attract commercial land uses and investment to the Business District when competing with other similar centres
- whether the Bayside Business District area should be reduced to continue to achieve Option 2 (commercial only).

These are matters for Council to consider when reviewing this opportunity against achieving the vision sought through the RCE Strategy.

Two of the four options in the RCE Strategy included residential development in the District, however, the Amendment is premised on Council adopting Option 2 (commercial only).

The Panel agrees with Council that enabling some residential development into the District, without appropriate planning provisions to manage its extent, may result in significantly more residential development than anticipated, which may adversely affect the ability to achieve the RCE Strategy. However, it considers that there are available planning tools to support harmonious land uses to co-exist in the Business District while achieving its vision and objectives. These include either the Activity Centre Zone, Priority Development Zone or Comprehensive Development Zone with a tailored schedule, combined with strong local planning policy.
The Panel considers that any recommendations for non-commercial land uses should be considered through a separate process after further investigation.

(iv) Conclusion
The Panel concludes:

- Based on available information, future demand for commercial floorspace can be provided on less land than what is available in the Bayside Business District.
- The extent of excessive available land may affect the ability for the Bayside Business District to achieve its ambitious vision and to have a consolidated, cohesive and attractive business area.
- Council should review the opportunity presented to it through land that is unlikely to be needed for commercial purposes in the Business District and its close location to the Southland railway station.
- While this opportunity is reviewed, new commercial development should be encouraged toward the western part of the Bayside Business District, which is anchored by new larger scale office buildings to enable orderly planning.

5.4 Should any land be identified as a strategic redevelopment opportunity?

(i) The issue
The issue is whether any property in the Bayside Business District should be recognised as a strategic development site in the Bayside Planning Scheme.

(ii) Evidence and submissions
Laminex sought to have its site at 332 Bay Road, Cheltenham identified as a strategic redevelopment opportunity for further investigation in Clause 22.04 (Policy basis and Figure 1) and Clause 21.11 (Map 1). Specifically, Laminex proposed the following be added to the Clause 22.04 policy basis:

*The Laminex Land (332 Bay Road Cheltenham) provides a major redevelopment opportunity which could contribute positively to achieving the objectives and vision for the Bayside Business District and should be subject to further strategic investigation.*

Ms Brennan described the Laminex site and its surrounds in her submission. The site is about 5.5 hectares with an approximately 108-metre frontage along Bay Road and large frontages along Jack Road and Chandos Street. It is currently used for industrial purposes and employs approximately 63 full time employees. Its one and two storey buildings are considered unsuitable to transition to what is envisaged for the Bayside Business District.

Laminex called planning evidence from Mr McGurn of Urbis. He considered the Laminex site to have excellent characteristics by Melbourne metropolitan standards, given it is:

- *approximately 600 metres west of Southland Major Activity Centre*
- *approximately 850 metres south of Highett Neighbourhood Activity Centre*
- *450 metres west of the newly opened Southland Railway Station*
• within 1,000-1,200 metres of Cheltenham Park Reserve, Bayside Leisure Centre and Bay Road Heathland Sanctuary
• approximately 3 kilometres to the east of (and connected by bus along Bay Road) from Sandringham Village Major Activity Centre and Train Station.

He explained that the site provided a major redevelopment opportunity because of the following physical aspects:
• its overall size and generous dimension.
• A significant frontage to Bay Road (a main road), as well as lengthy frontages to Jack Road and Chandos Road.
• A generally low quality, ageing building stock.
• Underutilised site development density.
• Absence of buildings of identified heritage significance.
• Limited established vegetation.
• Limited direct interface with established residential areas.
• Generally flat topography and no significant drainage constraints.
• Environmental contamination associated with industrial use which is anticipated to be manageable.

Mr McGurn’s evidence provided a broad policy context which stated, among many other matters, that the Pennymade residential area had limits to “enabling real gains in density and population” because it is currently in the General Residential Zone with a mandatory maximum three storey height limit and mandatory minimum garden area requirements.

Mr McNeill criticised the RCE Strategy for looking at the Business District without identifying strategic redevelopment sites. When cross-examined by Council, he acknowledged that he looked at the Laminex site without considering whether other sites in the District should also be identified for strategic redevelopment.

Council did not support identifying the Laminex site as a strategic redevelopment site. Council referred to Laminex’s submission for the Bayside Amendment C140 Hearing (Housing Strategy) to highlight Laminex’s aspirations for developing the site for residential development. Council explained that the eastern proportion of the Laminex land is already in a residential zone and can be developed accordingly. At the Hearing, Council submitted that there are several sites throughout the Business District that can be identified for strategic redevelopment and that the Laminex site should not be singled out.

(iii) Discussion

The Panel has used the Laminex site as a case study to consider whether any land in the Bayside Business District should be identified as a strategic redevelopment opportunity.

Council has adopted Option 2 which reserves all land in the Bayside Business District for commercial purposes. The Panel has already found that the RCE Strategy does not provide sufficient information to justify this extent of land and that, based on information available through evidence, there is considerably more land than what would be demanded over a reasonable time horizon.
This presents an opportunity to plan for an advanced business district primarily founded on a mix of employment and other suitable land uses.

The Panel considers that the Laminex site is the most important strategic site in the Bayside Business District. A significant proportion of workers and visitors will access the District from the east, either from the Southland train station or along Bay Road from Nepean Highway, effectively making the Laminex site the Business District’s eastern gateway. The site’s location, scale and opportunity to remove an industrial land use which currently needs considerable amenity measures, presents a strategic opportunity that should be identified and captured. No other site presented at the Hearing offered the same degree of strategic opportunity as the Laminex site.

The Panel agrees with Council that the Laminex site should continue its role as employment land. This can be achieved by adopting a strengthened version of the Clause 22.04 policy basis proposed by Laminex. The Panel considers that any strategic opportunity investigation should address whether the proposal positively contributes to achieving the objectives and vision for the Bayside Business District. The Laminex wording suggests an opportunity which could contribute to this outcome.

The Panel supports the site being identified in Clause 22.04 Figure 1 and Clause 22.11 Map 1.

(iv) Conclusions

The Panel concludes that the Laminex site should be identified as a strategic redevelopment opportunity for investigation subject to positively contributing to achieving the objectives and vision for the Bayside Business District.

(v) Recommendations

The Panel recommends:

Amend Clause 22.04, as shown in Appendix B, to:

a) add in the policy basis:

332 Bay Road, Cheltenham provides a strategic redevelopment opportunity for further investigation subject to positively contributing to achieving the objectives and vision for the Bayside Business District.

b) annotate Figure 1 to identify 332 Bay Road, Cheltenham as a ‘Strategic redevelopment opportunity for further investigation’.

Amend Clause 21.11 (Map 1) to identify 332 Bay Road, Cheltenham as a ‘Strategic redevelopment opportunity for further investigation’.

5.5 Clause 22.04-4 performance standards

(i) The issues

The existing Clause 22.04 (Bayside Business District) has performance standards which apply to defined areas in the Bayside Business District. The Amendment does not propose to change most of the active performance standards.
The exhibited Clause 22.04 seeks to reintroduce policy and standards for the Jack Road interface which expired 11 years ago. One policy is to apply a 30-metre setback from Jack Road to preserve as a buffer between industrial and residential uses.

The issues are:
- whether existing policy and standards are appropriate for implementing the RCE Strategy
- whether there is sufficient strategic basis to permanently apply the expired Jack Road interface policy and standards.

(ii) Evidence and submissions

Existing performance standards

Council submitted that the exhibited Clauses 21.10 and 21.07-4 anticipate that a development plan or master plan will be prepared for the Bayside Business District. It added that these directly translate the RCE Strategy Action A4h:

Prepare a Development Plan/Master Plan to guide the location of key future uses and identify infrastructure needs for the BBDA.

Chandos Bay Pty Ltd (Chandos Bay) submitted that the existing performance standards should be deleted while the master plan is prepared because they are inappropriate, have remained relatively unchanged since they were introduced in 2006 and will affected the ability to develop the Bayside Business District. It went further to say that the Clause 22.04 policy basis and objectives contain much of the same content as the Industrial Areas Policy (Clause 22.05) in 2000.

Council responded that the master planning process will commence after the Amendment is completed. It considered that the existing performance standards provide an appropriate transition between commercial development and sensitive uses while activating building frontages to enhance pedestrian connectivity.

Jack Road Interface performance standards

Council submitted that it is appropriate to reintroduce the Jack Road interface performance standards when having regard to existing uses and the buffer required to residential properties to the east. It reflects the permit conditions for the Laminex site. Council added:

Reinstating these provisions will ensure that the interface is appropriately managed should further development be proposed at the site. Further, these are guidelines not controls and if an alternative proposal for only the GRZ land, for example residential, Council will have the discretion to consider the proposed interface conditions.

Council explained that its adopted Amendment C39 did not have an expiry provision when submitted to the Department on 8 November 2005. The Jack Road interface standards to expired approximately 9 months after they approved on 27 July 2006 through Amendment C39.
Laminex and Jack Road Investments objected to the Jack Road interface provisions being reintroduced into Clause 22.04 because they considered that they could not be justified on any basis.

At the Hearing, Ms Brennan tendered the Notice of Determination\(^3\) for the existing permit for the Laminex site which has four conditions including "A buffer strip 70’ wide retaining existing trees shall be maintained along the frontage of Jack Road to the satisfaction of the Responsible Authority." She submitted that the existing permit already requires a buffer therefore there is no need for additional policy. Ms Brennan referred to the 2005 Bayside C39 panel report which stated:

> ... the ‘Jack Road Area Interface Policy’ appears to accept the ‘status quo’, rather than actively encouraging change that will improve the amenity of this residential area. It is also considered that the inclusion of prescriptive controls in a Policy will be ineffectual and unenforceable unless included as conditions in a planning permit.

In his evidence, Mr McGurn stated that the proposed policy provisions were unnecessary, unjustified and contradict themselves because they did not consider that General Residential Zone on the eastern part of the Laminex site, along Jack Road. More specifically, he noted the following in response to what was proposed through the policy:

- The ‘30 metre setback from Jack Road preserved as a buffer between industrial and residential uses’ is seemingly the majority of the General Residential Zone land. Therefore its application is at best irrelevant, or at worst to be entirely misconstrued.

- Screening of industrial uses from Jack Road would occur by the construction of intervening residential development on the GRZ land which could lawfully occur, and would be subject to the relevant considerations of the General Residential Zone.

- The desire for the Jack Road boundary of the industrial use to be fenced with a continuous chain wire fence to prevent ready public access between the residential areas and industrial areas – reflects the location of the current boundary fence. It does not recognise the zone boundary and the potential for the Residential Zone land to be redeveloped for residential purposes.

- The frontage to Jack Road setback, fenced and landscaped to provide a visual and physical buffer – is again a condition which ignores the presence of the Residential Zone land and legitimate development opportunities.

- Considerations relating to Clause 52.10 are to apply under the appropriate zoning framework.

At the Hearing, Mr Szrafaniec stated that the 30-metre setback along Jack Road may not be needed once existing industrial land uses have transitioned to the commercial land uses envisaged by the RCE Strategy. Mr McGurn agreed, and questioned why a 30-metre buffer would be required if Laminex ceased its industrial land uses on its site. He added that there

\(^3\) Document 25, dated 29 October 1968
was no guidance to support the transition towards commercial land uses with less amenity impacts than the existing industrial land uses.

_Urban design guidelines for specified areas_

A submitter objected to a new provision being added to state “Preferred or discretionary controls may only be varied in exceptional circumstances.” At the Hearing, and in response to a question from the Panel, Council later agreed to delete the provision.

_(iii) Discussion_

_Existing performance standards_

The performance standards, while discretionary, were designed clearly for industrial land uses and are unsuitable for guiding built form envisaged by the RCE Strategy. There was no satisfactory explanation why 6 and 15 metre setbacks are required for future commercial land uses on the Chandos Bay site which is directly opposite other existing industrial, and potentially future commercial land, in Chandos Street. The existing setbacks are mostly sealed surfaces used to park cars and utes, and would consume a considerable proportion of sites such as the 9,580 square metre Chandos Bay site without apparent reason. They may also impede street activation if they are not properly planned.

Any future master planning should disregard the existing performance standards so that new design guidelines can be purpose-designed to suit the advanced business model sought through the RCE Strategy. The Panel considers that the existing performance standards should remain in the Planning Scheme until suitable design guidelines are available to replace them. While the existing provisions are not ideal, removing them ahead of new provisions may result in unintended consequences.

_Jack Road interface performance standards_

The existing Clause 22.04 (Business Employment Area) provides policy and performance standards to different road interfaces except for the Jack Road interface. This is because its policy and standards expired on 3 May 2007. When reviewing the Bayside Planning Scheme provisions in February 2000[4] referred to it by Chandos Bay, the Panel noted the performance standards in Clause 22.05 (Industrial area policy) from 18 years ago, replicate the standards that Council seeks to reintroduce.

During its area inspections, the Panel noted that the Laminex site makes up virtually all the Jack Road interface north of Stuart Avenue. Land between its eastern boundary and approximately 46 metres from Jacks Road is in the General Residential Zone 1 land. The site's existing permit condition which requires approximately 21 metres of land from Jack Road to be used as a buffer which retains existing trees.

Between Stuart Street and Charlton Avenue, there are residential properties on the west side of Jacks Road which directly abut a new residential development. These properties are approximately 40 metres deep. South of Charlton Avenue, there are eight properties west of Jack Road which abut the Commercial 2 Zone. The properties are in a block approximately 46 metres deep. A purpose of the Commercial 2 Zone is:

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To ensure that uses do not affect the safety and amenity of adjacent, more sensitive uses.

Like the industrial zones, the Commercial Z Zone requires a planning permit for an industry which is less than the threshold distance specified in Clause 52.10 for any listed purpose or less than 30 metres from residential land for any other industrial purpose. This enables Council to assess potential amenity impacts before deciding whether to approve the permit application or apply associated conditions. The proposed policy provisions would be more effective as permit conditions, where relevant.

The Panel acknowledges Mr Szaraniec's response that the 30-metre setback along Jack Road may not be needed when the Business District has transitioned to commercial land uses. It agrees with Mr McGurn that there is no clear guidance to transition industrial land use to Commercial land uses which generally have less amenity impacts on sensitive land uses.

Having considered existing zone and related provisions, property and zone boundary alignments, and what the RCE Strategy seeks to achieve, the Panel considers that the proposed Jack Road interface policy is largely redundant and unsuitable. While the interface policy generally responds to issues along Jack Road, the actual interface and proposed commercial/residential interface is located on the Laminex site approximately 40 to 46 metres west of Jack Road. Any interface issues would have to respond accordingly.

The interface policy is founded on industrial land uses which are no longer encouraged through the RCE Strategy. When the Strategy is ultimately realised, there will be generally no industrial interface. A commercial/residential interface, in line with the RCE Strategy, would require a less restrictive approach than what is proposed through Clause 22.04. For example, there would be no need to reference Clause 52.10. Irrespective, the Panel considers that Clause 52.10 operates very effectively with the zones and does not need to be assisted through policy.

The Panel accepts Mr McGurn's evidence on Jack Road interface policy. Applying the exhibited interface policy may affect the ability to successfully transition existing industrial land to commercial land uses envisaged by the RCE Strategy in this part of the Business District.

While there is existing broader guidance through existing and proposed planning scheme provisions, policy and guidelines to assess each proposal on their own merits, there would be benefit in having new design guidelines that address the interface between the west and east. This can form part of Council's future master planning of the Bayside Business District.

**Urban design guidelines for specified areas**

The Panel supports Council's post-exhibition change to delete “Preferred or discretionary controls may only be varied in exceptional circumstances.” The performance standards form part of Bayside’s planning policy, and are therefore not enforceable as planning controls.

**(iv) Conclusions**

The Panel concludes:

- The existing performance standards:
- are unsuitable to implement the RCE Strategy
- should remain in the Planning Scheme until suitable design guidelines can replace them.

- The exhibited Jack Road interface policy provisions should not be reintroduced because they:
  - are largely redundant and unsuitable
  - may affect the ability to successfully implement the RCE Strategy to this part of the Bayside Business District
  - are not sufficiently justified.

- Any master planning process to achieve suitable design guidelines should be conducted separately to avoid delaying Amendment C150.
- The provision related to preferred or discretionary controls should be deleted.

(v) Recommendations

The Panel recommends:

Amend Clause 22.04, as shown in Appendix B, to:
  a) delete in ‘Urban design guidelines for specific areas’ “Preferred or discretionary controls may only be varied in exceptional circumstances.”
  b) delete the Jack Road Interface (R2 – Interface with residential (rear) south of Bay Road) policy.

5.6 Should the RCE Strategy be referenced to inform the background to the Bayside Business District?

(i) The issue

The issue is whether the RCE Strategy should be referenced to provide information about provisions related to the Bayside Business District.

(ii) Evidence and submissions

Council submitted that, as a proposed reference document in the Planning Scheme, the RCE Strategy provides background information to understand the context in which Council’s policies for commercial land has been framed. It considered that this approach is consistent with Practice Note 13 (Incorporated and Reference Documents).

Laminex, Jack Road Investments Pty Ltd and Chandos Bay Pty Ltd each requested that the RCE Strategy not be referenced in the Planning. Laminex sought to not reference the RCE Strategy for the same reasons it expressed in Sub-chapter 4.1(ii) of this report. Jack Road Investments submitted that the Bayside Business District local planning policy should be reviewed before the RCE Strategy is included as a reference document.
(iii) Discussion

Planning Practice Note 13 states:

Reference documents provide background information to assist in understanding the context within which a particular policy or provision has been framed.

The Panel considers that the RCE Strategy does not achieve this outcome regarding the Bayside Business District. The Panel has found that the RCE Strategy does not provide sufficient information or basis to explain why all land in the Business District is needed for commercial uses, or why the Jack Road interface performance standards are required to transition industrial land uses to commercial uses. It is not appropriate to include a document lacking justification in relation to these key issues as a reference document. To do so could be misleading, or create confusion.

(iv) Conclusion

The Panel concludes that the RCE Strategy:

- does not provide sufficient background information to assist in understanding the context within which the Bayside Business District related provisions have been framed
- should not be referenced in the Bayside Planning Scheme.

(v) Recommendation

The Panel recommends:

Amend Clause 22.04, as shown in Appendix B, to:

a) delete the Bayside Retail Commercial and Employment Strategy (August 2016) as a reference document.
6 Other issues

6.1 Activity centre floorspace policy

(i) The issues

The Amendment proposes to introduce a new strategy in Clause 21.03-1:

Encourage new housing in commercial areas of activity centres to provide commercial no net loss of commercial floorspace at the ground floor.

It also proposes to introduce a new strategy in Clause 21.07:

Residential development in activity centres needs to ensure increased retail and commercial floorspace is provided.

The issue is whether the proposed Clause 21.03 and 21.07 policies are appropriate and justified.

(ii) Evidence and submissions

See Pickle Pty Ltd (See Pickle) owns Commercial 1 Zone land in the Hampton Major Activity Centre with a planning permit to develop a five-storey building with shops and dwellings. See Pickle submitted that the no-net-loss of ground floor commercial floorspace policy in Clause 21.03 conflicts with the Clause 21.07 policy which seeks increased retail and commercial floorspace. It objected to applying these policies to the Hampton Activity Centre because they were inconsistent with the Hampton Structure Plan and State planning policies which encourage housing in major activity centres and because the RCE Strategy did not required them.

Council responded that the RCE Strategy proposes to increase commercial floorspace in Bayside’s Major Activity Centres to meet future needs. It referred to Strategies 3 and 7 of the RCE Strategy:

Strategy 3: Expand the commercial and retail offering of activity centres beyond core business hours.

Strategy 7: Consolidate key centres and ensure that Bayside’s largest activity centres remain the primary source of retail activity.

Council proposed to change the Clause 21.03-1 strategy from ‘no-net-loss’ to increase commercial floorspace to “resolve this inconsistency.”

(iii) Discussion

The Panel agrees with Council to the extent that the RCE Strategy broadly supports increased commercial floorspace in activity centres. While Bayside’s population is forecast to experience relatively moderate growth, the Strategy demonstrates that additional retail and commercial floorspace will be needed to service additional demand.

The exhibited Clause 21.07 seeks to achieve this outcome by increasing overall commercial floorspace whereas Clause 21.03 encourages no net loss of ground level commercial
floorspace. The Panel considers that the two clauses would operate harmoniously together to achieve the RCE Strategy objectives. They recognise that limited existing ground level commercial floorspace is important to maintain, and that most future commercial floorspace increases for uses such as professional services are likely to occur above ground level. The Panel therefore does not agree that there is an inconsistency between the two clauses.

The Panel does not support changing the exhibited Clause 21.03 to encourage increased ground level commercial floorspace because:

- this is more restrictive than the broader objective in the RCE Strategy
- it is unclear how this objective would be achieved and whether many permit applications could practically achieve this outcome.

(iv) Conclusions

The Panel concludes that the exhibited Clause 21.03 and 21.07 policies related to ground level and overall commercial floorspace are appropriate and should be adopted.

6.2 Southland Activity Centre

(i) Background

Plan Melbourne 2017 identifies Cheltenham-Southland as a Major Activity Centre in the Kingston municipality (Melbourne's Southern Region). This is shown in more detail in the Plan Melbourne 2017 Five Year Implementation Plan.

The Amendment proposes to change Clause 21.07 by deleting:

There are also other Activity Centres located outside the municipality which have an impact on the economy of Bayside including Southland ...

and adding:

The Cheltenham-Southland Activity Centre is shared with Kingston City Council. While the commercial focus of this Activity Centre is located within Kingston, a large proportion of the residential area within this Activity Centre is located within Bayside.

(ii) The issue

Several submissions raised issues related to the reference in the proposed policy that suggests a residential neighbourhood in Cheltenham, referred to as the Pennsdale residential area, is included in the Cheltenham-Southland Major Activity Centre. The area is bound by Bay, Jack and Park Roads and the Frankston railway line. Southland railway station, located south of Bay Road and west of the Pennsdale residential area, opened in November 2017.

(iii) Evidence and submissions

Council submitted that Plan Melbourne directs it to encourage housing and population growth close to transport, jobs, services and other community facilities. It explained that the Amendment and the RCE Strategy focus on activity centres and the Bayside Business District,
and have no direct impacts on Pennylead residential area beyond acknowledging its role as a residential precinct in the broader Cheltenham-Southland Major Activity Centre. Council explained that it was proposing to consult on the future of the Pennylead residential area through the Southland-Pennylead Structure Plan process.

In his evidence, Mr Szafaniec stated that while Cheltenham-Southland Activity Centre’s economic role was considered during the RCE Strategy, it was not defined as a centre within Bayside during SGS’s analysis. His evidence goes further to state:

**Explicit recognition of Cheltenham-Southland as a Major Activity Centre. It is clearly acknowledged the area within Bayside is associated with its residential component, with retail/commercial uses located in Kingston.**

Dr Saunders, Mr Screen and Ms Boileau submitted that the Southland Major Activity Centre, including its residential area, is located entirely within the Kingston municipality. They referred to Kingston Planning Scheme Clause 22.01 which identifies the Southland Activity Centre, including residential area, entirely in the Kingston municipality.

Dr Saunders referred to the part of Clause 21.07-1 in the Bayside Planning Scheme that is proposed to be deleted. While acknowledging that Southland impacts Bayside’s economy, he submitted that Plan Melbourne 2017 does not include the Cheltenham-Southland Activity Centre in the Pennylead residential area or the Inner South East region.

Mr Screen considered that extending the Cheltenham-Southland Activity Centre to include the Pennylead residential land did not meet 13 of the 16 activity centre boundary criteria in Planning Practice Notes 56 and 58.

There were at least nine submitters who were concerned about the extent of development intensification proposed for the Pennylead residential area.

(iv) Discussion

The Panel has considered all issues raised in submissions, however it has not responded to matters beyond the Amendment’s scope. Matters related to the Pennylead Structure Plan are currently progressing through the Southland-Pennylead Structure Plan process.

The Panel has considered whether it is appropriate and justified to change Clause 21.07 to recognise land within Bayside as forming part of the Cheltenham-Southland Activity Centre. Plan Melbourne and the Kingston Planning Scheme appear to define the Activity Centre within Kingston and east of the Frankston Railway line. Mr Szafaniec clarified that the RCE Strategy analysis was prepared on the same understanding.

The Structure Planning process to define an activity centre boundary requires robust analysis to justify its alignment. Planning Practice Note 58 (Structure planning for activity centres) provides guidance on establishing the boundary.

While there are some circumstances where an activity centre can cross municipal boundaries, there is insufficient analysis to justify residential land in Bayside forming part of the Cheltenham-Southland Activity Centre. The Panel does not support departing from how the Cheltenham-Southland Activity Centre is defined in Plan Melbourne 2017 or the Kingston Planning Scheme.
The Panel emphasises that its comments are limited to why residential land in Bayside should form not part of the Cheltenham-Southland Activity Centre. They do not extend to whether land in the Pennylane residential area should be intensified in response to the new Southland railway station. This is an issue that will be pursued through the Southland-Pennylane Structure Plan process and subsequent planning scheme amendment.

(v) Conclusions

The Panel concludes:

- Plan Melbourne, the RCE Strategy and the Kingston Planning Scheme exclude the Bayside municipality from the Cheltenham-Southland Activity Centre.
- There is insufficient information to support having residential land in Bayside included in the Cheltenham-Southland Activity Centre.
- Whether land in the Pennylane residential area should be intensified in response to the new Southland railway station will be pursued through Amendment C140.

(vi) Recommendations

The Panel recommends:

Amend Clause 21.07, as shown in Appendix B, to:

a) abandon the deletion of "There are also other Activity Centres located outside the municipality which have an impact on the economy of Bayside including Southland ..."

b) delete the provision:

The Cheltenham-Southland Activity Centre is shared with Kingston City Council. While the commercial focus of this Activity Centre is located within Kingston, a large proportion of the residential area within this Activity Centre is located within Bayside.

6.3 Economic triangle

(i) Background

The RCE Strategy introduces the concept of an ‘economic triangle’ through Strategy 4:

Attract the most innovative advanced business services businesses through the creation of an economic triangle between Southland Activity Centre, Highett Activity Centre and the Bayside Business Employment Area (BBEA).

The economic triangle, as represented in the RCE Strategy, is shown in Figure 4.
The exhibited Amendment proposes to change:

- Clause 21.02-5 to add Map 3 (Spatial economic structure of Bayside) which replicates the economic triangle in Figure 15 of the RCE Strategy
- Clause 21.07-2 to add a provision referring to the creation of an economic triangle between the Southland and Highett Activity Centres and the Bayside Business District.

(ii) The issues

The issues are:

- whether there is strategic basis to support the economic triangle
- if so, how should it be represented in the Planning Scheme.

(iii) Evidence and submissions

At the Hearing, there was considerable confusion between parties about the economic triangle concept.

Council submitted that the RCE Strategy created the economic triangle concept. Specifically, Strategy 1 seeks to “Present the spatial economic structure and clearly articulate the vision for each location.” Section 6.3 of the strategy states:

...the spatial economic structure is mechanism which helps people quickly appreciate the economic role and specialisation of each Activity Centre or employment precinct. This is a level understanding which is not easily gained simply looking at a map of centres, as the names of places do not reveal much about their relevance to particular economic activities – a particularly significant issue for potential investors or businesses.

This spatial structure also shows where key transport connections are situated, and how these help to link different economic nodes to each other. The
important roles of the Sandringham and Frankston Railway Lines in connecting the centres, can be seen here.

Both Council and Mr Szafraniec acknowledged that the exhibited Clause 21.02 Map 3 had caused some confusion or concern. Mr Szafraniec considered that the confusion arises when Map 3 is read in isolation. He believed that Laminex may have misinterpreted the definition of the economic triangle and stated:

*They have identified the area within, rather than the three points of triangle, as being the location for employment growth. As a result, they have also identified a conflict with the Housing Strategy which identifies the area within the triangle for residential uses.*

Mr Szafraniec stated that Map 3 could be revised to clarify that the economic triangle refers to a conceptual link between the three points of the triangle and not the area within it. At the Hearing, Council provided a further revised Map 3⁵, as shown in Figure 5.

![Figure 5 Economic triangle, as revised and presented at the Hearing](image)

Laminex submitted that the economic triangle should be deleted from Clause 21.02 until its meaning has been clarified. Mr McGurn stated:

*Critically, the designation of an ‘economic triangle’ connecting Highett Activity Centre, Southland and the Bayside Business District does not amount to any great strategic initiative. Curiously it takes in significant areas of Residential Zoned land where commercial uses are prohibited.*

⁵ Document 10
Ms Robinson submitted that the economic triangle shown in the exhibited Clause 21.02 Map 3 was imbalanced and in an area with hundreds of houses.

(iv) Discussion

The Panel has found that there is insufficient basis to support the Cheltenham-Southland Activity extending into the Bayside municipality. However, this does not preclude the ability to consider the concept of a cross-municipal economic triangle.

The Panel commenced its consideration by reviewing changes to Clauses 21.02 and 21.07 to see whether they clearly express the intent and form on an economic triangle. The exhibited Clause 21.02 Map 3, which replicates Figure 15 of the RCE Strategy, shows a solid area as the economic triangle. Clause 21.02 did not provide any text to support what is being spatially represented through Map 3. While Mr Szafraniec stated that Clause 21.02 Map 3 should not be read in isolation, there is nothing in Clause 21.02 to refer the reader to an associated provision in Clause 21.07. Having this insight, the Panel reviewed Clause 21.07 which seeks:

The creation of an economic triangle between the Southland and Higherd Activity Centres and the BBD will attract innovative advanced business services to the BBD and leverage off the marketability and growth of the Southland Activity Centre.

When read with the solid area in Clause 21.02 Map 3, Clause 21.07 does not specify that the land within the main road corridors of the triangle is excluded. Council’s revised Map 3, as shown in Figure 5, goes a long way to address this aspect of the confusion.

The Panel then referred to the RCE Strategy and found that the exhibited Clause 21.07 replicates Strategy 4. The Strategy explains the Bayside Business District would benefit from developing stronger connections to the Southland railway station and Higherd Activity Centre. Benefits includes convenient access to public transport and other services with the interconnected centres working together rather than competing for similar land uses. It explains that Bayside can adopt a proven branding strategy, like Macquarie Park in Sydney, by leveraging the marketability and growth of the Southland Activity Centre.

While the Panel has no issue with the aspirations that Strategy 4 seeks to achieve, there is insufficient information to explain:

- the triangular area’s existing attributes and how they will successfully transform it into an integrated and interactive economic triangle
- how a branding and marketing initiative translates to a strategic land use provision that should be included in the Planning Scheme.

The Panel considers that the following preceding overview statement is sufficient to achieve strategies for Bayside Business District:

The Bayside Business District will be nationally competitive and provide employment opportunities for advanced business services of the highest calibre, to not only local residents, but also residents of the surrounding region. Businesses attracted to the precinct will become key components of the supply chains of the future and generate significant wealth for the local and regional economy.
The Panel considers that any reference to an economic triangle should not be included in the Planning Scheme. Council can continue to market the economic triangle concept through marketing and branding focussed processes outside of the planning scheme.

(v) Conclusions

The Panel concludes:
- There is insufficient information to explain:
  - the triangular area's existing attributes and how they would enable it to successfully transform into an integrated and interactive economic triangle.
  - how branding and marketing an economic triangle translates to a strategic land use provision that should be included in the Planning Scheme.
- Any reference to the economic triangle should not be included in the Planning Scheme.
- Council can continue to market the economic triangle concept through marketing and branding focussed processes outside of the planning scheme.

(vi) Recommendations

The Panel recommends:

Amend Clause 21.02 to delete Map 3 (Spatial economic structure of Bayside).

Amend Clause 21.07, as shown in Appendix B, to delete any reference to an economic triangle.

6.4 Melbourne 2030 and Development Plan Overlay

(i) Submissions

The Amendment proposes to delete reference to Melbourne 2030.

Mr Czech questioned why Melbourne 2030 was proposed to be deleted because he considered that it provided the rationale for Major Activity Centres. Council responded that the current metropolitan strategy, Plan Melbourne 2017, replaced Melbourne 2030.

Mr Screen requested that existing reference to applying the Development Plan Overlay to large residential developments because they considered that Council did not have a good track record for managing such developments. Council responded that this is Council's preferred tool for larger development sites and enables the ability to specify outcomes for a site early in the redevelopment process.

(ii) Discussion

Two version of Plan Melbourne have replaced Melbourne 2030 since 2014, therefore the Panel agrees that the Amendment deletes reference to a redundant strategy.

The Amendment does not propose to change the provision related to applying the Development Plan Overlay to large residential sites. It seeks to implement the RCE Strategy which does not include large residential sites. The Panel considers any change to this...
provision to be outside the scope of the Amendment and it agrees with Council’s response to this matter.

(iii) Conclusions
The Panel concludes:

- Reference to the redundant Melbourne 2030 strategy should be replaced with Plan Melbourne 2017, as exhibited.
- The provision for applying the Development Plan Overlay should not be deleted because it is outside the scope of the Amendment.
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<td>S Brennan</td>
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<td>26</td>
<td>Employment figures</td>
<td>Council</td>
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<td>Submission - Laminex</td>
<td>S Brennan</td>
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<td>28</td>
<td>Evidence – J Szafraniec for Amendment GCB1 (Fishermans Bend)</td>
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<td>Southland Principal Activities Area Retail, Office, Residential and Industrial Study, 2012</td>
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<td>33</td>
<td>Laminex site aerial: Printing and coating works with heated curing ovens</td>
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<td>34</td>
<td>Victoria Planning Provisions Clause 52.10</td>
<td>S Brennan</td>
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<td>35</td>
<td>Email – From C McNeill to J Kenny: Response to Panel directions</td>
<td>S Brennan</td>
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<td>36</td>
<td>Letter – Response to Panel directions, 26 March 2018</td>
<td>S Brennan</td>
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<td>37</td>
<td>Employment Precinct Case Studies</td>
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<td>Site plans and elevations: 11-15/427 Hampton Street, Hampton</td>
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<td>Submission – Chandos Bay Pty Ltd</td>
<td>C Cody</td>
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<td>42</td>
<td>Strategy Overview of Industrial Areas in the City of Bayside, April 1997</td>
<td>C Cody</td>
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<td>43</td>
<td>Bayside Planning Scheme Clause 22.05 at 24 February 2000</td>
<td>C Cody</td>
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<td>45</td>
<td>Council preferred Clause 21.07</td>
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<td>46</td>
<td>Planning Practice Note 58: Structure planning for activity centres, June 2015</td>
<td>Council</td>
</tr>
</tbody>
</table>
Appendix B  Panel recommended provisions

Panel Version of Documents

Tracked Added

Tracked Deleted
21.07 ECONOMIC DEVELOPMENT

This Clause provides local content to support Clause 17 (Economic Development) of the State Planning Policy Framework.

21.07.1 Activity Centres

Overview

Bayside has a hierarchy of Activity Centres, some of which are located entirely within Bayside and some which are shared with other municipalities. The hierarchy consists of:

- **Major Activity Centres** – those centres with more than 10,000sqm of floorspace, but with no Discount Department Store or Department Store anchor. They generally serve a contained catchment and are anchored by one or more supermarkets. These centres are generally of a more reduced scale compared with Major Activity Centres in neighbouring municipalities.

- **Neighbourhood Activity Centres** – those centres with between 2,000 – 10,000sqm of floorspace. These centres generally serve the weekly shopping needs of their population catchment.

- **Small Neighbourhood Activity Centres** – smaller centres serving the day to day needs of residents who are within walking distance. These centres usually consist of small grocers, milk-bars, a takeaway restaurant and perhaps a café.

**Major Activity Centres**

Bayside contains four Major Activity Centres that sit completely within the municipal boundaries: Bay Street, Brighton, Church Street, Brighton, Hampton Street and Sandringham.

The Cheltenham-Southland Activity Centre is shared with Kingston City Council. While the commercial focus of this Activity Centre is located within Kingston, a large proportion of the residential area within this Activity Centre is located within Bayside.

Bayside also shares the Hampton East Activity Centre, forming part of the broader Moorabbin Activity Centre, with both Kingston and Glen Eira City Councils, the Cheltenham Activity Centre with Kingston City Council and the Elsternwick Activity Centre with Glen Eira City Council.

Whilst being designated as Major Activity Centres, Bayside’s centres are uniquely distinct in that they are primary nodes of population serving activities. Compared to other Major Activity Centres, Bayside’s centres have considerably less supermarket floorspace and much higher specialty store floorspace contributing to the primarily retail focused role of the centres. High-end hospitality and niche fashion in particular are presented distinctively across the centres which results in a greater supply of specialty stores than the local population can support. Future retail opportunities will emerge in areas where increased population growth will occur due to the presence of new mixed use developments, areas close to transport and services and areas with a high walkability and sense of place, allowing the centres to compete with the Southland and other larger centres.

Office growth in activity centres will be primarily population serving businesses such as real estate agents, insurance and other service providers.

**Neighbourhood Activity Centres**

Bayside also contains four Neighbourhood Activity Centres: Martin Street, Brighton, Highett, Black Rock and Beaumaris Concourse.

The Major Activity Centres and Neighbourhood Activity Centres are predominantly focused around traditional shopping strips and the majority provide good access to public transport. As well as providing a commercial, entertainment, administrative and employment focus for local residents, these centres provide a niche market around food, fashion, antiques, cafes, personal and professional services. These Activity Centres have developed as ‘villages’ meeting the day to day needs of the local community.
Small Neighbourhood Activity Centres

In addition to these larger centres, there are numerous Small Neighbourhood Activity Centres, which serve mainly the day to day convenience needs of surrounding residents.

Generally speaking, Bayside’s activity centres are best practice examples of local activity centres performing well and providing high quality offerings without the conventional anchors often present in large activity centres of similar size. The opportunity is to add to what is already good about these places by improving the commercial and retail offer beyond core business hours, particularly in relation to healthcare, gymnasiums and restaurants.

Bayside’s Activity Centres are well positioned to capitalise on the shift in the economy towards the professional services as most of Bayside’s residents possess the skills and qualifications to find employment in these sectors. The challenge is to ensure there is sufficient commercial floorspace available in activity centres and the Bayside Business District to accommodate these services and so provide more local employment opportunities.

With an ageing population, there will be increasing demand for healthcare services. Whilst Bayside does not have a major regional hospital, it has some successful smaller hospitals and clinics which are a combination of specialisations and general practices. There are opportunities to support the growth of this sector by encouraging specialist health businesses and institutions to collocate with existing health facilities, particularly Sandringham Hospital and the Cabrini Hospital. Hampton East also presents opportunities given the proximity to the proposed Holmesglen Private Hospital on South Road in the City of Kingston.

The Major Activity Centres and Neighbourhood Activity Centres will play an increasingly important role in accommodating residential growth within the municipality and it is important to ensure there is sufficient capacity and an appropriate range of commercial services to meet the needs of residents. It is critical to ensure that redevelopment in activity centres does not occur at the expense of commercial floorspace, by ensuring that development does not result in a loss of commercial floorspace.

Key Issues

- Ensuring there is sufficient commercial capacity and a range of services to meet the needs of the Bayside population and visitors.
- The role and viability of Activity Centres will be strengthened by residential development, however, it is important to maintain core retail functions and an appropriate retail mix.
- Residential development in activity centres needs to ensure increased retail and commercial floorspace is provided.
- Policy must plan for supporting the shift in the economy towards professional services.
- Land use in activity centres and the BBD should respond to demographic change and the healthcare needs of an aging population.
- Improving the attractiveness of Activity Centres as night time destinations in a manner appropriate to their suburban location.
- The viability of activity centres and the potential for tourism is strongly linked to functionality and the physical appearance of buildings and the streetscape.
- Balancing the need to serve local demands for retail and associated services, while developing the opportunity to serve visitors/tourists.
- The ‘village feel’ and variety of goods and services in activity centres is a strength of commercial activity in Bayside.
- Maintaining vibrant activity centres with core retail functions and an appropriate retail mix in the context of competition from larger centres, out of centre development and new forms of retailing.
- Ensuring the land use composition and scale of development in the Small Activity Centres represents the role, scale and setting of the centre.
Objective 1

To support the economic and social sustainability of activity centres.

Strategies

- Ensure new retail and commercial development supports and strengthens the activity centre hierarchy in Bayside.
- Encourage a diversity of retail, commercial and community activities in activity centres to serve the needs of the local community and support tourism.
- Encourage night time business activity in Major Activity Centres and Neighbourhood Activity Centres, particularly grocers, healthcare, gymnasiaums and restaurants.
- Retain, strengthen and diversify the retail core in each Major Activity Centre and Neighbourhood Activity Centre.
- Locate major retail developments that may serve a wider catchment area in the retail core of Major Activity Centres, applying a sequential test approach to new out of centre retail developments.
- Facilitate high quality commercial, residential and mixed use development within and adjacent to the retail core and on large sites in Major Activity Centres.
- Provide increases to commercial floorspace for redevelopment in activity centres, particularly for professional services.
- Encourage community services that cater to the needs of residents and visitors to be located in activity centres.
- Ensure the individual strengths of each centre are maintained.
- Encourage new health businesses and institutions to co-locate with existing health facilities, particularly Sandringham Hospital and the Cabrini Hospital.
- Encourage new economic development which maintains and enhances the supply of and access to a range of employment and training opportunities.
- Prohibit the establishment of gaming machines in shopping centres.

21.07-2 Bayside Business District

Overview

The Bay Road/Reserve Road area of Sandringham, Highett and Cheltenham, also called the Bayside Business District (BBD) is the major focal point for future business development and employment in Bayside. It is centrally located within the south-eastern metropolitan region and has ready access to Nepean Highway and the Melbourne-Frankston train line. It also has some important connections to employment precincts in the Cities of Kingston and Greater Dandenong. These linkages provide businesses in the BBD with important access to a large pool of manufacturing and logistics businesses in their relative supply chains.

The vast majority of Bayside's commercial floorspace growth will be directed towards the BBD given its well-positioned location. Increased retail and residential development in activity centres can lead to increased demand for certain types of commercial offices which can meet the needs of residents living in, around and within close proximity to activity centres. This allows businesses to market themselves to the same shoppers which would visit retail facilities in those activity centres.

Residential development in surrounding areas has increased the potential for land use conflict. This, along with economic restructuring has resulted in a shift in emphasis from a purely 'industrial area' towards a more diverse composition of business services including warehousing and corporate offices. Whilst it continues to operate successfully as a precinct for industrial, wholesale and warehousing purposes, it has the potential to transition towards an advanced business services precinct which better suits its location.
The Bayside Business District will be nationally competitive and provide employment opportunities for advanced business services of the highest calibre to not only local residents, but also residents of the surrounding region. Businesses attracted to the precinct will become key components of the supply chains of the future and generate significant wealth for the local and regional economy.

The creation of an economic triangle between the Southland and Highett Activity Centres and the BBD will attract innovative advanced business services to the BBD and leverage off the marketability and growth of the Southland Activity Centre. Employees working in the BBD will benefit from convenient access to public transport and other services with the centres working together as interconnected nodes rather than competing for similar land use and development.

Key Issues

- The Bayside Business District contributes significantly to the economic diversity of the municipality.
- There is a need to facilitate and promote the development of this employment area as an advanced business services cluster that accommodates the needs of modern industry, but also office and other associated business activity.
- Broadening the employment base by focusing on advanced business services in accordance with the shift in the economy from manufacturing towards professional services will deliver the vision for the BBD.
- The BBD is to integrate seamlessly into the urban fabric of the municipality. There is a need to ensure that the BBD retains a separate focus from Bayside’s activity centres, by ensuring retail and convenience uses do not locate in the BBD unless part of a larger office development and servicing workers.

Objective

- To transform the Bayside Business District (BBD) from a traditional industrial precinct into an advanced business services precinct of a quality and profile which will enable it to fulfil an identifiable niche in the south-east region of Melbourne.

Strategies

- Support the development of innovative advanced business services in the BBD.
- Maintain the mix of lot sizes within the BBD to accommodate businesses with large floor space demands and to attract a substantial anchor business or corporate offices.
- Discourage large format retail uses from locating them in the BBD.
- Discourage the subdivision of vacant land in the BBD.
- Encourage sustainable building design in the BBD.
- Provide for redevelopment opportunities for high-tech businesses and development which create significant employment opportunities for a skilled resident workforce that will benefit from proximity to employment and various local recreation facilities.
- Restrict the establishment of gaming machines in the Bayside Business District to sites zoned Mixed Use or Commercial 1.

21.07-3 Tourism

Overview

Tourism has been associated with Bayside since Sandringham, Brighton and Beaumaris were established as coastal holiday towns shortly following European settlement of Melbourne. The tourist attractions primarily relate to the bay, with the iconic bathing boxes, swimming, cycling, walking and sailing activities, as well as shopping, heritage homes and sites of natural
significance. Bayside has a significant focus on golfing, with seven golf courses, both public and private, some of international significance.

Key Issues

- Tourism has the potential to become one of Bayside’s principal industries tied to the city’s natural strengths and the projected growth of the tourism industry in Victoria.
- Tourism is emerging as a significant industry in Bayside, and contributes to both the economic and social development of the community, as well as having other environmental, social and cultural benefits.
- As the tourism industry grows, new and expanded infrastructure, services, facilities and attractions are developed which not only service the needs of tourists, but also residents.
- Poor management of tourism may result in overcrowding, environmental degradation, stressed car parking/road networks and loss of an area’s traditional identity, particularly along the coast, in Bayside’s remnant natural vegetation reserves and in retail precincts.
- Potential impacts associated with tourism need to be carefully managed to ensure that environmentally sensitive coastal areas and the inherent character of Bayside are retained and enhanced. This requires quality management of property and open space development.
- Bayside’s strength as a regional tourist destination is based on the range of environmental, recreational and educational activities along the coast.
- Capturing the tourism potential of Beach Road as a scenic boulevard together with opportunities for accommodation, entertainment and shopping associated with beach activities.

Objective 1

To maximise the economic, social and cultural benefits of tourism for Bayside.

Strategies

- Encourage development of tourist facilities and services which are compatible with and add value to existing built form and natural attractions.

Objective 2

To strengthen and reinforce the role of Beach Road/Esplanade as a tourist boulevard.

Strategies

- Enhance the scenic and landscape qualities of Beach Road/Esplanade.
- Improve the management of urban design and landscaping adjacent to Beach Road/Esplanade.
- Ensure a consistent approach to the design of Beach Road/Esplanade infrastructure.
- Improve the management of local/regional traffic issues associated with the function of Beach Road/Esplanade as a main road.
- Encourage the diversion of freight/heavy traffic from Beach Road to the Nepean Highway.

Objective 3

To minimise the impact of tourism on the natural environment and inherent character of an area.

Strategies

- Facilitate tourism that respects the residential, heritage, leisure and environmental goals for the municipality.
21.07.4 Discretionary Uses in residential areas

Objective
To ensure the proper integration of appropriate discretionary uses into residential areas.

Strategies
- Ensure the integration of appropriate discretionary uses into preferred locations in residential areas.

Implementation
The strategies contained in this clause will be implemented through the planning scheme through the following:-

Policy guidelines

Activity Centres
- Provide detailed guidance on the development of the Activity Centres in a Local Area Plan contained in Clause 21.11 where available.
- Use the Highett Structure Plan 2004 to guide the preferred future pattern of development in and surrounding the Highett Shopping Centre.
- Use the Beaumaris Concourse Structure Plan, February 2005 to guide future development.

Bayside Business District
- Prepare a Development Plan to provide detailed guidance on the future development of the Bayside Business District in accordance with the recommendations of the Bayside Retail, Commercial and Employment Strategy 2016.
- Use local policies to guide use and development within the Bayside Business District (Bayside Business District Clause 21.11-9, Bayside Business District Policy, Clause 22.04).

Tourism
- Use the Bayside Coastal Strategy, 1997 to guide use and development along Beach Road/The Esplanade.
- Implement the Bayside Arts Strategy, 1998
- Assess applications for discretionary uses in residential areas against the 'Discretionary Uses in Residential Areas' Policy (Clause 22.07).
Application of zones and overlays

Activity Centres

- Apply the Commercial 1 Zone (C1Z) to the core of activity centres to encourage a concentration of complementary retail, commercial, community and residential uses.
- Apply the Activity Centre Zone (ACZ) to activity centre precincts where commercial uses, such as offices and consulting rooms, are encouraged.

Bayside Business District

- Apply the Environmental Audit Overlay to all land in a residential zone or a Mixed Use Zone in Highett and Sandringham that was formerly in an Industrial 1 or Industrial 3 Zone.

Tourism

- Apply the Public Park and Recreation Zone to the coastal reserve.

Other actions

Activity Centres

- Adopt special rating schemes to promote Major Activity Centres.

Tourism

- Encourage the promotion of Bayside as a visitor destination by identifying and marketing the unique and popular aspects of the municipality.
- Continue to support the Bayside Business Network.

Further strategic work

Activity Centres

- Investigate the potential to apply the Activity Centre Zone on a limited basis to ensure future redevelopment provides sufficient space for commercial land use within the Major Activity Centres.
- Investigate the potential for specific sites in close proximity to Sandringham Hospital to provide for health care services.

Bayside Business District

- Ensure the Southland and Highett Structure Plans take into account the future planning and development of the Bayside Business District.
- Develop measures to protect the existing mix of lot sizes within the Bayside Business District to provide for substantial businesses with large floor space demands.
- Investigate the need for a Transport and Mobility Plan to enhance access.
- Prepare a Development Plan or Master Plan to assist in attracting advanced business services to the area.

Tourism

- Develop and implement a Bayside Tourism Strategy in partnership with key stakeholders.
- Prepare coastal master plans to provide details of park layout and facilities.

**Reference Documents**

**Activity Centres**

- Sandringham Village – Final Structure Plan (November 2006)
- Bay Street Centre – Final Structure Plan (November 2006)
- Church Street Centre – Final Structure Plan (November 2006)
- Hampton Street Centre – Final Structure Plan (November 2006)
- Highett Structure Plan, 2004
- Outline Development Plan for Martin Street Commercial Activity Centre.
- Bayside Retail, Commercial and Employment Strategy (August 2016)

**Bayside Business District**

- Bayside Retail, Commercial and Employment Strategy (August 2016)

**Tourism**

- City of Bayside – Draft Municipal Tourism Direction, July 1997
- Tourism Strategy Discussion Paper (Bayside City Council February 1999)
BAYSIDE BUSINESS DISTRICT POLICY

This policy applies to the land in a Commercial Zone and a Mixed Use Zone as shown in Figure 1 to this clause.

Policy basis

Council recognises the social and economic importance of Bayside’s Business District (BBD) and wishes to retain existing businesses, attract new businesses and foster increased employment opportunities, especially for local residents.

To capture the shift in the economy from manufacturing to professional services, the Bayside Business District needs to transition to a business services hub to provide future employment opportunities suited to the local skill base.

A significant proportion of the area is obsolete, run down and in need of improvements. To assist the area to transition, desired improvements, include:

- Upgrading to provide better access, parking and amenity for business owners, customers and employees.
- Encouraging existing businesses to invest and expand within the area.
- Encouraging new businesses to locate in the area, particularly those which are clean, modern, high-tech, innovative, job rich and adept at applying advanced infrastructure and systems (e.g. environmental, telecommunications) to business processes.

Parts of the Bayside Business District are adjacent to established residential areas. There needs to be appropriate strategies in place to ensure the compatibility of residential interfaces in close proximity so they can continue to coexist with minimal disruption or detriment to the long-term viability of either use.

337 Bay Road, Cheltenham provides a strategic redevelopment opportunity for further investigation subject to positively contributing to achieving the objectives and vision for the Bayside Business District.

The primary economic role of the BBD can be protected by continuing to accommodate businesses unable to locate in activity centres due to their spatial or infrastructure needs. Many commercial businesses still require a solely commercial location which is unique to the BBD in Bayside. The preferences and priorities detailed in this policy derive from recommendations of the Bayside Retail, Commercial and Employment Strategy (August 2016) and the Bayside Industrial Area Strategy 2004.

Objectives

- To promote the comparative locational advantages of the area for professional services.
- To transform the area from a primarily industrial precinct into a key advanced business services node within the south-east region of Melbourne.
- To help mature and grow local businesses and industries.
- To encourage improvement of built form and broader urban design outcomes within the area.
- To maximise local employment opportunities.
- To encourage and support the redevelopment of vacant sites and underutilised sites with appropriate businesses.
- To consolidate and intensify business uses within the Bayside Business District.
- To facilitate developments which incorporate a mix of compatible commercial and industrial uses.
- To ensure that built form leaseable floor areas are of an appropriate size and diversity and capable of accommodating a diverse range of active, job rich industries.
To encourage the development of home based businesses, clean/non-polluting industry, export-oriented and high-tech businesses in appropriate locations.

To facilitate upgrading and regeneration of obsolete assets, improve access and car parking, improve streetscapes and protect environmentally significant flora and fauna assets.

To discourage industrial uses that have the potential to conflict with adjacent residential land.

To discourage the dilution of core business activities by the influx of retail uses and limit the scale of such developments to that suitable for servicing localised needs.

To raise the profile of Bay Road in particular as a key, high profile corridor for business.

To apply appropriate planning controls to minimise land use conflict at the interface between commercial and residential areas.

22.04-3 Policy

General

It is policy to:

- Encourage the upgrading and regeneration of built form and use.
- Require high standards for provision of off-street car parking and additional landscaping.
- Require all vehicular access to commercial properties to be via roads other than primarily residential thoroughfares, unless exceptional circumstances apply (eg. no other legal means of vehicle access to the land is available).
- Strongly discourage access to commercial properties via Jack Road, unless exceptional circumstances apply.
- Maintain the existing supply of large lots to attract a substantial business anchor or corporate offices.
- Discourage new industrial/warehouse units of less than 300 square metres and limit the proportion of smaller units in any development.
- Strongly discourage developments with leasable retail unit floor areas above 80 square metres.
- Discourage subdivision of vacant land where no development application is included.
- Ensure that within mixed use areas an appropriate interface between uses is achieved in terms of built form and amenity.
- Ensure that any development within the Mixed Use Zone on the corner of Bay Rd and George St contains a range of residential, commercial, industrial and other uses.
- Encourage a mix of commercial and non-offensive industrial activities in the Mixed Use Zone to the west of Bay Road Heathland Reserve on the south side of Bay Road, which complement the future character and diversity of the area. This will be achieved by promoting business and employment consistent with the Bayside Industrial Area Strategy 2004.
- Ensure that any residential development does not detrimentally impact on commercial and business activities.

Mixed Use Zone (corner of Bay Road and George Street, Sandringham)

On lots within the Mixed Use Zone, it is policy to:

- Apply height and setback limits as indicated in S1 and H1.
- Maintain business/commercial frontages at ground level along the full length of Bay Road to maintain the business/commercial function of the Bayside Business District.
- Maintain business/commercial frontages at ground level along George Street for a minimum of 65 metres from Bay Road to maintain the business/commercial function of the Bayside Business District
Bayside City Council

Ordinary Council Meeting - 24 July 2018

Attachment 1

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- Ensure that any non-commercial frontage at ground floor level within the business/commercial frontages of Bay Road and George Street does not exceed 2 metres.
- Provide an appropriate mix of residential, commercial, industrial and other uses that reflect the objectives of the Bayside Business District.

Mixed Use Zone (to the west of the Bay Road Heathland Reserve on the south side of Bay Road)

On lots within the Mixed Use Zone, it is policy to:
- Ensure that the business and employment objectives of the Bayside Industrial Area Strategy 2004 are met.
- Encourage a diversity of uses on each site, including commercial, industrial, warehouse and medium density residential uses.
- Encourage more intensive development.
- Encourage high quality building design and landscaping carried out to standards of design and construction that will enhance the character and amenity of the surrounding area, such as acoustic design.
- Encourage development that incorporates ecologically sustainable development (ESD) principles into building and site design, such as energy efficiency, stormwater provisions and alternative forms of energy.
- Ensure that the design of buildings fronting Bay Road incorporate an active interface with Bay Road through articulation of building facades and landscaping within the building setback.
- Apply height and setback limits as indicated in S1.
- Ensure that uses and developments are complementary and avoid adverse traffic and amenity impacts on other uses and developments.
- Strongly encourage business/commercial uses at ground level fronting Bay Road.
- Discourage residential uses from locating at ground level fronting Bay Road to maintain the business/commercial focus of the area.
- Encourage residential development at upper levels in areas that will avoid conflict with other uses within the site or on adjacent sites.
- Discourage retail uses that do not directly support or service businesses within the Bayside Business District.
- Ensure that traffic management is consistent with the safe and efficient operation of Bay Road as the key business corridor.
- Ensure that traffic management plans demonstrate vehicle access and movement, and separation of residential and commercial traffic as far as practical.
- Avoid more than one vehicle crossing per site onto Bay Road.
- Ensure car spaces are provided on-site for employees, occupants and visitors to prevent adverse off-site impacts.
- Encourage signage to be integrated into the design of buildings and, where there are multiple occupancies on a site, consolidated into a single sign within the frontage of the site.

In addition to the requirements of Clause 55, the design response submitted with an application for a residential development must explain how the proposal addresses:
- Storage and collection of garbage.
- Provision for mail delivery.
- Acoustic protection from noise which may be associated with other uses on the site or adjacent sites.
- Incorporation of ESD principles into the design and during construction.
- Incorporation of a landscaped setting at ground level, capable of accommodating trees with spreading canopies.
- Minimisation of conflict with any other uses on the site or adjacent sites.

### 22.04-4 Performance standards

It is policy to apply the following performance standards to defined areas within the Bayside Business District.

#### General urban design guidelines

<table>
<thead>
<tr>
<th>ELEMENT</th>
<th>OBJECTIVE</th>
<th>DESIGN RESPONSE</th>
<th>AVOID</th>
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<tbody>
<tr>
<td>Building Form and Detailing</td>
<td>To encourage high quality, individually designed buildings that improve the appearance and amenity of the street environment.</td>
<td>• Use building forms, or changes of surface treatment, or a combination of these, to provide visually interesting buildings, and to diminish visual bulk. • Design ground floor street frontages to provide pedestrian/human scaled elements at street level. • Locate habitable spaces along the street frontage with windows overlooking the street. • Locate the main building entrance on the street frontage. • Ensure that underground car parking areas do not dominate the building frontage.</td>
<td>• Buildings that present a poor quality frontage/interface with the street or an adjacent reserve. • Buildings with blank walls that detract from the perception of a safe street environment. • Main entrances at the side or rear of the buildings. • Building frontages dominated by underground car parking. • Excessive shading of an adjacent reserve. • Illumination that will impact on significant indigenous vegetation in an adjacent reserve.</td>
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<tr>
<td>Landscaping</td>
<td>To include a substantial proportion of landscaping within the front setback that provides an attractive setting for the buildings and relates to the native vegetation theme in the area. To recognise the</td>
<td>• Retain large established native trees and provide for the planting of new wide spreading native canopy trees within the front setback where possible. • Provide sufficient permeable surfacing around</td>
<td>• Loss of native canopy trees. • Large areas of impervious surfaces. • Buildings that provide poor pedestrian access.</td>
</tr>
<tr>
<td>ELEMENT</td>
<td>OBJECTIVE</td>
<td>DESIGN RESPONSE</td>
<td>AVOID</td>
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<td>comparatively limited scale of landscaping possible on lots in Advantage Road and small lots to the north and south of Bay Road due to physical constraints</td>
<td>trees that ensure their continual survival.</td>
<td>Provide access paths to building entrances.</td>
<td></td>
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<tr>
<td>Vehicle Parking and Loading Areas</td>
<td>To minimise the visual and physical dominance of vehicles, car parking surfaces and service areas in the streetscape or from an adjacent reserve.</td>
<td>Minimise vehicle parking within the front setback.</td>
<td>Car parking and vehicles that dominate the streetscape or an adjacent reserve.</td>
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<td></td>
<td></td>
<td>Locate permanent parking to the side or rear of the building, or below the ground floor of the building.</td>
<td>Excessive paving in the front setback area to accommodate vehicles.</td>
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<td></td>
<td></td>
<td>Locate storage yards and loading docks to the side or rear of the building.</td>
<td>Large vehicles and loading structures that dominate the streetscape or an adjacent reserve.</td>
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<td></td>
<td></td>
<td>Minimise interruption of footpaths by crossovers.</td>
<td>Excessive interruption of footpaths by driveways and crossovers.</td>
</tr>
</tbody>
</table>

**Urban design guidelines for specific areas**

*Preferred* or discretionary controls may only be varied in exceptional circumstances.

**Large lots south of Bay Road**

The preferred built form on large lots to the south of Bay Road is:

- A maximum building height of 14 metres.
- A minimum building setback of 15 metres from the street frontage.
**Northern side of Bay Road**

The preferred built form on lots on the northern side of Bay Road is:

- A maximum building height of 10.5 metres.
- A minimum building setback of 11 metres from the street frontage.

**Advantage Road and small lots north of Bay Road**

The preferred built form on lots in Advantage Road and small lots to the north of Bay Road is:

- A maximum building height of 10.5 metres.
- A minimum building setback of 6 metres from the street frontage.
Small lots south of Bay Road
The preferred built form on small lots to the south of Bay Road is:
- A maximum building height of 14 metres.
- A minimum building setback of 6 metres from the street frontage.

Residential interfaces (side and rear) north of Bay Road
The preferred built form on lots with residential interfaces to the north of Bay Road is:
- A maximum building height of 10.5 metres.
- A building setback having characteristics as detailed in the diagram below.
**Jack Road Interface (R2 — Interface with residential rear south of Bay Road)**

It is policy to apply the following performance standards in order to provide an appropriate interface between industrial and residential uses in Jack Road:

- A 30-metre setback from Jack Road preserved as a buffer between industrial and residential uses (with the area used only for access, car parking and landscaping).
- Landscaping (including large native evergreen trees and appropriate shrubs or ground cover) planted and maintained in a visually and healthy condition between any industrial use (including car parking) and the frontage to Jack Road to provide an adequate screening of the use and development from Jack Road.
- The Jack Road boundary of the industrial use fenced with a continuous chain wire or similar open fence sufficient to prevent ready public access between the residential and industrial areas (with any gates or openings of silent operation and locked at night).
- The frontage to Jack Road set back, fenced and landscaped to provide a physical and visual buffer to the residential area opposite.
- Commercial traffic, particularly truck and heavy vehicle movements, minimised in Jack Road.
- Signage visible from Jack Road minimised and not detracting from the character and amenity of the area.
- All vehicle parking, deliveries and pick-ups associated with industrial uses taking place on-site within the relevant industrial property (with no vehicle parking, deliveries or pick-ups associated with any industrial use occurring on Jack Road, Luxmore Street, Stuart Avenue, Olympic Avenue, Correa Avenue or Connect Avenue).
- All vehicle parking, turning, delivery and pick-up areas provided on-site paved or sealed, and maintained in a good and clean condition.
- All vehicle access to industrial properties in the precinct from roads other than Jack Road. If an industrial property must access Jack Road, a single access/entry point provided and the access/entry point used only between the hours of 6:00 am and 9:00 pm Mondays, Wednesdays and Saturdays, and 9:00 am and 9:00 pm Sundays and public holidays (except in the case of emergencies).
- Any land providing a single access/entry point through to Jack Road used only for landscaping, car parking and vehicle access (with the area paved or sealed, maintained in a clean and tidy condition and kept free from rubbish, stored goods and packaging materials).
- Lighting not illuminating or adversely impacting on any adjoining residential area.
- No industrial equipment, goods or packaging materials stored or left exposed so as to be visible from Jack Road.
Development of sites in the vicinity of Jack Road within a Commercial 2 Zone possessing a residential interface compliant with the threshold buffer distances for Uses with Adverse Amenity Potential as specified in Clause 52.10 of this scheme. Those development forms compliant with these thresholds are to also comply with the performance standards detailed below for all residential interfaces to the south of Bay Road.

**Expiry**

The policy and performance standards for the Jack Road Interface do not apply after 1 May 2007.

**Interface with residential (rear) south of Bay Road**

The preferred built form on lots with residential interfaces to the south of Bay Road is:

- A maximum building height of 14 metres.
- A building setback having characteristics as detailed in the diagram below.

**Highett Grassy Woodland**

The preferred built form on lots adjoining the Highett Grassy Woodland is:

- A maximum building height of 10.5 metres.
- A building setback that allows a 3 metre wide buffer zone along the perimeter of the Highett Grassy Woodland.
- A building setback having characteristics as detailed in the diagram below.
Bay Road Heathland Sanctuary

The preferred built form on lots adjoining the Bay Road Heathland Sanctuary is:

- A maximum building height of 14 metres.
- A building setback that allows a 3 metre wide buffer zone around the perimeter of the Heathland Reserve.
- A building setback having characteristics as detailed in the diagram below.
Figure 1

Annotate Figure 1 to identify 332 Bay Road, Cheltenham as a strategic redevelopment opportunity for further investigation.
22.04-5  Reference documents

- Bayside Industrial Area Strategy 2004
- Bayside Retail, Commercial and Employment Strategy (August 2016)
## Attachment 2 | Summary of Panel’s Recommendations and officer recommendation

<table>
<thead>
<tr>
<th>Panel Recommendation</th>
<th>Comment</th>
<th>Officer Recommendation</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Amend Clause 21.02 to delete map 3 (spatial economic structure of Bayside).</td>
<td>The deletion of the map in its entirety is not justified in the Panel’s comments, as the comments relate only to the lack of clarity on Council’s intentions for the Bayside Economic Triangle. The deletion of the map disregards Council’s economic objectives for its other centres.</td>
<td>Retain Map 3 at Clause 21.02 however remove reference to the Economic Triangle.</td>
</tr>
<tr>
<td>2. Amend Clause 21.07, as shown in Appendix B, to: a) abandon the deletion of “There are also other Activity Centres located outside the municipality which have an impact on the economy of Bayside including Southland...” b) delete the provision: The Cheltenham-Southland Activity Centre is shared with Kingston City Council. While the commercial focus of this Activity Centre is located within Kingston, a large proportion of the residential area within this Activity Centre is located within Bayside. c) delete any reference to an economic triangle.</td>
<td>a) Aside from the issue of whether the Southland Activity Centre is within Bayside or not, the paragraph to be retained is outdated and does not align with current planning policy. Further, there have been Amendments in place relating to the other centres referred to in this paragraph which result in the Panel’s recommendation being contradictory. A more appropriate approach would be to reword the paragraph under the ‘Major Activity Centres’ heading to provide a more balanced approach having regard to the Panel’s comments. b) The activity centre boundary is not before the Panel and the recommendation fails to have regard to Council’s existing strategic planning policy framework or the practice note for setting activity centre boundaries. Refer other comments regarding Southland Activity Centre. c) Agree.</td>
<td>a) Do not incorporate the Panel’s recommendation and instead reword the ‘Southland’ paragraph to recognise the intent of the Panel’s comments. b) Do not incorporate the Panel’s recommendation as the boundary will be resolved through the Structure Plan process. c) Agree.</td>
</tr>
<tr>
<td>Item 10.1 – Reports by the Organisation</td>
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<thead>
<tr>
<th>3. Amend Clause 21.11 (Map 1) to identify 332 Bay Road, Cheltenham as a ‘Strategic redevelopment opportunity for further investigation’.</th>
</tr>
</thead>
<tbody>
<tr>
<td>There is no definition of a ‘strategic redevelopment opportunity area for further investigation’ proposed through the Panel’s report. As such, it is interpreted to mean that the site should be rezoned to residential uses as per the definition of a strategic redevelopment site in the Bayside Housing Strategy. This is well outside the scope of the amendment, constitutes a major transformation of the amendment, has not been considered in relation to the Bayside Housing Strategy and has not been subject to public exhibition. The implications on Bayside’s Housing Strategy and Scheme have not been considered, nor has the suitability of this site in relation to other sites within the BBD.</td>
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<tr>
<td>Do not incorporate this change as it is beyond the scope of the Amendment.</td>
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<tr>
<th>4. Amend Clause 22.04, as shown in Appendix B, to:</th>
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<tbody>
<tr>
<td>a) add in the policy basis: 332 Bay Road, Cheltenham provides a strategic redevelopment opportunity for further investigation subject to positively contributing to achieving the objectives and vision for the Bayside Business District.</td>
</tr>
<tr>
<td>b) change Figure 1 to identify 332 Bay Road, Cheltenham as a ‘Strategic redevelopment opportunity for further investigation’</td>
</tr>
<tr>
<td>c) delete in ‘Urban design guidelines for specific areas’</td>
</tr>
<tr>
<td>a) There is no definition of a ‘strategic redevelopment opportunity area for further investigation’ proposed through the Panel’s report. As such, it is interpreted to mean that the site should be rezoned to residential uses as per the definition of a strategic redevelopment site in the Bayside Housing Strategy. This is well outside the scope of the amendment, constitutes a major transformation of the amendment, has not been considered in relation to the Bayside Housing Strategy and has not been subject to public exhibition. The implications on Bayside’s Housing Strategy and Scheme have not been considered, nor has the suitability of this site in relation to other sites within the BBD.</td>
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<td>b) There is no definition of a ‘strategic redevelopment opportunity area for further investigation’ proposed through the Panel’s report. As such, it is interpreted to mean that the site should be rezoned to residential uses as per the definition of a strategic redevelopment site in the Bayside Housing Strategy. This is well outside the scope of the amendment, constitutes a major transformation of the amendment, has not been considered in relation to the Bayside Housing Strategy and has not been subject to public exhibition. The implications on Bayside’s Housing Strategy and Scheme have not been considered, nor has the suitability of this site in relation to other sites within the BBD.</td>
</tr>
<tr>
<td>a) Do not incorporate this change as it is beyond the scope of the amendment.</td>
</tr>
<tr>
<td>b) Do not incorporate this change as it is beyond the scope of the amendment.</td>
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<tr>
<td>c) Include this change.</td>
</tr>
<tr>
<td>d) Include this change.</td>
</tr>
<tr>
<td>e) Do not incorporate this change.</td>
</tr>
<tr>
<td>Item 10.1 – Reports by the Organisation</td>
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<tr>
<td>----------------------------------------</td>
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<tr>
<td><strong>Preferred or discretionary controls may only be varied in exceptional circumstances.</strong></td>
</tr>
<tr>
<td>d) delete the Jack Road Interface (R2 – Interface with residential (rear) south of Bay Road) policy</td>
</tr>
<tr>
<td>e) delete the Bayside Retail Commercial and Employment Strategy (August 2016) as a reference document.</td>
</tr>
<tr>
<td>amendment, has not been considered in relation to the Bayside Housing Strategy and has not been subject to public exhibition. The implications on Bayside’s Housing Strategy and Scheme have not been considered, nor has the suitability of this site in relation to other sites within the BBD. Agree. Agree.</td>
</tr>
<tr>
<td>c) d) e) It is interpreted that the deletion of the RCE Strategy as a reference document relates only to Clause 22.04, indicated by the Panel’s report. There are a range of other changes to Clause 22.04 to be included in the adopted amendment which are informed by the RCE Strategy, and as such, it is considered appropriate to retain the RCE Strategy as a reference document at this Clause. This approach is consistent with the Practice Note for using reference documents.</td>
</tr>
</tbody>
</table>
10.2 ELSTERNWICK PARK GOLF COURSE DECOMMISSIONING PLAN

Environment, Recreation & Infrastructure - Environment, Recreation & Infrastructure
File No: PSF/18/106 – Doc No: DOC/18/97395

Executive summary

The purpose of this report is to present to Council a decommissioning plan for the former golf course at Elsternwick Park North, including the need to demolish golf course buildings that have been determined as not being fit for purpose.

During the Special Meeting of Council on 28 March 2018, it was resolved that Council would, amongst other tasks, 'develop a management and maintenance plan to make the site (Elsternwick Park Golf Course) accessible for public use'.

Key issues

Operational tasks have already commenced at Elsternwick Park North. These works include the removal of golf infrastructure, capturing tree data (such as structure, health and works required to mitigate risk), and providing maintenance to ensure a safe and well maintained park.

Removal of golf infrastructure

Following the transfer of responsibility of the site back to Council, the removal of all golf related infrastructure, such as tee markers, distance markers, cups and flags, sand boxes and internal screening fences commenced. Tees, greens and bunkers will also be filled and/or levelled where required. This work is needed to discourage people from playing golf in the park and to ensure passive recreation users have a safe and enjoyable experience within the park.

Additional entrances to the park are to be constructed in the perimeter fence to allow access from New Street and St Kilda Street.

In order to complete the above works approximately $70,000 has been forecast to be spent. These costs will be captured in the Open Space operational budget. Work commenced on Monday 2 July and is expected to take approximately three weeks.

Tree assessment

A tree assessment has been undertaken to log the condition of all trees within the Golf Course. Following this tree assessment, a number of dead and unsafe trees have been removed from the site in order to ensure public safety.

Tree assessment and removal works have so far cost approximately $20,000. The tree assessment also informs the future maintenance regime required at the park.

Demolition of existing buildings

The buildings that are currently on site have been assessed to be in poor condition and can attract antisocial behaviour such as graffiti. These buildings include the pro shop, amenities block and equipment sheds. The buildings are poorly constructed and cannot be retrofitted to achieve suitable environmental or sustainable benefits.

It is proposed to demolish the existing buildings in order to facilitate a formalised entrance to the park on the corner of Glen Huntley Road and New Street.

The cost to demolish these buildings has been estimated at $75,000 and could be completed early in the 2018/19 financial year.
Maintenance of the Park

Council will employ a maintenance schedule tailored towards providing fit for purpose passive open space while a masterplan is developed. The costs associated with ongoing maintenance will be captured in the Open Space operational budget.

A Master Plan for Elsternwick Park North

In accordance with Council’s resolution on 28 March 2018, a working group including representation from Melbourne Water, City of Port Phillip and City of Kingston has been established. The working group will oversee a redevelopment plan for Elsternwick Park North including funding arrangements for capital improvements and ongoing operational requirements.

Governance

Bayside is leading a working group consisting of representatives from Melbourne Water, City of Port Phillip and City of Glen Eira. A Terms of Reference (ToR) document has been developed, key project drivers and key stakeholders have been identified, consultation requirements have been discussed and draft timelines for the above have been established.

Recommendation

That Council:

1. notes the actions underway to decommission the former golf course at Elsternwick Park North will be completed as ‘unscheduled contract works’ under the open space operational budget; and

2. approves additional capital expenditure of $75,000 to demolish the former golf course buildings at the site.

Support Attachments

Nil

Considerations and implications of recommendation

Liveable community

Social

Returning 14 hectares of open space for passive recreation use will provide greater opportunities for social connections and improve health and wellbeing of residents. Removing the existing vacant buildings from site will discourage anti-social behaviour in an area of Bayside that has recently been returned to open space for passive recreational purposes.

Natural Environment

The natural environment will be enhanced by the works outlined in this report. 14 hectares of open space will be returned to passive open space and will be made safe and accessible to residents and visitors of Bayside.

Built Environment

A number of structures will be removed from the confines of Elsternwick Park Golf Course to facilitate the recommendations made within this report.
Customer Service and Community Engagement
The local community are aware that the golf course closed on 30 June and that Council will be managing the site as an area of passive open space while a long term plan for the park is developed.

Approximately 250 people, including Council Staff and Councillors, attended a celebration in the park on 1 July 2018 where stakeholders discussed their visions for the park.

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
This paper highlights that approximately $90,000 has been allocated to be spent to return the former golf course to public open space, and an additional $75,000 is required to demolish existing buildings on site that are not fit for purpose.

<table>
<thead>
<tr>
<th>Task</th>
<th>Cost</th>
<th>Budget</th>
<th>Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>Removal of golf infrastructure</td>
<td>$70,000</td>
<td>Operational</td>
<td>Underway</td>
</tr>
<tr>
<td>Tree assessments</td>
<td>$20,000</td>
<td>Operational</td>
<td>Complete</td>
</tr>
<tr>
<td>Demolition of existing buildings</td>
<td>$75,000</td>
<td>Capital</td>
<td>Approval required</td>
</tr>
</tbody>
</table>

Links to Council policy and strategy
Returning the land currently utilised for golf to public open space will allow Council to achieve the principles outlined in Bayside Open Space Strategy (BOSS) 2012.

The works outlined in this report will also contribute towards the following areas of the Council Plan 2017-2021:

Goal 4: Open Space
Gain access to increased quality open space to meet the needs of (Highett and) the wider community

Goal 5: Environment
Council and the Bayside Community will be environmental stewards, taking action to protect and enhance the natural environment, while balancing appreciation and use with the need to protect natural assets for future generations.

The works outlined in this report will also contribute towards Goal 2 of the Wellbeing for All Ages and Abilities Strategy (WAAA) 2017 -2021. Goal 2 is designed to ‘achieve a healthy and active community’ by ‘improving physical activity opportunities’.
Executive summary

Purpose and background

To present Council with:

- The results of the community engagement on the draft revised Highett Structure Plan;
- The final updated Highett Structure Plan for Adoption; and
- To seek approval to commence a planning scheme amendment to implement the final Highett Structure Plan.

Highett is defined as a Neighbourhood Centre by both State and Local Planning Policy. Residential development and growth is supported within Neighbourhood Centres which have local access to public transport, community facilities, employment and commercial services. Highett is also identified as an urban renewal site by State Policy where higher density is encouraged.

To guide development, the Highett Structure Plan was adopted in 2006 jointly by Bayside and Kingston City Councils. It has been over 10 years since the Structure Plan was adopted by Council and given effect in the Bayside Planning Scheme through Amendment C46. Since that time, a considerable amount of development, land use and demographic change has occurred in Highett as well as changes in State Planning Policy. To ensure the Structure Plan remains current and that planning controls are effective in guiding development in the area, the original Structure Plan has been reviewed.

As part of this review, from April – June 2017, the Highett community was asked to share its insights, feedback, local knowledge and desires for the future of their community, what they valued about Highett and what could be improved. Over 740 people provided feedback.

This community feedback, along with expert planning, traffic, economic, landscape/vegetation and urban design analysis informed the draft revised Highett Structure Plan.

Community engagement on the draft revised Highett Structure Plan was undertaken in April – May 2018. The aim of this engagement was to share the draft Structure Plan with the local community and to seek feedback. A broad, cross-section of the Highett (Bayside) community participated in this consultation, with a total of 114 participant interactions:

- Online survey, 71
- Written submissions, 15
- Drop in sessions, 28

It is noteworthy that whilst a relatively small section of the community participated in the consultation, there were 863 unique visitors to the Have Your Say Bayside – Managing Growth in Highett consultation webpage and 331 downloads of documents throughout the month long consultation period. This suggests that the community was aware of the project and the consultation being undertaken.

Key issues

There was overall support for the draft Highett Structure Plan. Survey results are summarised below, with full details provided in Attachment 1.
Vision Statement for Highett

There is strong support for the vision with 51 out of 61 responses in favour of the vision. Suggested improvements to the vision included more emphasis on trees/greenery/green spaces, improving movement and access (vehicles, pedestrians and cyclists) and recognising that the centre is split between Bayside and Kingston municipalities which is unusual.

These suggested changes are supported and the Vision Statement has been updated accordingly.

Highett Activity Centre boundary

There is moderate support for the revised Highett Activity Centre boundary with 37 out of the 52 responses in favour of the revised boundary. Concerns raised generally related to traffic congestion, parking inadequacies, narrow streets and height of developments rather than the revised boundary in isolation. Suggested revisions to the boundary included extending the boundary to the end of Middleton Street and Bay Road, extending the boundary to Spring Road, splitting the centre into 3 areas - Spring Road, Highett Road and Bay Road, removing the housing from the east side of Middleton Street from the boundary and removing Princess Avenue, Jackson Road and Graham Road from the boundary.

These suggested boundary changes are not supported for the following reasons:

- The Commercial 2 Zoned and Mixed Use Zoned land directly abutting Bay Road was removed from the Activity Centre boundary as it is part of the Bayside Business District and is covered by the policy and controls relating to that District.

- The properties to the east side of Middleton Street were included in the boundary to ensure development of the CSIRO site is managed appropriately at this sensitive interface.

- Spring Road shops are dealt with under the Small Activity Centres Strategy and associated amendment.

- Princess Avenue, Jackson Road and Graham Road are all within close proximity to both the Highett and Southland train stations and are zoned General Residential Zone which allows for developments up to 3 stories.

Heights and types of housing in the Activity Centre

There is strong support for the following strategies:

- ensure new developments are designed to reduce water and energy use;

- ensure commercial developments along Highett Road provide canopies for weather protection;

- encourage canopy tree retention and planting in front and rear setbacks; and

- encourage detached houses, villa units and townhouses along Middleton Street, directly adjacent to the CSIRO site.

However, there are mixed reactions to the following strategies:

- encourage apartments and townhouses up to 3 storeys further away from the train station (Precinct 2B);

- encourage apartment development up to 4 storeys with commercial at ground floor along the Highett Road Shopping Strip (Precinct 1); and
- encourage consolidation of lots in Precincts 1 and 2 to encourage increased housing density.

For these strategies there was a similar number of respondents supporting them and not supporting them.

The traffic implications of increased height and apartment developments was a major concern.

Other concerns included the lack of green open space available to existing and new residents and losing the bright, open feel of Highett Road. Suggestions included:

- increased setbacks for Highett Road to maintain the open feel and minimise shading,
- reducing the height limit to 2 storeys or 3 storeys, and
- upgrading Highett library.

Sentiment in personalised feedback was largely concerns/unsupportive comments and many referred to height, impact on narrow streets, traffic congestion, visitor parking options, CSIRO site, site coverage and open/green space.

In response to community feedback, building heights along Highett Road, from Major Street to Worthing Road and from Middleton Street to Donald Street have been reduced from 4 storeys to 3 storeys. This will provide a more gradual transition to the Neighbourhood Residential Zone and recognises the recently completed 3 storey development on the corner of Highett Road and Major Street (1 Major Street).

In addition, rear setbacks in Precinct 1 and 2A have been increased to reduce the amenity impacts on adjoining residential properties and to provide space for increased landscaping. Rear setbacks for properties abutting the Highett Grassy Woodland have also been increased to minimise any shading of this important habitat.

Specific built form controls, allowing development of up to 4 storeys, have been included for 36-40 Graham Road. This recognises that delivery of a direct and legible, publically accessible open space link from the new open space to be provided on the CSIRO site, through 36-40 Graham Road to Lyle Anderson Reserve is a key outcome sought by the Structure Plan. The site already has a planning permit for 4 storeys.

Additional strategies relating to vegetation have also been included.

**Land use in the Activity Centre**

There is strong support for improving safety for pedestrians by increasing passive surveillance along Bay Road (balconies). But only some support for providing opportunities for increased shops and office by expanding the commercial zone west along Highett Road. Feedback largely related to concerns/unsupportive comments and improvement ideas/suggestions including considerations for the future development of the shopping strip, pedestrian movements/safety, traffic congestion and parking demand. Suggestions for improvements included:

- installing traffic lights under the railway bridge on Bay Road,
- improving the commercial viability of the existing shops on Highett Road; and
- more collaboration with Kingston City Council to ensure a coordinated approach to development on Highett Road.

No changes to the Structure Plan have been made as there is moderate to strong support for the strategies.
Walking and cycling around the Activity Centre

There is strong support for all strategies with the exception of h) Provide on-road bicycle lanes along Bay Road, Worthing Road and Middleton Street. Feedback was largely concerned about safety of cyclists on busy roads and the interaction between parking bays and bicycles and bicycles interaction with pedestrians on shared paths.

Suggestions included removing car parking and/or nature strips to accommodate bicycle lanes, separating pedestrians from cyclists and removing the level crossing at Highett railway station.

Minor changes have been made to the wording of some strategies in the Structure Plan to clarify their meaning. No material changes have been made.

Using public transport in the Activity Centre

There is strong support for all strategies with the exception of d) Advocate for higher priority for buses on the surrounding road network, which has a moderate level of support. There is concern over a future level crossing removal being replaced with a raised train line, and feedback that the bus stop outside Woolworths is unsafe and needs significant improvement.

These suggestions are supported. The Structure Plan has been updated to reflect the community preference for an underground train line if the removal of the level crossing was to be supported by state government in the future. Bus stop upgrades designs and options can be investigated at the implementation stage of the project.

Car traffic and parking in the Activity Centre

There is strong to moderate support for most strategies with the exception of b) Advocate for traffic lights at the Bay Road/Jack Road intersection. The main reason for opposing this strategy was that traffic lights at Graham Road/Bay Road should be given priority over Jack Road. There is general concern about car parking spaces in new developments and existing parking inadequacies. Suggestions for improvements included:

- providing more parking spaces at the train station,
- carry out further investigation of the Bay Road/Middleton Street intersection to improve traffic flow,
- more disabled parking spaces on Highett Road, and;
- slow traffic speeds on Highett road in the commercial area.

No changes to the Structure Plan have been made. Strategies that didn't receive strong support were considered integral to achieving the traffic and parking objectives of the plan. Advocacy and implementation actions will address suggestions for improvement provided by the community. Implementation will require further investigation to assess prioritisation of works to ensure regard is given to influences affecting traffic and parking from the broader region.

Main streets, public spaces and parks in Highett

There is strong support to improve the appearance and function of Highett Road and the provision of public open spaces and parks. Feedback largely related to ensuring the natural assets on the CSIRO site are protected, increasing canopy tree planting in the area, a Christmas tree in the commercial area funded by both Councils, more parking in Highett Road, and making the appearance and branding of Highett Road match the Kingston side.

These suggestions are supported and will be further investigated as part of the implementation of the Structure Plan, with the exception of more parking on Highett Road. Alternative parking
arrangements have been investigated in conjunction with Council’s Traffic Management department and there is insufficient width on Highett Road for additional parking spaces. In addition, the close proximity of the shops to the train station and bus stops, makes it an ideal destination for active transport modes.

Summary of changes
As can be seen from the results of the survey, the updated Highett Structure Plan is largely supported by the community. As outlined above, most suggestions have been incorporated in the final version to reflect community sentiments. The final version now includes the following revisions:

- Amended Vision to reinforce the green, leafy, family friendly character of the area, to recognise all modes of transport and the importance of providing sufficient car parking and to reintroduce reference to the CSIRO site.
- Larger side and rear setbacks in Precint 1 and 2A in order to minimise impacts on abutting residential lots and to allow increased planting of vegetation;
- An increase to the setbacks of upper levels in lots adjacent to the Highett Grassy Woodland in order to respect the sensitive nature of the Woodland and its high biodiversity value;
- More detailed guidance for future development at 36-40 Graham Road in order to ensure the provision of an open space link from the CSIRO site to Lyle Anderson Reserve;
- Clarification on Council’s position on any future crossing level removal (underpass not overpass) and more detail on the type of traffic calming strategies in Graham road;
- More direction on the species of nature strip planting, in accordance with Bayside’s nature strip planting policy, in order to preserve and encouraging biodiversity corridors.
- More direction on nature strip widths for new subdivisions to ensure sufficient space is allowed for the planting of larger canopy trees;
- An updated implementation page which outlines the tools, responsible departments and timeframes for achieving the Structure Plan’s objectives. (A detailed, stand-alone Implementation Plan will follow the adoption of the Structure Plan).

It is therefore officers’ recommendation that Council adopt the final revised Highett Structure Plan and undertake a planning scheme amendment to implement the planning changes of the Plan.

Recommendation
That Council:
1. notes the results of community engagement on the draft Highett Structure Plan;
2. adopts the Highett Structure Plan as attached;
3. commences a Planning Scheme Amendment to facilitate the implementation of the Structure Plan;
4. authorises the Director City Planning and Community Services to make editorial changes to the amendment documentation and submit to the Minister for Planning for authorisation to undertake a Planning Scheme Amendment; and
5. writes to all submitters to inform them of Council’s decision.
Support Attachments

1. Highett Consultation Summary Report - Phase 2 ⇦
2. Highett Structure Plan, Updated July 2018 (separately enclosed) ⇧
3. Draft Amendment Documents (separately enclosed) ⇪

Considerations and implications of recommendation

Liveable community

Social

The Highett Structure Plan contains objectives and strategies in relation to land use, built form, access and movement, and the public realm that will guide development in the Activity Centre. The provision for a mix of housing types in Highett enables people at different life stages to live close to public transport, shops and employment opportunities. Improvements to walking and cycling infrastructure and better connected open spaces will facilitate increased walking and cycling.

Natural Environment

The Structure Plan considers how to protect and enhance biodiversity, how to respond to climate change and how to ensure new development is environmentally sustainable and incorporates vegetation and trees.

Built Environment

Activity Centres are identified as locations for future housing growth in both State and local planning policies. The Structure Plan includes built form objectives and strategies to help guide built form in the future.

Customer Service and Community Engagement

Community engagement on the draft revised Highett Structure Plan included:

- Direct mail to residents/property owners in Highett that would be highly affected by the changes proposed in the draft revised Highett Structure Plan. These community residents were directly written to and informed prior to the public release of the Structure Plan and given the opportunity to meet with senior council officers to discuss the implications of the proposed changes and provide feedback.

- A subsequent mail out to all businesses, land owners and occupiers within an approximate 1000m radius of the Highett train station. The mail out was also sent to local community groups, government agencies and partners, infrastructure/service
providers and developers active in the area. The mail out included a brochure summarising the project and opportunities to get involved.

- E-newsletter sent to Highett Structure Plan email subscriber list.

- Information on the Have Your Say Bayside webpage.

- An online and hard copy survey relating to the objectives and strategies in the draft revised Highett Structure Plan.

- 3 drop-in sessions where people could drop in and ask questions about the draft Structure Plan.

- Individual meetings upon request.

- Advert in the Leader newspaper.

Previous community feedback from the first stage of consultation in 2017 provided valuable insights into the needs of the Highett community and helped shape the draft revised Highett Structure Plan, as did previous feedback from planning applications, planning amendments and the development of the Bayside Community Plan 2025.

**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. The chosen community engagement approach allows for freedom of expression and for the community to take part in public life.

**Legal**

To implement the adopted Highett Structure Plan a planning scheme amendment will need to be prepared and exhibited pursuant to the Planning and Environment Act 1987.

**Finance**

Resources to progress the Highett Structure Plan have been allocated in the 2018/2019 Budget and foreshadowed in the 2019/2020 Budget (for the Planning Scheme Amendment stage).

**Links to Council policy and strategy**

**Bayside City Council Plan 2017-2021**

Reviewing the Highett Structure Plan is consistent with the following Council Plan strategies:

Develop and review structure plans to ensure localities are developed in line with Council’s Housing Strategy: Review the Highett Structure Plan (Year 1).

Improve bicycle and pedestrian facilities to make cycling and walking more attractive options for short trips.

Gain access to increased quality open space to meet the needs of Highett and the wider community.
Bayside Housing Strategy 2012

The Highett Activity Centre is identified in the Bayside Housing Strategy 2012 as a Key Focus and Moderate Residential Growth Area. A key recommendation of the Housing Strategy was that Council review the Highett Structure Plan.

Bayside Integrated Transport Strategy 2013

The Bayside Integrated Transport Strategy 2013 commits council to improving local accessibility, creating better public transport connections, creating user friendly streets, integrating transport and land use and improving perceptions of and enabling sustainable travel. The Highett Structure Plan provides an opportunity to improve walking and cycling in the area and to encourage more sustainable transport use.

Options considered

Option 1

<table>
<thead>
<tr>
<th>Summary</th>
<th>Adopt the updated Structure Plan as presented in Attachment 2 of this report and seek authorisation from the Minister for Planning to commence a planning scheme amendment to implement the planning elements of the plan.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Benefits</td>
<td>The updated Structure Plan will guide future development outcomes and respond to identified development pressure whilst providing more guidance and certainty for the local community.</td>
</tr>
<tr>
<td>Issues</td>
<td>None.</td>
</tr>
</tbody>
</table>

Option 2

<table>
<thead>
<tr>
<th>Summary</th>
<th>Abandon the updated Highett Structure Plan and not proceeding with the planning implementation of the plan.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Benefits</td>
<td>None.</td>
</tr>
<tr>
<td>Issues</td>
<td>The current Highett Structure Plan is over 12 years old and includes outdated information and strategies. It does not accurately reflect the aspirations and needs for the current and future local residents.</td>
</tr>
</tbody>
</table>
Consultation Findings Summary Report
Bayside City Council - Highett Structure Plan Review – Phase 2

18 June 2018

Prepared for:
BAYSIDE CITY COUNCIL

Submitted by:
Sarah Bishop
ACTIVATE CONSULTING

in partnership with
Robyn Cochrane
COCHRANE RESEARCH SOLUTIONS
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EXECUTIVE OVERVIEW

Bayside City Council engaged Activate Consulting (and partner Cochrane Research Solutions) to support the implementation and reporting of a community consultation program for the Draft Revised Highett Structure Plan updated March 2018 (Phase 2).

In total there were 104 participant interactions and a total of 86 survey responses and written submissions between 23 April and 20 May 2018. Based on available data recorded for participant gender, residential suburb, age, household structure and connection/s to Highett, it is concluded that a broad albeit small, cross-section of the Highett (Bayside) community participated in this consultation.

Varying levels of support were indicated in the rating of statements and strategies proposed in the Draft Plan. Labels have been used to indicate the level of support (as a proportion of the total support and don’t support responses): Strong support = 80%+ indicated support for statement/strategy, moderate support = 70% to 79%; some support = 60% to 69%; limited support = 50% to 59% and low support = <50%

In addition, many participants provided detailed personalised feedback. Where appropriate, this feedback has been segmented by strategy/statement and sentiment. Support, comment/query, improvement idea/suggestion, and concern/unsupportive. The personalised verbatim feedback is presented in an unedited form as submitted.

Vision Statement for Highett

Strong support (51 support/10 don’t support). Sentiment in personalised feedback from 25 participants was largely improvement ideas/suggestions including consideration of trees/greenery/green spaces, movement and access (vehicles, pedestrians and cyclists) as well as some concerns/unsupportive remarks.

Highett Activity Centre boundary

Moderate support (37 support/16 don’t support). Sentiment in personalised feedback from 23 participants was largely concerns/unsupportive with many references to traffic congestion, parking inadequacies, narrow streets and height of developments as well as some improvement ideas/suggestions.

Heights and types of housing in the Activity Centre

Strong support for several strategies: i) Ensure new developments are designed to reduce water and energy use; ii) Ensure commercial developments along Highett Road provide canopies for weather protection; k) Encourage canopy tree retention and planting in front and rear setbacks; e) Encourage detached houses, villa units and townhouses along Middle Street, directly adjacent to the CSIRO site (Precinct 5); i) Encourage new development to front and overlook key pedestrian paths and public open spaces to improve safety; and j) Encourage the use of green roofs and walls where possible.

Some support for: 1) Encourage apartments of up to 3 storeys on Bay Road (Precinct 6) and d) Encourage townhouses and detached dwellings up to 3 storeys in the southern part of the Activity Centre (Precinct 3).

Limited support for: b) Encourage apartments and townhouses up to 4 storeys close to the train station, on the eastern side of Train Street and the northern end of Graham Road and Thistle Grove (Precinct 2A); and c) Encourage apartments and townhouses up to 3 storeys further away from the train station (Precinct 2B).

Low support for: a) Encourage apartment development up to 4 storeys with commercial at ground floor along the Highett Road Shopping Strip (Precinct 1), and g) Encourage consolidation of lots in Precincts 1 and 2 to encourage increased housing density.
Sentiment in personalised feedback from 37 participants was largely concerns/unsupportive with many references to height, impact on narrow streets, traffic congestion, visitor parking options, CSIRO site, site coverage and open/green space.

**Land use in the Activity Centre**

**Mixed support:** c) Make it more attractive for people to walk from Southland to the Bayside Business District by ensuring new development has windows and balconies that look onto Bay Road, so pedestrians feel safer *(strong)*. a) Provide opportunities for increased shops and offices by expanding the Highett shopping strip to Worthing Road and Donald Street *(some)*; and b) Encourage increased housing density along the Highett Road shopping strip and close to the train station *(limited)*. Sentiment in personalised feedback from 24 participants was concerns/unsupportive remarks and improvement ideas/suggestions referring to the future development of shopping strip, pedestrian movements/safety, traffic congestion and parking demand.

**Walking and cycling around the Activity Centre**

**Strong support** for all strategies with the exception of a) Introduce raised pavements to cross Worthing Road, Donald Street, Middleton Street and Major Street to provide a level surface for pedestrians and slow traffic *(moderate)* and h) Provide on-road bicycle lanes along Bay Road, Worthing Road and Middleton Street *(limited)*. Sentiment in personalised feedback from 32 participants was largely improvement ideas/suggestions about level crossings; transport infrastructure; bus stops and services as well as some concerns/unsupportive remarks.

**Using public transport in the Activity Centre**

**Strong support** for all strategies with the exception of d) Advocate for higher priority for buses on the surrounding road network *(moderate)*. Sentiment in personalised feedback from 25 participants was largely improvement ideas/suggestions about level crossings; transport infrastructure; bus stops and services as well as some concerns/unsupportive remarks.

**Car traffic and parking in the Activity Centre**

**Strong support** for all strategies with the exception of c) Advocate for single traffic lanes to be formalised on Bay Road between Jack Road and Frankston railway line *(moderate)*; and f) Improve safety and amenity along Graham Road by indenting existing car parking north of Thistle Grove, and installing speed cushions and kerb outstands to reduce traffic speeds *(moderate)*; and b) Advocate for traffic lights at the Bay Road/Jack Road intersection *(some)*.

Sentiment in personalised feedback from 32 participants was largely improvement ideas/suggestions about movement and traffic lights on Bay Road; car parking spaces in new developments and parking inadequacies as well as some concerns/unsupportive remarks.

**Main streets, public spaces and parks in Highett**

**Strong support** to improve the appearance and function of Highett Road and the provision of public open spaces and parks. Sentiment in personalised feedback from 26 participants was largely improvement ideas/suggestions including references to more tree planting, greenery and green/open spaces as well as space for pedestrian movement.

**Comments on other matters**

A small number of participants commented on other matters relating to the draft Plan, consultation supporting resources and Highett generally.
PROJECT BACKGROUND

Overview

The Highton Structure Plan (2006) was prepared jointly by Bayside and Kingston City Councils and was given effect in the Bayside Planning Scheme in 2007 through Planning Scheme Amendment C46. A considerable amount of development, land use policy and demographic change has occurred in Highton since the Structure Plan was developed; hence Bayside City Council is undertaking a review.

The Highton Structure Plan Review was informed by an understanding of State and local policy changes since the implementation of the Highton Structure Plan, relevant Council strategies and policies, demographic change, the current housing and economic composition of the centre, Planning Panels and Victorian Civil and Administrative Tribunal (VCAT) findings, and previous community feedback on:

- Planning permit applications (from 2005-2016);
- Planning Scheme Amendment C140 which sought to implement the Bayside Housing Strategy;
- Draft Planning Scheme Amendment C125 which sought to introduce the Residential Growth Zone in the activity centres along the Frankston railway line; and
- The development of the Bayside Community Plan 2025.

This work was compiled into the Highton Structure Plan Review document. This document provided a basis for discussion with the Highton community to get their unique insights, feedback, local knowledge and desires for the future of their community to be considered as part of the review. From April to June 2017 Council asked the community what they valued about Highton and what could be improved. Around 740 people provided feedback and the community consultation report is available at yoursay.bayside.vic.gov.au/growth-in-highett

Following this, Council prepared and publicly released the Draft Revised Highton Structure Plan (updated March 2018) for the Phase 2 consultation for the community to review and provide feedback, before Council decides on the final Plan.

This report presents the findings from Phase 2 of the community consultation.

Purpose

The overall aim of the community engagement in Phase 2 was to share the Draft Revised Highton Structure Plan (updated March 2018) with the local community and seek their feedback.

More specifically to test support and seek additional feedback on the revised vision statement, revised activity centre boundary, heights and types of housing, land use, walking and cycling around the Highton Activity Centre, using public transport, car traffic and parking, and main streets, public spaces and parks in Highton.
Engagement Approach

Council prepared and publicly released the Draft Revised Highett Structure Plan (updated March 2018) for the community to review and provide feedback. Community feedback was invited from Monday 23 April to Wednesday 30 May, via:

- Survey
  - Available online via Council’s Have Your Say consultation website
  - Hard copy available at Council’s Office, by phone request and at drop-in activities
- Written submissions

Given that the Draft Revised Highett Structure Plan contained proposed changes that would have particular impact on some residents/property owners in Highett, these community members were directly written to and informed prior to the public release of the document. These community members were given the opportunity to meet with senior council officers to discuss the implications of the proposed changes and provide feedback.

To raise awareness about the consultation in the broader community, the following communications activities were undertaken:

- Community drop-in sessions at the Highett Community Neighbourhood House:
  - Wednesday 2 May, 6pm-8pm
  - Monday 7 May, 4pm-6pm
  - Saturday 12 May, 2pm-4pm
- Information on the Have Your Say Bayside webpage
- Local newspaper advertisements
- Direct mail to businesses, land owners and occupiers within an approximate 1000m radius of the Highett train station, and key community groups and service providers
- Distribution of brochure and fact sheets
- E-newsletter sent to Highett Structure Plan email subscriber list

Due to the volume of responses, the datasets were analysed manually and with the assistance of Microsoft Excel. Personalised free-text responses to the open-ended questions and written submissions were carefully sorted and categorised by main themes (strategies/topics/sentiment). This approach permitted themes to be predetermined and to emerge throughout the course of analysis. Findings are presented as charts or summary tables. The personalised verbatim feedback is presented in an unedited form as submitted.
PARTICIPATION LEVEL

Participation Rate

Community feedback was captured online and in writing. As shown in the below table, there were 104 participation interactions and a total of 86 submissions:

<table>
<thead>
<tr>
<th>Engagement activity</th>
<th>Approach</th>
<th>Participant interactions</th>
</tr>
</thead>
<tbody>
<tr>
<td>Online participation</td>
<td>Have Your Say Bayside - main survey</td>
<td>Online</td>
</tr>
<tr>
<td>Written participation</td>
<td>Written submissions</td>
<td>Written – posted or emailed direct to Council</td>
</tr>
<tr>
<td>Face-to-face</td>
<td>Community drop-in sessions</td>
<td></td>
</tr>
<tr>
<td></td>
<td>3 sessions at Highett Community Neighbourhood House</td>
<td></td>
</tr>
<tr>
<td>Total participant interactions</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

It is noteworthy that the previously presented table does not include online ‘awareness’ metrics. There were also 863 unique visitors to the Have Your Say Bayside – Managing Growth in Highett consultation webpage and 331 downloads of documents during the month-long consultation period.

Participant Profile

Most participants reside in Highett (Bayside), with several living locally in Highett (Kingston), Pennycliffe, Cheltenham and Hampton. Participants also live in Moorabbin (1), Hughesdale (1) and Devonport in Tasmania (1). Several survey respondents skipped this question and some written submissions did not indicate a residential address.

Residential suburb (86 responses)

- Hampton: 1
- Cheltenham: 2
- Pennycliffe: 2
- Highett - east of the train line (Kingston): 2
- Other: 5
- Not stated: 15
- Highett - west of the train line (Bayside): 59
While respondents were both genders, more females participated than males.

Most age groups were represented, with the exception of the under 18 years and 85+ years.
Representatives from all household structures participated including those living with a spouse/partner, those living with children and those living alone. The two respondents who selected "Other" indicated: "My partner and I live with my parents in their house" and "With 2 dogs".

The consultation reached a mix of local resident-ratepayers, resident-tenants, and people with a variety of other connections to Highett such as business owners/operators, people that work in Highett, shop in Highett or are a member of a local community or sporting group. The five respondents who selected "Other" indicated: "Will be moving as a resident", "Lived in Highett my whole life with my parents in their house (25 years)", "Have lived here for many years, and am a third-generation local resident", "I spend a lot of my holidays staying in Highett and visiting friends" and "Live close by".
RESEARCH FINDINGS

This report presents the findings from the community feedback gathered via two sources: online surveys and written submissions. There were a total of 71 survey responses which rated the level of support for specific statements/strategies proposed in relation to:

- Vision Statement for Highett (one statement proposed)
- Highett Activity Centre boundary (one statement proposed)
- Heights and types of housing in the Activity Centre (12 strategies proposed)
- Land use in the Activity Centre (three strategies proposed)
- Walking and cycling around the Activity Centre (10 strategies proposed)
- Using public transport in the Activity Centre (5 strategies proposed)
- Car traffic and parking in the Activity Centre (9 strategies proposed)
- Main streets, public spaces and parks in Highett (7 strategies proposed)

Many survey respondents sought to elaborate their answer and provided a personalised response. In addition, 15 written submissions presented personalised views regarding a variety of elements of the Draft Revised Highett Structure Plan. As the content in the submissions was not able to be precisely interpreted and combined with the survey results, relevant segments of the submissions are presented alongside relevant survey personalised responses where applicable.

Varying levels of support were indicated in the rating of statements and strategies proposed in the Draft Plan. Labels have been used to indicate the level of support (as a proportion of the total support and don't support responses): Strong support = 80%+ indicated support for statement/strategy, moderate support = 70% to 79%, some support = 60% to 69%, limited support = 50% to 59%, and low support = <50%.

In addition, many participants provided detailed personalised feedback. Where appropriate, this feedback has been segmented by strategy/statement and sentiment: Support, comment/query; improvement idea/suggestion; and concern/unsupportive. The personalised verbatim feedback is presented in an unedited form as submitted.
Vision Statement for Highton

As shown below, the Vision Statement features the same concepts as the 2006 Structure Plan. Minor revisions have been made to make it more concise, recognise that the retail core of the centre is in both the Bayside and Kingston municipalities, and include additional references to cyclists.

To revitalise the Highton Road shopping strip as an attractive, vibrant and well used main street and community focal point that provides a wide range of local shopping, business and community services suited to the needs of people living and working in the area.

To provide the opportunity for a mix of retail, employment, other associated activities and residential in that part of the Highton shopping strip to the west of the train line, in a form that complements the rest of the centre located to the east of the train line, and to better link the two parts of the centre for pedestrians and cyclists.

To provide an opportunity for as many people as is appropriate, given the character of the area and the opportunities for change, to live and work in Highton, with access to public transport and within walking and cycling distance of shops and services, and hence to provide a real transport option for people other than the private car.

To recognise the character of Highton’s established residential areas and manage change in a way that responds to this character, whilst recognising their proximity to public transport, shops and services.

Survey respondents were asked “Do you support this vision statement?” and “Is there any wording you would like to change or add?”.

As shown below, survey respondents indicated strong support for the revised Vision Statement (51 support/10 don’t support).

![Bar chart showing support for the vision statement](chart.png)
A total of 20 survey respondents commented on the wording of the Vision Statement (which has been segmented by sentiment), as follows:

**Comment/query**

“As is appropriate” -- according to. . .

At the moment there is no variety in the shops - Hairdressing and food shops being the main focus

**Improvement idea/suggestion**

Unite the third paragraph as it is vague and redundant.

I do support this in general but maintaining existing wildlife corridors, tree lined streets etc is very important and these trees are constantly being removed. The Highett strip is getting narrower and looking more like a concrete jungle every day. The vision should ensure we remain a leafy, green area.

I would change the second paragraph which refers to the west end of the shopping strip complimenting the Kingston side. The Kingston side needs development. I would change the references to East and West and acknowledge it's an unusual situation because the area is split between two LGAs.

I would like something about more green space/greenery and the environment put into this.

Maintain trees and natural plantings.

Needs to be something in there that addresses matching improvements to infrastructure, needs to ensure that Kingston supports what Bayside is doing and that they do the same otherwise it will end up top sided.

To add extra car parking to the area for shoppers and more mature trees to the street scape.

To better facilitate the movement of people around and through Highett by foot or bicycle and enhance the natural environment by providing new and improved green spaces.

To ensure that Highett retains and continues to grow its feeling of community and a family-focussed environment, with a continued focus on community services, welcoming family-friendly activities and engagement, and safe spaces for children and families to thrive.

To facilitate the safety for pedestrians through lighting and encourage healthy lifestyle, with increased walking/jogging trails.

To value Neighbourhood Character and Established Trees and garden above development of buildings.

Would that be easy to access the road and have parking space.

**Concern/unsupportive**

Do not support expansion of Highett Rd shopping strip to the west.

That any proposed changes will not in any way negatively impact on the current residents of highett (ie. So much development that traffic becomes unbearable for those who already reside in Highett).

The change from 3 to 4 storey along Highett rd and Graham Road will make these two roads very enclosed and create a very tunnel effect to the both side. There is is not enough ground level setback as is it at the moment.

There is too much emphasis on social engineering in that statement. People own cars. People use cars. Bayside's car numbers are increasing per household, not decreasing. Whilst I applaud the use of public transport where possible, statements that are negative to people who MUST or WANT to use cars is not appropriate.

This vision statement is just words unless Bayside Council commit to revitalising the village by prioritising pedestrians and cyclists. Highett Road as it stands, is detrimental to the village and the commercial aspects of the strip shops.

Too many stores being built in different styles.
In addition, five submissions presented the following comments regarding the wording of the Vision Statement:

Submission 3: PIO Kingston catchment no longer primarily industrial?

Submission 4: We suggest that the future of the CSIRO site is so important to Highett and the wider community that the vision should include words such as "To ensure that development of the CSIRO site is sympathetic to neighbouring properties and provides open space for active and passive recreation, pleasant surrounds, and the conservation of biodiversity including the significant vegetation including trees and lower plant layers."

Submission 6: Page 2 Vision: Definitely revitalize Highett Road shopping strip. However Big Businesses, like Coles and Woolies have made it extremely difficult for small fruit shops, butchers, and bakers to survive. Most people buy these items from the Supermarkets because they "offer" large quantities of food at discounted prices. The result? Lots of food waste by households who cannot use the items by the "stipulated" use by dates. After I wrote that paragraph I received a note from the Council re bin sizes. Making bins smaller will not reduce the amount of waste. Information sessions are a great idea but young families will not have time to attend sessions. Two stores should be the maximum height, read other sections of this letter.

Submission 8: The Western end (Bayside) of Highett has little street activation, is pedestrian unfriendly and has a chronic lack of on-street parking (unlike any other village in Bayside). Extending the commercial zone to Worthing Road without improving traffic management would exacerbate the problems already being experienced. The same mother statements were included in the 2006 Highett structure plan, and the damage to the village at the Western end of Highett has happened within the last ten years. With no long term planning for remedial action conveyed by Bayside Council, this latest vision statement is meaningless. Woolworths has never been an integral part of the village of Highett, it is instead a destination. Narrow pavements and the long street frontage with no shopfronts distract from the village, creates a safety issue (particularly for the restaurant customers seated on the corner), and the Graham Road truck entrances is dangerous for pedestrians and it stinks.

Submission 9: The proposed changes are significant and need to be given very careful consideration in the context of how Highett is now and what it could be, as well as giving consideration to the same issues for all surrounding suburbs. At some point enough is enough. In summary, I firmly believe that the benefits of making these changes around height limits / commercial properties and setbacks are outweighed by the losses and impacts to:
- The people who live abutting and close to the proposed planning changes
- The current streetscape
- The environment
- The long term amenity of Highett
Highett Activity Centre boundary

Survey respondents were asked ‘Do you support this change to the Activity Centre Boundary?’ and offered the opportunity to elaborate on their answer.

As shown below, respondents indicated moderate support for the change to the Activity Centre Boundary, mixed views were reported.

<table>
<thead>
<tr>
<th>Yes, support</th>
<th>No, don't support</th>
<th>Not sure/no opinion</th>
<th>No response</th>
</tr>
</thead>
<tbody>
<tr>
<td>37</td>
<td>15</td>
<td>15</td>
<td>4</td>
</tr>
</tbody>
</table>

A total of 17 survey respondents elaborated on their answer (which has been segmented by sentiment), as follows.

**Support**

I support the change in the boundary but not for the reason you have stated. In March 2017 the regulations pertaining to NRZ changed which STILL allow dual occupancy on the properties so long as the minimum garden area percentage is maintained. NRZ is still ALLOWED to increase density so this comment that it is not EXPECTED to accept it is not entirely accurate.

**Comment/query**

Would like more detail on off leash areas for dogs. If there is going to be such dense living people and animal particularly birds and possums need adequate space.

**Improve ment idea/suggestion**

Mary Avenue has mixed industrial sections but should be considered as it is within a residential zone.

These industrial areas would be best rezoned as residential zones.

Suggest boundary be extended to end Middleton St and Bay Road.

I support this change ONLY if it means YOU THE COUNCIL WILL STOP filling up our neighborhood with apartments - i do not have any sun in my back yard now because of you greedy councils and developers! i can barely move through my street without being hit by some apartment living hippy living in their dog boxes - the train station is already overcrowded, i moved to highett to escape the developers who ruined my old suburb of south yarra - now you want to do the same thing - councils don’t fight for their residents - and how
### Concern/unsupportive

If Bayside Council does not address the lack of on-street parking and the speed of the traffic travelling along Highett Road, there is no point changing any boundaries as this would only exacerbate the problem. There is no integrated plan for the linking of the CSIRO site and the village. The plan is not sustainable due to the restricted nature of the current community infrastructure, cars now parking all day in narrow streets clogging access to existing residences, lax policing of timed parking zones, increasing access required by trades and heavy vehicles, and much more. It limits the support to the residents of Highett as you have left a whole section out.

I believe that allowing four stories on Highett Road with two storey street fronts for commercial does not provide a transition into the residential growth zone on the other side of Highett Road. There are existing developments which are set back on the W side of Major Street which were built that way to provide a transition into the RGZ and it seems illogical to abandon that approach and have four stores on one side of the road and only two stores on the other and street frontage with no setbacks.

I don’t believe the east side housing of Middleton Street should be included. It is already a very congested traffic zone and will only get worse as development increases.

No the shops on the Bayside of the rail line have little or no parking. Many new shops have opened for a small amount of time and then close because there is no parking in Highett Road. Its pointless to rezone unless the lack of car parking is addressed. Middleton Street which is one short block from the station and is zoned a protected Neighborhood zoned and should be rezoned as a general residential zone. It has potential for much higher growth and backs onto the CSIRO development site. It is a through road and should never have been zoned as NRZ. Middleton street in 2 minutes walk from Highett Station.

Whilst I welcome the reduction in the Activity Centre boundary, the proposed activity centre boundary does not have enough focus on the areas bordering Highett Road and other highly-commercial strips. In order to revitalise and grow the Highett Road Shopping Strip in particular, the strip needs to continue to grow to the west. Recently-built centres on Highett Road do not provide sufficient opportunity for commercial ventures, and there are very limited opportunities for further commercial growth given the nature of the buildings that are already established or recently approved/constructed. The proposed activity centre boundary is unbalanced, with it being centred around an undeveloped CRISO site, which is expected to be almost completely residential developments only. Instead, the activity centre boundary should be centred around the primary areas of activity - such as Highett Road, Railway Pde, and Spreng Road. Inclusion of areas neighbouring Bay Road should also be considered given its close proximity to emerging and established commercial services and high density housing. I see no reason for the Activity Centre boundary to be required to be a single area - I believe that in fact, it should be three areas: Spring Road neighbouring properties (south of Wrickham road to Highett road), Highett Road (bounded by Abbott st, half-way down Abbott st and across to the CSIRO site, back up to Highett Grove, then to the railway line, and up as far as monamie avenue), and Bay Road (from Bay Road, and as deep as Mary Avenue and Royalty Avenue). I do not believe the majority of areas surrounding Princess Avenue, Jackson Road, Graham Road should be designated as part of the activity centre.

*The structure plan is not being implemented in co-ordination with Kingston Council and therefore omits a holistic view of the Highett Rd shopping strip. I am living in a fully residential apartment complex (1 Major St) and do not wish my amenity to be crowded out with taller, four-storey buildings nor businesses operating day and night. I believe Bayside Council is acting too late to try and now zone this residential stretch as a residential area. I am concerned that the current and proposed structures are not being implemented in co-ordination with Kingston Council, and theStatement does not consider a holistic view of the Highett Rd Shopping Strip or the current residential amenity. The proposed structure plan is not being implemented in co-ordination with Kingston Council and therefore omits a holistic view of the Highett Rd shopping strip. I am living in a fully residential apartment complex (1 Major St) and do not wish my amenity to be crowded out with taller, four-storey buildings nor businesses operating day and night. I believe Bayside Council is acting too late to try and now zone this residential stretch as a Residential area. I am concerned that the current and proposed structures are not being implemented in co-ordination with Kingston Council, and the Statement does not consider a holistic view of the Highett Rd Shopping Strip or the current residential amenity.
business zone when my complex has only been recently completed, is 100% residential, and takes up a significant stretch of the proposed business zone stretch. Further, a block of residential townhouses has recently been completed at the corner of Donald St and Highett Rd. Having brand new residential complexes now facing the prospect of new being in the middle of a shopping strip is absurd and I sadly feel Bayside Council has been left trying to implement planning changes long after they should have been flagged to land holders. Further, there is high vacancy of existing commercial buildings stretching along Highett Rd to Nepean Highway however it is unclear whether this has even been given consideration given the stretch after the railway is under the auspice of Kingston Council. The demand for commercial floor space in the medical sector noted in the draft structure plan is negated as the existing medical centre at 256 Highett Rd is moving to a brand new built for-purpose health and medical hub recently completed on Nepean Highway. Further, off-street parking is already at a premium with the number of recent apartment developments in the area and I believe narrow streets surrounding Highett Rd will struggle to cope with even more traffic which also poses safety issues. I urge Bayside Council councillors to reject the proposed change to the activity centre boundary.”

I still find the area of the Activity Centre excessively large. A walkability distance of 400 m from the key focal point of the Activity Centre should be used, as is general for these boundaries.

In addition, six submissions presented the following comments regarding the change to the Highett Activity Centre boundary:

Submission 1: Object to rezoning of the land at the western end of Highett Road from the General Residential Zone to the Commercial 1 Zone. On review it is unclear how the extension proposed will achieve the desired outcome given it comprises properties which have already been redeveloped, or existing non-residential uses. In any event, our principal concern relates to the use of the Commercial 1 Zone, namely: a) The application of the zone appears for the most part retrospective; b) The rezoning of the land removes a significant level of protection and unreasonably prejudices future amenity; c) The background reports call for an ‘organic’ expansion of the centre. To this end the use of the Commercial 1 Zone to achieve this purpose is excessive. We note that mixed-use development has already occurred within the current controls and there is no reason why this could not continue under current planning scheme conditions. Recommendation: a) The General Residential Zone should be retained in the western end of Highett Road, or Either the Mixed-Use Zone or Residential Growth Zone (with appropriate Schedule requirements) be used in lieu of the Commercial 1 Zone.

Submission 2: We note the Council’s proposed changes to planning controls that would affect the above property, namely a rezoning from Neighbourhood Residential Zone to Commercial 1 Zone. After studying the fact sheet explaining the implications of the proposed changes, we would like to register with Council our support for the rezoning proposal, as part of the Draft Highett Structure Plan.

Submission 5: Using the Bayside City Council (Bayside) Draft Highett Structure Plan updated 2018 as my primary source, I support the new Activity Centre Boundary (p.7). As an objector of numerous inappropriate developments in or near the previous Highett Activity Centre boundary since 2009, the perception and “concern that Highett is taking more population growth than other Bayside suburbs” (Highett Structure Plan Review pamphlet may lessen. The Context Plan (p.8), which when combined with that of the Kingston City Council’s adjoining area should represent a manageable development area.

Submission 6: The Highett Activity Centre boundary (pages 6 & 7) Activity Centres are a MUST but, remember Victoria / Melbourne does have “four seasons in a day” so use of Activity Centres is affected by the elements. The lives of families, particularly with young children in Australia is very difficult. Wives and husbands must both work to save for a home and then meet mortgage payments. OK buying a unit rather than a house is cheaper, but, living in a unit with young children in my view would be impossible. The amount of clothes washing, food preparation and cleaning up after children is very stressful. And the noise created by kids is overwhelming. Pages 6 and 7 of the Draft Rezoned Highett Structure Plan. Rezoning some properties along Highett Road from a residential zone to a commercial zone will increase existing Traffic Problems. Parking and the railway crossing on Highett Road already cause congestion, but if the area is overdeveloped this problem will
increase and accidents will happen. The State Government and Bayside Council appear not to have given any consideration to the increase traffic that will occur as a result of the “over building” of this area. It is all very well to say that the train stations and bus services are here. Yes, they are and that is one of the reasons my late husband and I moved into the area. As “oldies” we do not want to endanger the lives of young or old people by driving when our reflexes slow down. I intend to stop driving when my daughters tell me I am too slow / old. All State and local Councils should consult with the Department of Main Roads and the Public Transport Authority before making changes to existing property zoning throughout Victoria.

Submission 8: Without additional on-street parking what is the point of adding yet more commercial activity? Supporting document SGS Economic & Planning, p19, 3.3 Highett Activity Centre, Strategic Approach, consolidation vs expansion, recommends “spacial expansion of the centre in a westerly direction”, saying it is “the most logical approach,” but it says this without any supporting evidence of why this should be achieved. Rather, when talking about integration, numerous vacancies, and council finding a better method for better activating the street frontages, this report states “Expansion on the other hand, is generally favoured when retail trading is strong and demand for retail floorspace exceeds demand for commercial offices or apartments — creating the need for more shop frontages”. This statement directly contradicts any demand for expansion of the commercial zone from Major Street to Worthing Road. With so many vacancies why is Bayside Council exacerbating the problem by expanding the commercial zone? In reference to consolidation of the existing centre, this same report acknowledges “redevelopments are driven by the profitability of the residential yield”. Given Bayside Council has had an almost blank slate for redevelopment of the Western side of Highett Village, the lack of street activation, the speed of the traffic, unfriendly pedestrian experience etc., this policy should be acknowledged as a planning failure in need of complete overhaul.

Submission 12: We strongly support the rezoning of the Highett Road properties from residential zones to the Commercial 1 Zone. The delineation of the western edge of the commercial centre by Worthing Road / Donald Street better reflects the existing conditions on both sides of Highett Road, particularly the commercial uses currently operating at 481-485 Highett Road which add to the vitality of the Centre.
Heights and types of housing in the Activity Centre

It is proposed to change some of the building heights and setbacks within the Activity Centre. Twelve strategies have been proposed to guide built form in the Highett Activity Centre.

Survey respondents were asked to indicate the extent to which they support or do not support each strategy.

As shown below, survey respondents indicated varying views and mixed levels of support.

<table>
<thead>
<tr>
<th>Strategies proposed to guide built form (63 responses)</th>
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<tbody>
<tr>
<td>i) Ensure new developments are designed to reduce water and energy use</td>
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<tr>
<td>j) Ensure commercial developments along Highett Road provide canopies for weather protection</td>
</tr>
<tr>
<td>k) Encourage canopy tree retention and planting in front and rear setbacks</td>
</tr>
<tr>
<td>l) Encourage detached houses, villa units and townhouses along Middleton Street, directly adjacent</td>
</tr>
<tr>
<td>m) Encourage new development to front and overlook key pedestrian paths and public open spaces to...</td>
</tr>
<tr>
<td>n) Encourage the use of green roofs and walls where possible</td>
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<tr>
<td>o) Encourage apartments of up to 3 storeys on Bay Road (Precinct 6)</td>
</tr>
<tr>
<td>p) Encourage townhouses and detached dwellings up to 3 storeys in the southern part of the Activity Centre...</td>
</tr>
<tr>
<td>q) Encourage apartments and townhouses up to 4 storeys close to the train station, on the eastern side...</td>
</tr>
<tr>
<td>r) Encourage apartments and townhouses up to 3 storeys further away from the train station (Precinct 2B)</td>
</tr>
<tr>
<td>s) Encourage apartment development up to 4 storeys with commercial at ground floor along the Highett...</td>
</tr>
<tr>
<td>t) Encourage consolidation of lots in Precincts 1 and 2 to encourage increased housing density</td>
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A total of 29 survey respondents elaborated on their answer (which has been segmented by strategy/topic), as follows.

**Strategy a) Encourage apartment development up to 4 storeys with commercial at ground floor along the Highett Road Shopping Strip (Precinct 1)**

(A) Once again traffic is the main problem, streets are narrow to support this flow.
a) 4 stores is too high next to existing residences and the intersection in Precinct 1 where Donald Street and Worthing Road are somewhat opposite yet not a genuine intersection is actually dangerous and should not become a focal area for more traffic, it won’t work as an intersection.

A) I believe that Highett Road is too narrow to allow developments of 4 stores on either side, and will result in a walled-in feeling and excessive shading. This breaks the community and open feel that Highett has. Highett is a light, bright and open area, and Highett Road’s width cannot sustain this feeling with developments 4 stores tall (unless very significant setback and staggered rules are in place).

a - i am worried and intimidated by developments

a) 3 Storey

Strategy b) Encourage apartments and townhouses up to 4 stores close to the train station, on the eastern side of Train Street and the northern end of Graham Road and Thistle Grove (Precinct 2A)

b - i am worried and intimidated by developments

b) 3 Storey

Precinct 2A should only be 3 storey max. A good proportion of this land is already developed to 3 storey and unlikely to be changed in the period off this document. Bay road should not be encouraged for apartments. The area is 3 storey already but townhouses are more appropriate. All developments should face the logical street frontage which includes footpaths. Fronting to parks is not appropriate. Passive surveillance by fronting houses to parks is more dangerous for those residents than the danger of users of the parks.

Strategy c) Encourage apartments and townhouses up to 3 stores further away from the train station (Precinct 2B)

c) 2 Storey

Strategy c - These streets are too close to the major activity centre and with added strain from too much high density plus the occasional use for overflow parking from the shopping centre, there is just too much congestion in such small spaces - needed both small pockets of open space and opportunity for parking. Developments need to include visitor parking options as Graham Rd and surrounding streets are very limited.

Strategy d) Encourage townhouses and detached dwellings up to 3 stores in the southern part of the Activity Centre (Precinct 3)

d) 2 Storey

d) 3 stores not supported, support maximum of 2 storeys.

3 stores in Precinct 3 will create issues with overshadowing, parking, general through traffic, over looking backyards etc. Precinct 3 is a well established family area and 2 storeys is high enough! This enables families to build their duplex houses without impeding on their neighbours backyards (what’s left of them anyway)

Strategy e) Encourage detached houses, villa units and townhouses along Middleton Street, directly adjacent to the CSIRO site (Precinct 5)

E) important to maintain set backs and maximum 2 storey properties along back of Middleton St and retain tall gums

Strategy f) Encourage apartments of up to 3 stores on Bay Road (Precinct 6)

i) Bay Road is too narrow to take on more traffic.

i) 2 Storey

3 stores in Precinct 6 will create issues with overshadowing, parking, general through traffic, over looking backyards etc.

Strategy g) Encourage consolidation of lots in Precincts 1 and 2 to encourage increased housing density

G) I don’t understand what you are doing to do to encourage it, developers are already doing this and making it happen

G) Highett is experiencing over development for the size of the roads. An over-supply of apartments, rather than townhouses, is already being experienced.
Strategy g) These streets are too close to the major activity centre and with added strain from too much high density plus the occasional use for overflow parking from the shopping centre, there is just too much congestion in such small spaces - needed both small pockets of open space and opportunity for parking. Developments need to include visitor parking options as Graham Rd and surrounding streets are very limited.

Strategy h) Ensure commercial developments along Hightett Road provide canopies for weather protection

(i) The council should infringe the least possible on the choices of property owners as a matter of philosophical principle.

(ii) Ensure adequate lighting or solar access through canopy to help safety and an ‘open’ feel.

(iii) There has never been canopies over years of trading.

(iv) Yes but this needs to apply to the Kingston side of Hightett Rd as well as this is where the greatest need is. We really need to see improvements in the area surrounding the Hightett Library which should be a community hub but currently is not at all welcoming.

Strategy i) Encourage new development to front and overlook key pedestrian paths and public open spaces to improve safety

(i) The council should infringe the least possible on the choices of property owners as a matter of philosophical principle.

Strategy j) Encourage the use of green roofs and walls where possible

(j) Bayside Council should immediately commit to signing up to BESS. Bayside Council should also add new large canopy tree planting to reduce the heat island effect.

(k) The council should infringe the least possible on the choices of property owners as a matter of philosophical principle.

(l) All new houses should have water tanks and access to solar power.

(l) What use are green roofs and walls?

Roof top and vertical gardens: Look at geo-exchange for reducing heating and cooling. Do not confuse this with geo-thermal. Water tanks for toilets and laundries and gardens. More parking for visitors.

Green roofs and green walls do not work properly if at all. This is not Singapore. The I have seen either fail due to lack of maintenance or council not following up on permit regulations.

Strategy k) Encourage canopy tree retention and planting in front and rear setbacks

(k) Bayside Council should immediately commit to signing up to BESS. Bayside Council should also add new large canopy tree planting to reduce the heat island effect.

(l) The council should infringe the least possible on the choices of property owners as a matter of philosophical principle.

Strategy l) Ensure new developments are designed to reduce water and energy use

(i) Bayside Council should immediately commit to signing up to BESS. Bayside Council should also add new large canopy tree planting to reduce the heat island effect.

(ii) The council should infringe the least possible on the choices of property owners as a matter of philosophical principle.

(iii) Controls needs to be put in place to ensure permeable surfaces, solar panels, water tanks etc.

Improvement Idea/suggestion

The % of new development to parkland is unbalanced. 50% of the CSIRO site needs to be parkland accessible from at least east, south and west boundaries.

New developments must have greater set backs to allow for ease of pedestrian flow. Current woolworths complex is a classic mistake when it comes to set backs. Horrendous over use of concrete, not enabling good access to the bus stop and terrible pedestrian flow. There is no room. Other developments have also been way to close to the road and established trees have been removed as a consequence.

Concern/unsupportive

Concerned with amount of high rise apartment complexes being built, when all I hear are people saying they can’t buy free standing houses anymore.

Excessive apartment development is already impacting on accessibility and vehicle movement in Hightett Rd, Bay Rd and Graham Rd.
I do not support the building of 5 stores anywhere in Hightett.

None of the above strategies actually address the increased traffic congestion. Or really should we say to all those who buy property within walking distance from train, retail etc. they cannot own a car or two or three.

not too sure what all this means as so far nothing has been done to demonstrate that any of the above actions have been carried out.

nothing should be built higher than 3 levels - consider your current residents and their right to privacy. I dont believe any of you would enjoy having 1600 eyes staring into your back yard would you? RETHINK YOUR HEIGHT ON DWELLINGS!

The ratio of green space vs. high rise residential properties in zone 4 is very disappointing. Hightett would benefit from having a much larger green space, especially given the increasing development and population.

Precinct 4 (not mentioned above) is not supported to be 4 stores, this should be an absolute maximum of 3. In addition, the precinct to the North of precinct 4 (also not mentioned above), is not supported to be 5 stores: this should be maximum of 4 stores, the same height as precinct 1.

Traffic on Highton road is grid locked at times when the rail boom gates close. Hightett has been a dumping ground for to many poorly designed apartment blocks. 83 percent of Bayside has maximum protection from developers and Hightett and Cheltenham were not protected and have been trashed with over development.

In addition, eight submissions presented the following comments regarding the heights and types of housing in the Activity Centre.

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Submission 1: Object to removal of protection currently provided by the Design and Development Overlay – Schedule 5 (interface between Precinct 1 and Precinct 2B). Precinct Interface - the property sits at the interface between Precinct 1 and Precinct 2B. The Draft Hightett Structure Plan sets out a three-storey built form outcome for the latter. The neighbouring land to the north is presently encumbered by the Design and Development Overlay – Schedule 5. The Schedule includes a series of development qualifications whereby the land to the immediate north would be confined (due to size and frontage width) to a 7.5 metre, two-storey townhouse development. While we acknowledge a suite of draft controls will be forthcoming via a formal planning scheme amendment, it is unclear whether the Draft Hightett Structure Plan seeks to carry forward the parameters of the existing Design and Development Overlay – Schedule 5 or remove them. Removal of the size area and frontage qualifications would mean the development expectations on the neighbouring land would change from two-storey townhouses to a three-storey apartment building. We fundamentally object to such a change. Recommendation: b) The land size qualifications, as drafted in the existing Design and Development Overlay – Schedule 5, be retained with respect of Precinct 2B.

Submission 4: We support the proposed VPD for the CSIRO site while recognising the proposal is to include exemptions from third party notice and review requirements in the Act, because this will facilitate the appropriate sale of the site. That said we think the wording of the justification could be simplified to say “Some of these trees were planted by the CSIRO and so are not protected by the Native Vegetation Framework.”

Our focus is on the land abutting the Hightett Grassly Woodland area on the eastern side of the CSIRO site. For brevity we will call that “CSIRO east.” Our concern is that any development there should not increase the height of the HGW at any time of day or detract from the amenity of the HGW.

The current proposals

Despite helpful advice we are confused about the current proposals for CSIRO east in two respects. Firstly, p16 says Precinct 3 will include apartments in the mix. However, apartments are omitted from the description of Precinct 3 on p18. We would support large apartment buildings being excluded from land in Precinct 3 that is remote from the stations, notably CSIRO east. This would discourage the loss of sunlight to the HGW from between buildings.

Secondly, p16 states rear setbacks for sites abutting the HGW (ie CSIRO east) that are less than those stated for elsewhere in Precinct 3. The general rear setbacks in Precinct 3 are the same as those stated for Precinct 5 (“the CSIRO interface”). We believe strongly that the Precinct 5 setbacks should also apply to the land on the other side of the HGW in CSIRO east.
We were advised that the rear setbacks shown for CSIRO east arise from a general policy in the Planning Scheme about land that has open space to the rear. We have not located that policy but it would imply that heading for the setbacks on p18 for CSIRO east should be extended to “For sites abutting the Lyle Anderson Reserve, the railway, and the Hightt Grassy Woodland.”

Desirable built form in CSIRO east

Shadowing would be minimised and the amenity of the HGW maintained by controls that minimise building height and maximise side and rear setbacks. We propose that the sites abutting the eastern side of the HGW should have the same controls as those on the western side (Precinct 5) that are in NRZ3, with the rear setbacks as stated on p18 of the draft HSP. That would mean removing the current GRZ1 zoning (plus DDO2) for these properties. We consider that to be justified in terms of Council planning policies because the properties are not at all close to the railway stations with all at least 1km on foot from Southland and over 600m from Hightt.

The impact in terms of the objectives of the Bayside Housing Strategy would be minimal and, in any case, there are many other properties, outside the GRZ, that are closer on foot to the Hightt station, for instance on both sides of Worthing Road. In this connection it is worth noting that the implementation of the Strategy took place with limited community input. The Planning Scheme already includes instances where special setbacks are required on land abutting remnant vegetation. Note that these include aims to limit the impact of lighting, a feature that should be applied to all land abutting the HGW.

In addition, we understand that the land ownership on the properties between the HGW and Graham Road make it unlikely that controls more relaxed than NRZ3 would have any practical effect for decades.

Other built form impacts on the HGW

The controls proposed for the development of the northern portion of the CSIRO mean that there could be three-storey buildings abutting the northern edge of the HGW. While not desirable from our point of view we note that over-shadowing may be less because the sun is higher in the north. We do not oppose those controls because they are part of a package agreed to secure the future of the HGW. However, we will of course respond to plans for development in that area in due course.

Submission 6: Guiding built form - heights and types of housing in the Activity Centre should be a maximum of two storeys and the current character of Royalty, Princess and Jackson Roads should be retained. As a person who lives in Princess Avenue I cannot see how the Council can state it plans to "recognize the character of Hightt's established residential areas and manage change in a way that responds to this character". Three (3) storey (level) buildings with no back yard does not "recognize" the existing life-style of Royalty Ave, Jackson Road, or Princess Avenue. The Council approved sub-development of the property on the corner of Graham Road and Princess Avenue, creating 2A Princess Avenue. That property has been built right up to the boundaries of the house on the corner of Graham Road and No 8 Graham Road. The space between my house and 2A is minimal. I even heard one of the workmen commenting on the lack of "breathing / playing / entertaining space" on that property.

Making the buildings "high rise" makes the area "sterile" in that people rushing from home to work have no time to get to know their neighbours. Paragraph 1 of Paragraph 4 on Page 5 suggesting windows should overlook pedestrian paths and open space is not a good idea. The owner / occupant of the unit will in turn have no privacy as pedestrians can see what they are doing in their units. I lived in an Apartment overseas and learnt a lot.

Submission 7: We support a number of aspects of the draft structure plan. We strongly support the rezoning of the Hightt Road properties from residential zones to the Commercial 1 Zone. The delineation of the western edge of the commercial centre by Worthing Road / Donald Street better reflects the on ground condition both on the north and south sides of Hightt Road, particularly in relation to the commercial uses currently operating at 481-485 Hightt Road. We are of the opinion that the increased residential densities surrounding the commercial strip, particularly the CSIRO redevelopment, will further support the viability of the commercial centre, creating a more integrated activity centre which provides a full range of services for the community. We also support the increase in the proposed height control in precinct 2A between Graham Road and Thistle Grove, however we are of the view precinct 2A should extend south to Hightt Grove.
including the properties at 32-34 and 36-40 Graham Road, on the basis that 36-40 Graham Road is identified as a key development site in Figure 4, however there is no definition of a key development site in the structure plan, nor is there any uplift in development potential as a result of this designation. The key development site designation should be reflected in a four storey height control. The size, interfaces and locational attributes of 32-34 and 36-40 Graham Road are unique and distinct from the remainder of precinct 3. They cannot reasonably be described as 'residential hinterland' sites and have a much greater development potential than the remainder of precinct 3. If precinct 2A were to be extended south on the east side of Graham Road to Highett Grove, it would have a similar (albeit lesser) extent to the four storey height control proposed in precinct 4 on the CSIRO site on the western side of Graham Road.

Submission 6: There are no provisions for sustainable developments in the revised structure plan – Bayside Council took a deliberate decision several years ago to reject any requirement for sustainable developments within Bayside. This has been highly detrimental to most of Bayside, but especially areas like Highett, Hampton East and Cheltenham, where developers will use any excuse to skimp on quality and couldn’t care less about sustainability (eg airtight building construction, appropriate levels of insulation, access to daylight, communal open spaces etc). Beside the mandated minimum requirements for the building code of Australia and laterally the Better Apartments Design Guidelines, many other Councils within Victoria also ask developers to design their buildings to meet the requirements of BESS (Built environment sustainability scorecard). This should also be an integral part of the Bayside Planning Scheme, and yet there is no mention of sustainable development as an integral part of the planning scheme. Highett is a shining example of how NOT to plan a village. Bayside Council has failed to encourage the development of a vibrant community village with an active street front.

Submission 9: Four Storey Height Limit to Worthing Road: Having four storeys right up to the corner of Worthing Road does nothing to provide a transition to the Neighbourhood Residential Zone on the other side of Worthing and Highett Roads. Council went to great lengths to oppose the height of the development at 477-479 Highett Road and I stood side-by-side with Council’s planners at VCAT labouring this point. 477-479 Highett Road is three storeys and the same height limits should be retained to provide a gentle transition into the NRZ as Council had argued for previously. Changing it now provides a minimal net benefit overall, perhaps six more apartments could be built but the downsides are far greater.

No front setbacks: Allowing no front setbacks along Highett Road and around onto Worthing Road provides no consistency or transition into the Neighbourhood Residential Zone. Again, Council went to great lengths to maintain the setbacks of the development at 477-479 Highett Road and I stood side-by-side with Council’s planners at VCAT labouring this point. If the changes are made then the street frontage will zig-zag in and out, i.e. no set back (481-485 Highett Road) / set back with garden beds and courtyards (477-479) / no set back (471-475). Again an inconsistent approach and making a change that does not benefit or enhance the urban environment. The way the Planner explained it, with the current planning scheme any development on my property has to be set back 9m (potentially being reduced to 6m) and there will be a two-storey street front wall height on the Worthing Road frontage of 471 Worthing Road. This will result in a very odd streetscape and also impacts the development potential of my property as there will be a two-storey wall in the entire front yard. But then the documents mention a “side setback of three metres where there is an interface with land in a Neighbourhood Residential Zone” – I assume that means that with there being a NRZ on the W side of Worthing Road that this applies and so anything on Worthing Road will be set back three metres? Regardless, consideration should be given to further reducing the setback on several properties up Worthing Road to again provide a smooth transition from the corner and up Worthing Road. Having a 9m (or potentially 6m) step back to any properties will look odd and is inconsistent and unreasonable. The setback should be transitioned and some consideration giving to reducing the setback when abutting a two-storey street front.

No limit on site coverage: How does this do anything to provide a suitable living environment for anyone living in these zones? No courtyards, garden beds or anything. No ability for natural light to enter the built form or for operable windows to allow natural air circulation? Another proposed change which just seems to make the built environment worse rather than better.

Submission 11: Precinct 6 – Lane way: Has council actually taken a look at Google Earth and looked at what is currently built at the rear of the properties on the Northern Side of Bay Rd and Southern side of...
Royalty Ave. Note Google images are not up to date as there are numerous new Duplex Townhouses and rear Townhouses not shown. Swimming Pools right up to the boundary. Houses that go over the proposed lane way. Houses and structures right up to the boundary. There is an easement on the Bay Rd properties, which is not allowed to be built over affecting the middle group of properties.

These properties are narrow and taking land off them to put in a lane way will make them into single house blocks only and not suitable for apartments. Is the Council proposing to knock down dwellings and structures to make a laneway? fill in swimming pools? build a lane way over easements? compulsory acquire land to build the laneway?

Precinct 6 – Boundary: Should council be serious about setting up a section for apartments then looking at the narrow width of the blocks on the northern side of Bay Rd you would be aware from the building envelopes, that with the proposed 6m set backs (which I am in favour of), easements at the rear, proposed lane way, and internal requirements for stairs, hall ways etc these blocks are too narrow to hold apartments. We went to market with eight blocks and this was the clear feedback we got back from developers who undertook feasibility studies on our parcels of land. To encourage apartments then you need to increase Precinct 6 to include the properties on the southern side of Royalty Ave. With the increase of this land developers will then look to move the easement and be able to get a better yield of the site due to the depth. You could also put in place that access is to come from Royalty Ave and that no cross overs are to occur on Bay Road. Looking at the Southern side of Royalty Ave there is a significant amount of development activity turning these properties into new duplex properties and Council may have missed the boat on this Apartment plan for Precinct 6.

Precinct 6 – Apartment Height: Council needs to start being realistic with heights and saying to developers that they can then have 6 stories, which from the economic and planning studies we undertook makes the development feasible to developers. Eight owners tried to sell to developers who could have gone three stories through VCAT and it was not economically feasible, so I do not understand why you keep persisting with 3 stories apart to try and appease the noise of a few vocal Bayside residents. Six stories would also then fit in with the State Government plans for their land and make a lot more sense from an urban planning and land use application. Precinct 6 is close to a train station and Southland and therefore the land should be given greater height limits, especially if you can get vehicular access through Royalty Ave into any developments.

Submission 13: Visual bulk and height with three storeys high already in Highett Road why would we change to four storeys. Highett is starting to look like City of Melbourne with sky scrapers.
Land use in the Activity Centre

It is proposed to rezone a number of properties along Hight Road from a residential zone, to a commercial zone. This would allow this area to change over time from housing, to more shops/offices (these may also include residences above) to meet the forecast future demand. This would mean that the Hight Road shopping strip would eventually extend to Worthing Road and Donald Street. Three strategies have been proposed to guide land use form in the Hight Activity Centre.

Survey respondents were asked to indicate the extent to which they support or do not support each strategy.

As shown below, survey respondents indicated varying views and mixed levels of support.

<table>
<thead>
<tr>
<th>Strategies proposed to guide land use (63 responses)</th>
</tr>
</thead>
<tbody>
<tr>
<td>c) Make it more attractive for people to walk from Southland to the Bayside Business District by ensuring new development has windows and balconies that look onto Bay Road, so pedestrians feel safer</td>
</tr>
<tr>
<td>a) Provide opportunities for increased shops and offices by expanding the Hight Road shopping strip to Worthing Road and Donald Street</td>
</tr>
<tr>
<td>b) Encourage increased housing density along the Hight Road shopping strip and close to the train station</td>
</tr>
</tbody>
</table>

A total of 20 survey respondents elaborated on their answer (which has been segmented by strategy/topic), as follows.

**Strategy a) Provide opportunities for increased shops and offices by expanding the Hight Road shopping strip to Worthing Road and Donald Street**

A) I believe the Hight shopping strip should be extended down to Albert street, and extend into Albert street and Donald streets further than the current proposal - at least twice as deep.

A) The problem with the activity area is the Kingston side, not the Bayside side. Where Donald Street and Worthing Road meet Hight Road it isn’t a true intersection (the two roads are not exactly opposite) and it’s dangerous.

a) The ship has already sailed on this proposition with brand new housing either built or being built along this section. The section should be mixed us not commercial anyway.

a) Only support those if 3 storeys is the limit and this trickle down policy never extends beyond Worthing/Donald.

A) Very little can survive in small business and with no parking on Hight Rd

**Strategy b) Encourage increased housing density along the Hight Road shopping strip and close to the train station**

b) Housing above shops is perfectly acceptable but the shopping strip at ground floor should be commercial only. This needs to be a separated question.
b) Only support these if 3 storeys is the limit and this trickle down policy never extends beyond Worthing/Donald

Strategy c) Make it more attractive for people to walk from Southland to the Bayside Business District by ensuring new development has windows and balconies that look onto Bay Road, so pedestrians feel safer

C) Bay Road is too narrow

c) I find it quite difficult to see how people can feel like walking through an attractive streetscape because of windows and balconies. All developments are behind fences that are usually high anyway so this is essentially moot. People want wide paths, good paths, planted treescapes on verges and lighting. They do not strive for looking into other peoples houses or have them looking back.

c) I have no idea where the Bayside Business District is

C) Improve the lighting along the streets. Particularly Graham Rd would be great. Terribly unsafe as a female walking back from the shops/stations from both Highett and Southland strips

C) There is plenty of roads from Southland with footpaths for walkers

With more than 22,000 vehicle movements along Bay Rd each day it is ridiculous to suggest (c) that windows and balconies on Bay Rd apartments will make pedestrian feel safer

Comment/Query

Parallel parking in Highett Road for the Highett shops is very problematic and causes lots of delays when travelling along Highett Road

why would I walk to Southland to shop when what you are saying is that all our shopping needs are to be in Highett

Improvement idea/suggestion

I walk to and from Southland for work from Graham Rd and would hugely appreciate more visibility from shops etc along Bay Rd, especially for darker evenings - Lighting under the train line bridge would also assist here and further lighting along Graham Rd which has some especially dark patches. Traffic lights needed at Graham Rd for traffic control to allow better access from new proposed houses in the Southern end of GRZ zoning

Rather than extend strip to Worthing Road utilise the existing shopping strip to better use between railway line and Nepean Hwy.

We feel strongly that there needs to be collaboration between Bayside and Kingston Council to ensure the whole of Highett Activity Centre is working together to create continuity of workable infrastructure.

STOP CRAMMING PEOPLE IN - MOVE THEM FURTHER AWAY AS I HAVE PREVIOUSLY STATED, APARTMENTS BUILDING SHOULD BE BUILT 3 X STREETS APART FROM ONE ANOTHER TO CONTINUE THE SUBURBS CHARM AND STOP CRAMMING DOG BOXES CLOSE TO PUBLIC TRANSPORT. PEOPLE DO HAVE LEGS AND CAN WALK

Concern/Unsupportive

As stated over development of Highett, no parking in Highett. Highett grid locked. Highett station full at peak times and trains full.

As long as there is enough car parking and wider road!!!

I think this road is already congested, there is limited parking for already existing businesses, adding more businesses will not improve either of these problems

That's fine if you can walk or push a pram or ride your bike safely. Which you cannot do at the moment as the paths are too narrow. Shocking access under the overpass to and from Southland. New developments along bay rd have not allowed enough space. And Highett road paths are also too narrow and I can't see this changing.

There is no business case for increasing the commercial area given there are so many vacancies - if there was increased trade, there would be a case to expand the commercial zone. There has been no examination of linking this CSIRO site with the Village - I would recommend a study into the potential to link these areas. Also, lack of on-street parking and the speed of traffic travelling along Highett Road is impeding the success of strip shops.

As stated the stretch between Major St and Worthing Rd is already emerging as a residential strip with a major residential apartment complex and new townhouses cornering Donald St recently completed. Allowing businesses to now be built alongside houses demonstrates a lack of foresight in planning for this area. If Bayside Council wishes to make this change, it should have implemented it long before now.
In addition, four submissions presented the following comments regarding the land use in the Activity Centre.

**Submission 5:** I support the Land Use Plan (p. 14) in principle, including the proposed rezoning from NRZ and GRZ to C1 Z. However, my support is subject to indicated potential open space (recreation and conservation) on the CSIRO site being implemented. Failure to deliver both by one or more responsible/planning authorities would negate any goodwill Highett residents may have to the Draft Highett Structure Plan updated 2016.

**Submission 8:** The Structure Plan (p.9, Housing) states that 1197 dwellings will be needed between 2011 and 2036. It mentions Major Street and the CSIRO, but fails to mention the wider General Residential Zone, that in combination with the above, will more than likely provide excess accommodation well before 2036. I am concerned that Bayside Council is encouraging over-development of smaller sites without regard to the capacity of Highett infrastructure (eg roads) to absorb the high volumes of increased accommodation, and the negative effect to the amenity of Highett residents that is already being experienced. I would ask that Bayside council carefully consider the proposed integration of the CSIRO site with the Village of Highett. There appears to be little that links the two areas together, creating destinations rather than links. I ask that there be a place-making study that would look into the best way of linking the two areas together. This may require a small section of Graham Road becoming part of the commercial zone.

**Submission 9:** Commercial vs. Residential. Adding more commercial properties down Highett Road means a reduction in the residential properties that can be provided so this appears to be a driver of increasing the height limits to four storeys. Why not just stick to the current plan and not make the changes? There are commercial properties all the way down to Highett Road almost to Donald Street, why not support the development of these properties rather than doing the same on the opposite side of the road resulting in an inconsistent and ad-hoc street front? There is no allowance in any of the proposed plans to provide additional street parking for the commercial premises nor can the current roadway support it, so where are the people visiting the shops going to park their cars? Numerous studies show that people want to park near where they shop yet none of the plans give any consideration to this.

**Submission 13:** What sort of window screenings shall be in place to stop overlooking into low level housing on boundaries?
Walking and cycling around the Activity Centre

Additional traffic lights, pedestrian crossings and on road bike lanes are proposed within the Activity Centre.

Ten strategies have been proposed to guide the prioritising of walking and cycling around the Highett Activity Centre.

Survey respondents were asked to indicate the extent to which they support or do not support each strategy.

As shown below, survey respondents indicated strong support for all strategies with the exception of:

- a) Introduce raised pavements to cross Worthing Road, Donald Street, Middleton Street and Major Street to provide a level surface for pedestrians and slow traffic (moderate support)
- h) Provide on-road bicycle lanes along Bay Road, Worthing Road and Middleton Street (limited support)

<table>
<thead>
<tr>
<th>Strategies to prioritise walking and cycling (63 responses)</th>
<th>Support</th>
<th>Don’t support</th>
<th>Not sure/no opinion</th>
</tr>
</thead>
<tbody>
<tr>
<td>d) Improve lighting, pavement surfacing and pedestrian amenity along Bay Road, Worthing Road, Highett</td>
<td>61</td>
<td>3</td>
<td>0</td>
</tr>
<tr>
<td>c) Improve lighting, way finding and access to the train station from Highett Road and Train Street</td>
<td>58</td>
<td>13</td>
<td>0</td>
</tr>
<tr>
<td>f) Provide footpaths along Thistle Grove and Highett Grove and a new pedestrian path to Lyle Anderson</td>
<td>53</td>
<td>3</td>
<td>6</td>
</tr>
<tr>
<td>b) Provide a pedestrian/cycling bridge over the railway corridor adjacent to Lyle Anderson Reserve</td>
<td>51</td>
<td>4</td>
<td>8</td>
</tr>
<tr>
<td>e) Provide a signalised pedestrian crossing at Bay Road/Graham Road and Bay Road near the Frankston Station</td>
<td>50</td>
<td>6</td>
<td>6</td>
</tr>
<tr>
<td>g) Investigate pedestrian crossings to cross Graham Road to access the proposed open space on the...</td>
<td>49</td>
<td>6</td>
<td>6</td>
</tr>
<tr>
<td>i) Advocate for a shared pedestrian/cycling route along the Frankston train line to connect Highett to...</td>
<td>49</td>
<td>5</td>
<td>6</td>
</tr>
<tr>
<td>j) Provide additional bicycle parking facilities at Livingston Street community hub, Lyle Anderson...</td>
<td>46</td>
<td>6</td>
<td>11</td>
</tr>
<tr>
<td>a) Introduce raised pavements to cross Worthing Road, Donald Street, Middleton Street and Major Street to...</td>
<td>44</td>
<td>12</td>
<td>6</td>
</tr>
<tr>
<td>h) Provide on-road bicycle lanes along Bay Road, Worthing Road and Middleton Street</td>
<td>34</td>
<td>20</td>
<td>6</td>
</tr>
</tbody>
</table>
A total of 25 survey respondents elaborated on their answer (which has been segmented by strategy/topic), as follows.

**Strategy a** Introduce raised pavements to cross Worthing Road, Donald Street, Middleton Street and Major Street to provide a level surface for pedestrians and slow traffic

- A) There is already a problem at Middleton Street and Donald Street when trains make the traffic back up past those two streets.
- A) Need better signage around the Hightell shops of the hidden car parking in the back streets. Most don't know they are there.
- a) Vehicle claim should be done before an intersection on it. Raised pathways for pedestrians make those pedestrians step on the road without looking causing more danger.
- A) I support this for all proposed streets except Worthing road given the importance of Worthing road as a traffic route.

**Strategy b** Provide a pedestrian/cycling bridge over the railway corridor adjacent to Lyle Anderson Reserve

- B) This is against everyone else's options and costs more and takes up more space. Kingston's view is a tunnel under as is the state governments as part of the Gas and Fuel project. Bayside is out of step here.
- B) I believe this would encourage unsocial activity in the Lyle Anderson reserve at night and reduce the safety and amenity of the area. Further, I believe it may encourage foot traffic from the proposed residential developments on the former gasworks site to bypass the Hightell shopping village and utilise the reserve instead of other nearby reserves. I believe Lyle Anderson reserve cannot sustain the potential foot traffic that may flow - but there should be something done about a crossing over the railway line to encourage commercial development and growth of the Hightell bowls club.

**Strategy c** Improve lighting, way finding and access to the train station from Hightell Road and Train Street

- Also, viaduct/underpass needed to access train station, not an overpass which are difficult for elderly & mobility impaired people to use.

**Strategy d** Improve lighting, pavement surfacing and pedestrian amenity along Bay Road, Worthing Road, Hightell Road, Train Street, Middleton Street, Graham Road and the pedestrian link along the railway line

- D) Improved lighting in Major St, Hightell, Not safe at night time.
- D) Please please - so long overdue!
- D) Please remove the current areas of car parking along Graham Rd to improve traffic flow and make safer for all.

**Strategy e** Provide a signalised pedestrian crossing at Bay Road/Graham Road and Bay Road near the Frankston train line

- E) Traffic lights at the bay rd, Graham rd intersection is imperative to improving the experience of motorists, cyclists, pedestrians and those who use the buses in this area. It is a deeply neglected area by Vic Roads and is responsible for so many accidents near and otherwise.
- E) I support traffic lights on Bay Rd at Graham Rd (but not pedestrian lights at the railway bridge). (b) Bay Rd is too dangerous for cycling.
- E) Yes to Graham and Bay but no to Bay rd railway line. Again, Bayside is out of step here with all other parties - this should be a bridge over pay road to link the pathways. A new crossing here is 153 metres from an existing one and is both lazy and dangerous as well as going nowhere as there is a hill in the location.

**Pedestrian crossing outside Aldi on Bay Rd needed.**

- A pedestrian crossing near Aldi on Bay Road. There is very little pedestrian access to this store.

- Not enough pedestrian crossings on Bay Road south of Middleton Street. This is a major problem for people accessing Aldi supermarket and the nature reserves adjacent Sandringham Secondary College.
- We need a pedestrian crossing on Bay Rd near Avoca St.
<table>
<thead>
<tr>
<th>Strategy f) Provide footpaths along Thistle Grove and Hightett Grove and a new pedestrian path to Lyle Anderson Reserve through the redevelopment of 36 Graham Road</th>
</tr>
</thead>
<tbody>
<tr>
<td>Strategy g) Investigate pedestrian crossings to cross Graham Road (to access the proposed open space on the CSIRO site) and Hightett Road at Worthing Road (to access Livingston Street community hub)</td>
</tr>
<tr>
<td>Strategy h) Provide on-road bicycle lanes along Bay Road, Worthing Road and Middleton Street</td>
</tr>
<tr>
<td>Strategy i) Advocate for a shared pedestrian/cycling route along the Frankston train line to connect Hightett to Cheltenham</td>
</tr>
<tr>
<td>Strategy j) Provide additional bicycle parking facilities at Livingston Street community hub, Lyle Anderson Reserve and Hightett Station</td>
</tr>
</tbody>
</table>

f) Hightett Grove already has footpaths. Thistle requires the rest of the road to be footpath paved so I agree with this part. A development at 36 Graham Road is a business proposition and forcing a developer to do this could make it difficult on the developer who MAY want to do this anyway as this would be a logical thing to do for the benefit of the residents. Further, Thistle Grove is only 125 metres away and Hightett Grove only 100 metres away. At some stage, people need to WALK for 1 minute so this is simply lazy planning in my mind.

G) Worthing Road is already dangerous with car parking allowed on both sides. Sometimes driving from Donald Street to Worthing Road is dangerous because you can’t safely clear the intersection due to unseen congestion on Worthing Road.

h) I support the Graham Road proposal but not the Worthing Road proposal - there is already a pedestrian crossing located sufficiently close to Worthing Road (at the retail centre).

h) unnecessary spend, plenty of areas for people to cross.

h) Bay road is far too dangerous and not possible and council knows this. Middleton and Worthing are both too narrow to provide these things

h) Bay Road and Worthing Road are key vehicle traffic routes and are unable to sustain a permanent bicycle lane. alternative cycling paths should be investigated. opportunities do exist

h) would need to do something about on-street parking first as it is a nightmare driving along Worthing Road with the cars parked there using the Livingstone area. new residents in apartments and buses use it too

h) integrated bicycle lane must include Hightett Road. Increased parking for Livingstone Hub - suggest council buy land to provide extra parking for the community centre. Many Hightett residents have mobility issues or live too far away to walk to this centre

h) Not enough 100m for bikes + cars

h) not sure about bike lanes on Middleton St, road is quite narrow when cars are parked, may need to remove car parking requirements to create bike lanes.

The roads are too narrow to have cyclists on them. Should cyclist use roads they must be licensed and contribute to TAC

There is absolutely no room on Middleton Street for a bike lane. It is dangerous enough already. The parking is atrocious.

Re cycling - have heard all this at many consultation meetings and so far zero action. Cycling infrastructure in Bayside is abysmal with potholes along most cycling areas in many streets making for dangerous cycling. This is “pie in the sky” stuff and will be years in the making.

Of course I support most of these strategies but good luck getting bike lanes on Bay Rd. You really shouldn’t build people’s hopes up and provide these aspirational strategies that will never happen. I would prefer you focused on what is currently happening in our area and stopping some of this over development on Bay Rd and hightett Rd. Paths are too narrow. Bay rd is getting busier and busier.

Strategy i) Advocate for a shared pedestrian/cycling route along the Frankston train line to connect Hightett to Cheltenham

i) I agree with having the path, but I disagree with council’s location of this on the BAYSIDE side. All other parties agree with this proposition but on the KINGSTON side. Council is out of step here.

Strategy j) Provide additional bicycle parking facilities at Livingston Street community hub, Lyle Anderson Reserve and Hightett Station

i) and Southland.

Improvement idea/suggestion

I really support the removal of the 2 level crossings - they are causing significant traffic delays these days and can have traffic banked right back to the Nepean Highway.
If we provide bike lanes on Worthing, middleton ETC with cars parked both sides allow 1 meter for vehicle to pass bikes we shall not be allowing cars from both directions to pass.

Shared pedestrian/cycling routes should be one or the other not both.

Speed humps or something similar to slow traffic down on Graham Rd, especially the section from Woolworths to the bend at the CSIRO entrance. Also from the other direction to the bend at CSIRO entrance would benefit from a speed hump or similar.

There is already severe congestion near the Livinston Street community hub and very limited management of parking. In particular there is now a very dangerous intersection at Wolseley & Worthing Road where cars park right up to and on the very corner of the road thus hampering both visibility and the ability to manoeuvre down Wolseley Road. With more 3 storey buildings along Worthing Road, this is likely to become much worse and impact other streets nearby such as Monamie Avenue. My suggestion is that traffic calming (speed humps, 40 km limits and much tighter restrictions on parking along Worthing and all roads nearby be imposed to ensure roads are safe and passable.

To improve safety in the area it is strongly advised to make the following changes to Graham Rd: remove all on road parking along the length of the road, raised pedestrian crossing/speed humps at intervals to reduce traffic speed along the road, increase the size of the sensor/triggered pedestrian crossing/car turning intersection at Bay rd to go from Graham Rd to Chandos st so a clear way is formed upon signalling for busses to turn into Graham Rd and cars to turn right from Graham into Bay.

Concern/unsupportive

And what is with the ‘laneway’ through my backyard? I do not support that.

In addition, seven submissions presented the following comments regarding walking and cycling around the Activity Centre.

Submission 3: P23 shared path on HGW and across CSIRO - challenge the text: insert "perhaps" or add other options eg HGW to be decided in relation to significant vegetation.

Submission 4: Protection of the HGW's vegetation and the provision of 24/7 access may not prove to be compatible. With the reservation we believe the proposed shared paths on p22 should be realigned to show a route through the HGW from the south-east corner that avoids the established important ground-level native vegetation around the eastern boundary. Accordingly, the wording on p23 should be less specific about the alignment of paths through the CSIRO site. Including the word "perhaps" might do it. (The Council has a draft report from Ecology Australia with more appropriate indications for the HGW and the Cardno Traffic and Transport report mentions the existing CSIRO access from the west opposite conmutl Avenue that would, if carefully related to the trees, be acceptable to us.)

Submission 5: A number of concerns emerge from the Built Form Plan (p 17) and in particular the Access and Movement Plan (p 22). Subject to potential open space eventuating, connection with existing open space appears to be minimal and contrary to community cohesion. For instance one of two CSIRO emergency access/gress sites at 8 Middleton Street has been blocked off by Bay Road development and sold denying access to the southern proposed conservation area. 32 Middleton Street still marked as an emergency access/gress site may be the beginning of a shared path as indicated on page 22, but is it? Will Bayside purchase whatever property is needed to connect the proposed shared path? The access and movement plan suggests, without direct access from a road, the conservation area will be out of sight and out of mind from a community with minimal open space in an increased density area. Furthermore, will Bayside purchase whatever property is needed to provide a shared path south of the maximum 5 storey area, again dependent on access to Middleton Street? Lastly, the shared path indicated on page 22 between Graham Road and the existing open space (Lyre Anderson Reserve) looks like an easement currently within the Clear Edge Filtration (Australia) Pty Ltd, 36-40 Graham Road site. How is this to be achieved?

Enhancement of pedestrian experience is proposed in Train Street. So hopefully it will not take Bayside 20 years to unlock the playground at the northen end. Increased density to date around the Highett railway station, particularly along Highett Road, has significantly increased the risks to pedestrians, which should be
addressed sooner rather than later. Pedestrian road markings consistent with the Draft Highett Structure Plan updated 2018 should be made immediately before a pedestrian is seriously injured by drivers ignoring pedestrians before reaching the existing road (stop) markings. Altered pedestrian/vehicle road markings should be made at Highett Road intersections at Donald Street, Worthing Road and Mayor Street. Indicative markings are clearly visible at the intersection Train Street and Highett Road.

Submission 6: Support for all strategies to prioritise walking and cycling in the Highett area. I have agreed with all comments on page 9. I suggest that Australia look at the way The Netherlands handles bicycles traffic.

Submission 7: The structure plan also retains reference to the public open space link between Graham Road and Lyle Anderson Reserve. Whilst we are in principle supportive of a link, further discussion is required in respect to the mechanism for delivery of the link. At this time we do not accept the transfer of the link to Council as part of the public open space contribution. We would also challenge the basis for Council seeking to negotiate public open space contributions in excess of the planning scheme requirement. The structure plan should also acknowledge works are required to Lyle Anderson Reserve to connect any pedestrian link to existing pedestrian paths in the reserve.

Submission 8: I support most of the suggested survey measures, especially the need for cycling lanes along Worthing Road, Middleton Street and Bay Road. However, the lack of provision of a cycling lane along Highett Road is a glaring omission. How will cyclists’ safety travel between these roads? This is not an integrated cycling policy if it doesn’t include Highett Road. Footpaths in and around Highett are generally in poor condition. The footpaths along the shopping strip in the village are in especially poor condition, and some are too narrow for intended purpose. The focus on accommodating cars by widening the roadway, rather than provisions for pedestrians or cyclists has been detrimental to the village. I would add that given the speed of traffic along Highett Road, it is too dangerous for most residents to walk into the village and safely cross the road anywhere between Train Street and Spring Street. This includes residents on the southern side of Highett Road that wish to use the community centre, which is why there is an urgent need for extra on-street parking in this precinct. I would ask that Council consider expanding parking by buying land opposite the Livingstone Street community Hub, reducing the road speed and installing a pedestrian crossing that will enable this to become a safe option for children and the elderly. Also, if the weather is too hot, windy or wet, it is unrealistic for residents to walk more than 400m. It is also unrealistic to believe that passing trade for the cafés or blade shop etc., will park in Woolworths underground car park.

Submission 15: I manage a disability focussed business at shop 4, 487 Highett Road and we work as support coordinators under the NDIS. We would like to express our support to increase parking and slow the speed limit out the front of our shop for safety reasons and to increase foot traffic and business visibility from the car.
Using public transport in the Activity Centre

Five strategies have been proposed to improve and integrate public transport in the Highett Activity Centre.

Survey respondents were asked to indicate the extent to which they support or do not support each strategy.

As shown below, survey respondents indicated **strong support** for the strategies with the exception of:

- d) Advocate for higher priority for buses on the surrounding road network (moderate support)

A total of 22 survey respondents elaborated on their answer (which has been segmented by strategy/topic), as follows:

<table>
<thead>
<tr>
<th>Strategy a) Advocate for the removal of level crossings at Highett and Wickham Roads to improve intersection safety and transport efficiencies</th>
</tr>
</thead>
<tbody>
<tr>
<td>A1) I would need to see what you propose here to state my opinion.</td>
</tr>
<tr>
<td>a) Level Crossing removals would be great, but only if the train line can go underground, no overhead train lines.</td>
</tr>
<tr>
<td>a) Not Skyrail, existing grades support rail under road, if the Government wants to put more people in the area then do the infrastructure upgrades properly to support it.</td>
</tr>
<tr>
<td>For (a), I would ONLY support the level crossing removals if the train lines were moved underground (as opposed to being put above the roads).</td>
</tr>
<tr>
<td>In regards to the Highett and Wickham Road rail crossing removal these would need to UNDER ROAD grade separation NOT A SKY RAIL. The Wickman rail crossing needs to be upgrade in the very short term as the pavement to rail difference is very poor and is a hazard.</td>
</tr>
</tbody>
</table>
Level crossing in the Highton area will never happen while there is a Liberal in this seat or a Labor government in Spring Street.

Removal of level crossings is desirable but to ensure the traffic speed doesn’t increase, I’d like to see a restriction to 50 km on Wickham Road.

The level crossing at Highton Rd causes constant traffic jams with boom gates down for considerable amounts of time when two trains are crossing. It also creates a barrier for the entire Highton Rd strip, reducing any feel of integration or “flow” along the strip.

Unrealistic to include the removal of level crossings given the State Government assessed both these intersections to be non-urgent.

Strategy b) Advocate for an improved level of service of buses to every 10 minutes during peak times

b) I am FOR this, but only on condition that patronage warrants this.

b) I will only support this if Ventura teach their drivers to stick to the road rules, that they start having their drivers exchange at their depot rather than along Graham rd where it causes terrible congestion due to the current car parking allowed.

b) Maybe mini buses for school Kids but not enough around for extra buses.

b) Some people who are responsible for this vision should get in and drive a heavy vehicle and see how hard it is getting thru traffic E.G. Worthing Rd Middleton St Ronald ST Highton Rd with cars parked both sides road.

b) Would be nice to have a bus that goes from Highton road directly to Sandringham station tool.

Strategy c) Advocate for improved access to bus stops within the Activity Centre

c) Too late now Woolworths is here. The bus stop issue needed to be resolved before the building of the supermarket and would have been best to make a bus stop under the supermarket to reduce traffic.

c) The increase in bus stops in the activity centre firstly decreases traffic flow and secondly prevents walking past shops that could do with additional patronage.

C). The bus stop in front of Woolworths can be over crowded and difficult to navigate around as a pedestrian. Sometimes rubbish is scattered there.

Both bus stops are awful, and require urgent upgrades.

The bus stop at woolworths is terrible and the flow pedestrian traffic from station to bus stop is unsafe.

The bus stop near the station is dangerous for both passengers, pedestrians and drivers. The footpaths either side of the rail crossing are also extremely narrow and the incline on the station side inhibits access for the elderly and disabled.

Strategy d) Advocate for higher priority for buses on the surrounding road network

d) The only way you can possibly hope to give the buses more priority is if you put in all the proposed traffic lights and find a way for the buses to sidestep the intersection at Highton rd and Graham rd so they are not having to get across two lanes to turn right. I won’t support more buses or priority for buses until VicRoads improves the driving experience for all.

d) Buses already have right of way access. Local streets and local major streets are NOT generally suitable for making buses a priority and as the bus services are LOW in comparison to other areas this is most.

d) Only on the Nepean Highway - Too congesting.

Strategy e) Upgrade and integrate public transport infrastructure on Highton Road to improve the arrival experience to Highton Activity Centre

e) Open up Highton station building so there is some protection/cover when travelling in cold weather.

e) a decent bus shelter, with more seats, outside Woolworths would be desirable. The rain soak’s everyone when it rains and sitting there in the hot afternoon sun waiting for a bus is most unpleasant. That area has been poorly planned.

I’m not sure what e) means. I am also not generally a user of bus services.

Comment/query

This transport plan needs to happen before the housing development - not 20 years in the future!

All conditions depend on road conditions and bus stop pockets.

Improvement idea/suggestion

Advocate for limited express train services from Highton to the city in peak times - it is an incredibly slow journey now the Frankston trains stop ALL stations from Caulfield to the city.
I believe care needs to be given to how the roads are designed - including spacing and provision for bus stopping with allowance for overtaking.

Also the 40 limit on Highett road is not visible and not enforced, as it is in Hampton street. Electronic signage would help.

In addition, three submissions presented the following comments regarding using public transport in the Activity Centre.

**Submission 6:** Items b, c, d, and e have my support. But we do need to “teach / encourage” people to use public transport and stop relying on their cars for short distance journeys.

Supplying public transport (i.e. train and bus services is very important) as is Pedestrian and cycle access. Access to public transport was one of the reasons we moved to Highett. Page 10 Using public transport in the Highett Activity Centre. A Level crossing removal? Yes a must do, but the way in which this is done has to be carefully considered. The buildings on the Bayside Council side of Highett Road and the corner of Graham / Highett Roads are far too close to the train lines. Why? / how did these applications get passed by Council. Surely digging below the train lines will affect foundations, and if the train line is raised the trains will be too close to these buildings. That is the same as the buildings that have been constructed near Cheltenham station.

Today’s society will need to be educated to use public transport and car sellers will need to be trained to accept less sales and stop marking down prices to sell more cars. Highett train station parking will definitely need to be made much larger. This will mean buildings in the area, some recently constructed will need to be pulled down. THINK B4 U LEAP! Old fashioned saying? Please do not rush into overdevelopment of this area.

**Submission 8:** Both bus stops are a disgrace. The bus stop (south side) outside Woolworths is a filthy mess that lacks basic shelter and only acquired a seat after community pressure. This bus stop provides the connection between the train and busses to other areas throughout Bayside as well as providing a link between the Frankston and Sandringham rail lines. The bus stop on the southern side of Highett Road is an afterthought and needs to either be relocated, or (in conjunction with Woolworths), the ugly and intrusive façade of the building that encroaches on what should have been a public space requires remedial action. At peak times, the footpath can become dangerously full. The confusion of buses stopping, and traffic speeding to beat lights (and get into the shopping centre before the bus departs) is a recipe for disaster. This has been a poor planning outcome from the start. The bus timetable is woeful with limited hours and inadequate frequency of service the main deterrent for popular use. A mini-bus shuttle service between the two rail lines along Highett, Wickham, Bay & South roads may be worth investigating.

**Submission 9:** No infrastructure improvements. The State Government and Council want to put more people into this area, yet no-one is making any improvements to the infrastructure that is supposed to be one of the supporting reasons for the development to occur. All feedback from the State Government and Council around level crossing removal at both Highett and Wickham Roads is that it is not a priority. It is not on the list and it won’t be considered in the near term. The natural land grades and examples of what has been done for Bentleigh etc. clearly show what needs to be done at both Highett and Wickham Road level crossings. Surely Council has some “leverage” with the State Government to argue that we cannot accommodate more people in the area without matching improvements in infrastructure? Regardless of whether the level crossings are removed there needs to be improvements to the train tables at both Highett and Southland Stations. Currently express trains to the city run express from Cheltenham to Moorabbin and then express to the CBD, and express trains from the city do the opposite, bypassing Highett and Southland Stations. This makes no sense when Moorabbin Station and Southland are both public transport hubs, city-bound trains should stop all stations to Moorabbin and then run express to the city. Outbound trains should run express to Moorabbin and then stop all stations from there onwards. Again, any feedback falls on deaf ears and no-one is prepared to provide an explanation as to why the timetable is what it is and why it cannot be changed.
Car traffic and parking in the Activity Centre

Nine strategies have been proposed to ensure safe and efficient car/vehicle movement throughout the Highett Activity Centre.

Survey respondents were asked to indicate the extent to which they support or do not support each strategy.

As shown below, survey respondents indicated **strong support** for all strategies with the exception of:

- f) Improve safety and amenity along Graham Road by indenting existing car parking north of Thistle Grove, and installing speed cushions and kerb outstands to reduce traffic speeds (moderate support)
- c) Advocate for single traffic lanes to be formalised on Bay Road between Jack Road and Frankston railway line (moderate support)
- b) Advocate for traffic lights at the Bay Road/Jack Road intersection (some support)

### Strategies for safe and efficient car/vehicle movement (63 responses)

<table>
<thead>
<tr>
<th>Strategy</th>
<th>Support</th>
<th>Don't support</th>
<th>Not sure/no opinion</th>
</tr>
</thead>
<tbody>
<tr>
<td>i) Ensure new developments provide the required number of car parking spaces under the Bayside...</td>
<td>56</td>
<td>31</td>
<td></td>
</tr>
<tr>
<td>e) Upgrade Graham Road in local and state government documents, to reflect that it is a street that connects...</td>
<td>52</td>
<td>3 7</td>
<td></td>
</tr>
<tr>
<td>a) Advocate for traffic lights at Bay Road/Graham Road intersection</td>
<td>49</td>
<td>6 7</td>
<td></td>
</tr>
<tr>
<td>g) Require properties along Bay Road to provide a rear laneway with car access (as part of any residential...</td>
<td>48</td>
<td>9 4</td>
<td></td>
</tr>
<tr>
<td>h) Investigate the feasibility of requiring new developments to provide Green Travel plans for...</td>
<td>46</td>
<td>8 8</td>
<td></td>
</tr>
<tr>
<td>d) Provide two vehicular access points to the CSIRO site, one from Graham Road and one from Middle...</td>
<td>45</td>
<td>7 9</td>
<td></td>
</tr>
<tr>
<td>f) Improve safety and amenity along Graham Road by indenting existing car parking north of Thistle Grove...</td>
<td>39</td>
<td>13 10</td>
<td></td>
</tr>
<tr>
<td>c) Advocate for single traffic lanes to be formalised on Bay Road between Jack Road and Frankston railway...</td>
<td>34</td>
<td>13 14</td>
<td></td>
</tr>
<tr>
<td>b) Advocate for traffic lights at the Bay Road/Jack Road intersection</td>
<td>34</td>
<td>19 12</td>
<td></td>
</tr>
</tbody>
</table>
A total of 26 survey respondents elaborated on their answer (which has been segmented by strategy/topic), as follows.

**Strategy a) Advocate for traffic lights at Bay Road/Graham Road intersection**

- a) Close to Bay Rd/Reserve Rd lights

**Strategy b) Advocate for traffic lights at the Bay Road/Jack Road intersection**

- b) Absolutely not. Graham road is the priority here and VicRoads will NOT allow 2 sets of lights 117 metres apart. There is a reason the lights were put in at the Bay road shops in 1988 instead of on the Jack Road intersection and that remains. These lights NEED to stay where they are and as pedestrian lights only. Lights on Jack will make this a worse road than it already is and council is already aware that in its planning scheme at 21.11.9 in 2013 council admitted Jack road was NEAR capacity and that was before Mirvac opened.

- b) I said no but only because this is already a general requirement anyway.

**Strategy c) Advocate for single traffic lanes to be formalised on Bay Road between Jack Road and Frankston railway line**

- c) This is already in place, but no one obeys it, needs to be clarified and enforced somehow.

- c) Needs to have the option to provide alternatives instead such as share car facilities, bicycles lock ups and doorstep public transport.

**Strategy d) Provide two vehicular access points to the CSIRO site, one from Graham Road and one from Middleton Street, to distribute generated traffic**

- d) A further vehicular access point to the CSIRO site would be beneficial, making it 3.

- d) Broadly support but depends on where the access point on Middleton St would be.

In relation to d - no vehicular access from Middleton street. The street is already suffering from high traffic flow and disregard for no right turn into and out of bay road. Middleton street cannot facilitate additional traffic which would be encouraged by the access point to CSIRO development.

**Strategy e) Upgrade Graham Road in local and state government documents, to reflect that it is a street that connects Highett Road and Bay Road**

- e) Graham road width is insufficient for current traffic flowing between Highett road and bay road, and should not be further embelished as a link between the two.

- e) Graham Road car parking indenting north of Thistie Grove should be undertaken, but installing speed restrictions only transfers and exacerbates a new problem in Beaumaris Parade which also connects Highett Road and Bay Road.

- e) If Graham Road cannot support all the predicted traffic from the CSIRO site, then the site is being over-developed. Highett only has narrow side streets and development should be accommodated to not exceed capacity to support this traffic.

**Strategy f) Improve safety and amenity along Graham Road by indenting existing car parking north of Thistie Grove, and installing speed cushions and kerb outstands to reduce traffic speeds**

- f) I AGREE with most of this statement however buses require SPECIFIC speed hump design which needs to be taken into account.

- f) and remove all other existing car parking.

- f) I support the indentation of parking but do not support the installation of speed cushions or curb outstands.
Strategy f - support speed cushions, but not kerb outstands (See Wilson St, Cheltenham, for how inefficient a strategy like this can be, actually blocking flow of traffic at peak times)

Strategy g) Require properties along Bay Road to provide a rear laneway with car access (as part of any residential redevelopment) to minimise the number of cars directly accessing Bay Road

g) No. This is not necessary and VicRoads do NOT require it. VicRoads do NOT require the removal of crossovers from Bay Road or any other road.

G) where would the rear access come from? What street?

G) whilst the aim is good, I believe the proposed solution is not optimal. Instead, it could be encouraged to make use of common driveways on bay road, and consolidation of lots.

Strategy h) Investigate the feasibility of requiring new developments to provide Green Travel plans for alternative transport options in the area

H) I believe this is a state government responsibility, unless the council wants to start funding the train line.

I have no idea what h) means - it sounds like marketing spin as residents will make their own decisions independent of any developer’s suggestions.

Green Travel plans have not adequately been explained, and must not be an excuse for developers to reduce parking requirements.

Strategy i) Ensure new developments provide the required number of car parking spaces under the Bayside Planning Scheme

i) There should be 2 car spaces for each unit in these multi storey developments plus some extra for visitors.

1) Raise parking space requirements from 1960’s ‘one car per household’ to reflect 2018 realities of ‘up to 4 cars per household’

1) or alternative transportation including share car provision and bicycle parking plus easy access to PT

1) this is currently not happening

1) Every Development Should provide 2 car spaces for any unit, town house, even if 1 bedroom and be used by tenants as they are too lazy to open electronic gates because they say it takes approx 10 min open gates, close gates, try to get on main rd

Strategy i - Also require new developments to allow visitor parking and options for residents to have additional parking spaces for bikes, cars and trailers.

All new apartments should have dedicated car parking.

Car parking spaces are a must when developments are created. Each apartment must have at least one space provided. I do not support laneways at back of properties.

ALL NEW DEVELOPMENTS MUST CONTAIN 2 X GARAGE CARPARKS, DO NOT TRY TO STEAL LAND FROM PEOPLE TO PUT IN A LANEWAY BECAUSE THE DEVELOPERS DIDN’T PROVIDE ENOUGH CAR PARKING WHEN THEY BUILT THEIR UGLY SUBURB SOUL DESTROYING APARTMENT BLOCKS

Comment/query

IT IS ALREADY HARD ENOUGH TO MOVE AROUND WITHOUT MORE TRAFFIC LIGHTS

Improvement idea/suggestion

Make more parking available at the train station and surrounding area

Stop cars parking along Graham Rd, near safeway - as is is bottle neck during high traffic times, dangerous area when driving & cars not giving way due to parked car congestion

The Bay Rd end of Middleton Street still needs investigating. The new no right hand turn from Bay is not working as the island has not been built wide enough to prevent turning and the signage is virtually impossible to see.

There are no disabled car-parks along Highett Road. On-street parking is vital for passing trade of strip shops. Reintroducing street parking and narrowing Highett Road, would slow traffic and match the Kingston side of Highett village. Creating exit point into Middleton Street from the CSIRO site would create rat runs of Middleton, Donald, James Avenue, Albert Road, Cloyne Street etc. This would be disastrous for these side streets.

Crossing Bay Street near Aldi supermarket is very dangerous - it would be great to have a pedestrian crossing introduced

Although outside the area being discussed, I propose the Council advocate to Vic Roads for more signalled access along Bay road eg. Tirockmeyn road, as there is currently no safe pedestrian route across to the
supermarket. As an individual, they have ignored all my requests for information about this. As a council, you should have more luck.

how about pedestrian lights at the Aldi store in Bay Road???

Re the traffic: There is a need slow traffic movement (for safety reasons) from Worthing Road/Highett Rd intersection to the existing railway crossing. Vehicles already speed through this section of road attempting to "beat the traffic lights" at Tarneit intersection lights and railway crossing boomgates.

In addition, six submissions presented the following comments regarding car traffic and parking in the Activity Centre.

Submission 3: p24 left-hand only turns at Middleton/Bay subject to current consultation by Vic Roads. "Provide two vehicular access points to the CSIRO site from Graham Road and Middleton Street to distribute generated traffic" - ambiguous: remove "two" so it does not mean four access points.

Submission 5: Recent road works at the Middleton Street and Bay Road intersection (included in the Draft Highett Structure Plan updated 2018) attempt to prevent right hand turns from Bay Road into Middleton Street, but despite two signs in Bay Road, not always successfully. Why right hand turns from Middleton Street to Bay Road should be allowed by the recent road works remains a mystery if minimisation of risk is considered when entering a major road.

Submission 6: Graham Road is a real hazard. When buses change drivers the new driver parks his/her car on Graham Road near the bus stop which is located closest to Bay Road. A car heading towards Bay Road, cannot see "overpass" the bus or traffic heading from Bay Road towards the Highett Railway Jackson Road too is a "hazard" when one is doing the same thing. The roads are too narrow and with cars parked on these two roads even now, before the Council's "overdevelopment" occurs, one has to be extra careful, because there are "hoon" drivers around.

Page 11. Items 12 and 13. Car traffic and parking in the Highett Activity Centre. a to e, I am supporting But comment on the other points set out below. f) Speed cushions do not necessarily reduce traffic speeds, particularly late at night when "hoons" decide to "have fun" g) Rear laneway access? Sorry this does not make sense. Where/how do properties built on Bay Road get "rear access". Which road/properties will be affected by this??? h) No developer will be interested in providing "Green Travel Plans". All developers want = money in their / its pocket. i) The increase in cars/car parking availability with new developments will cause people to buy yet more cars and increase travel congestion.

Submission 8: Whilst it makes a neater picture of the zone maps, I fail to understand the planning justifications in the rezoning of the area between Major Street and Worthing Road to encourage further commercial activity given the chronic traffic management issues created by lack of on-street parking, pedestrian friendly walkways, speed and the chaotic treatment of Highett Road traffic. Travelling West to East along Highett Road from Worthing Road and Major Street, two lanes become three, then four lanes, then three lanes once again, then two lanes when crossing into Kingston – this is all within the space of approx. two hundred metres. It is ironic that Bayside Council would advocate for the formalisation of single traffic lanes along Bay Road, but have butchered the minor Highett Road into three and four lanes. The introduction of this road treatment is a direct contradiction of the Vision Statement for Highett. The installation of two traffic lights combined with the rail crossing encourage speeding traffic (trying to beat lights). The constant widening and narrowing of the road to ensure cars have no impediment, make it too easy for cars to use this area as a roadway rather than pedestrians or cyclists. Car movement should be secondary to pedestrians and cyclists.

Interaction of traffic management is impacting on residents’ amenity and the financial viability of retail units along this strip.

Pedestrian safety and interaction has been secondary to servicing the needs of Woolworths as a "destination", rather than an integral part of the shopping strip.

I would ask that Bayside Council consider the re-introduction of street parking along both sides of...
the shopping strips as way of slowing traffic and revitalising passing trade for the shops.

Also, I am deeply concerned that the suggestions of a requirement for new developments to provide Green
Travel plans for alternative transport options is another way of reducing parking requirements for new
developments. "Green Travel" needs a full explanation to ensure that it is not simply a method to avoid
providing adequate car parking for new residents.

Submission 9: Car Parking. It is currently too easy for any developer to get parking concessions to provide
less car parks then necessary. Car parking as part of developments needs to be mandated so that the cars
don’t spill out onto the surrounding streets as is already the case in Major Street and Worthing Road.
Make changes to car parking that support the people already living in the area and carefully consider the
impacts of the changes that are made. Recent changes in Worthing Road have made navigating the road
more difficult, often resulting in gridlock when cars bank up down Highett Road towards Bay Road because
of the level crossing and then that spills back into Worthing Road as the parking areas are too close to the
corner of Worthing and Highett Roads. Buses also use Worthing Road and having the parking areas so
close does nothing to allow them ease of access.

Submission 13. Parking: Donald Street already has cars parked in street all day, night and weekend from
units built in Highett Road. If going commercial, where are vehicles going to park from Train Street to Donald
Street, approximately six parking spots only. Plus no standing in Highett Road to Spring Road, limited parking
between Train Street and Highett railway station.
Main streets, public spaces and parks in Hightt

Improving the appearance and function of Hightt Road

A single strategy has been proposed to improve the appearance and pedestrian experience of Hightt Road by installing consistent paving, street tree planting and street furniture.

Survey respondents were asked to indicate the extent to which they support or do not support this strategy.

As shown below, survey respondents indicated strong support for the strategy to improve the appearance and function of Hightt Road.

A total of 21 respondents elaborated on their answer (which has been segmented by strategy/topic), as follows.

<table>
<thead>
<tr>
<th>Street tree planting</th>
</tr>
</thead>
<tbody>
<tr>
<td>Canopy planting should continue down to spring road to provide a consistent feel. Garden beds should also be established on hightt road and maintained, to provide colour and a local community feel. This used to be in place at the train station, library, and outside some commercial premises but has been removed progressively over time, resulting in a less friendly feel and a more built-up feeling.</td>
</tr>
<tr>
<td>Sizeable trees (large enough to already provide adequate shade) are urgently required in the village of Hightt. Large canopy trees have been ripped out and nothing has replaced them. These trees must be attractive to native birds and must be capable of growing large enough to provide both shade for residents and buildings as well as provide shelter and food for native wildlife.</td>
</tr>
<tr>
<td>More greenery please</td>
</tr>
<tr>
<td>The tree planting needs to not affect the current layout ie not take away from current cafe use of the street. Also furniture should be made the responsibility of the cafes etc to avoid loss of the graffiti options but council could have better control of it for example styles and colours to choose from for consistency.</td>
</tr>
<tr>
<td>There needs to be more way more trees planted in Hightt; there are too many developments filling the entire block with building and no trees/greenery being put back in, you are thinking about accommodation for all these new people but not healthy oxygenated air!</td>
</tr>
<tr>
<td>trees have been taken for all highrise buildings ect (2) AM PM Cafe cnr middleton Hightt Rd (2) 475, 473 Hightt Rd</td>
</tr>
</tbody>
</table>

59

Support

1

Don't support

2

Not sure/no opinion

Strategy to improve the appearance and function of Hightt Road (62 responses)
We need big native trees to be planted as we as others trees.

**Street furniture**

A) street furniture needs to be in the form of the council encouraging the granting of cafe external sealing to a certain approved style rather than permanent fixed sealing.

**Support**

YES PLEASE

**Comment/query**

I do not want ANY park area to be fenced. Ratepayers pay for these parks and must be at liberty to access at any time.

good luck with this one. Nothing has happened in the 12 years since we’ve been here

recent street furniture very good- station & library

A beautiful gum tree near my property (1 Major St) was recently chopped down which was unfortunate given Highett Rd lacks any vegetation of substantial of visual appeal.

**Improvement idea/suggestion**

Also needs to increase set backs to allow more space for trees and pedestrians.

And Christmas decorations funded by BOTH councils

Also ensure adequate space be left between shops and seating areas for two way access and spaces with under set back for tying up dogs further from the road.

Highett has the least amount open space and needs more green area.

Highett Rd to narrow - use nature strip to create more space - Highett Rd from highway should not allow parking 7AM-7pm (Kingston)

Provision of extra parking in the Highett shopping centre would be desirable. (between Railway Parade and Nepean Hwy)

The whole Highett Plan should be prepared in conjunction with Kingston, doing only Bayside’s side is a waste of money and it just highlights the inefficiency of local government, let’s do a plan but just do half of it....

The Highett shopping strip is not visually appealing and I am not sure how Bayside Council can seek to provide an integrated, consistent look when it has not developed its structure plan in conjunction with Kingston Council. I really believe that Bayside and Kingston need to work together to develop a cohesive look for both the paving of the footpaths as well as tree plantings.

The proposed conservation parkland should be linked to a recreational park/football oval. In each diagram the parkland seems to be shrinking!!! Too much of the CSIRO site is assigned to buildings!!!

If it would also be great if planners could consider level out the raised “ramp” style footpaths near the railway station. I believe they make the strip difficult to negotiate, particularly for mums with prams and the elderly or disabled.

In addition, five submissions presented the following comments regarding the appearance and function of Highett Road.

Submission 4: We also support the proposal on p27 “to investigate whether a Vegetation Protection Overlay or Significant Landscape Overlay is justifiable and appropriate for some or all of the residential areas of the Highett Activity Centre”. Protection of vegetation, including prohibitions on environmental weeds (as in the current Neighbourhood Character Policy for the area) will enhance the HCW as well as local amenity. The VPO should also, we believe, encourage planting sympathetic to the conservation of the HCW, in particular by discouraging the planting of non-indigenous gum trees and encouraging undergrowth attractive to small birds, skinks, and invertebrates.

Open Space Contributions (p27 – Objective 17): We support the careful wording recognising that Bayside Council resolved to forego Open Space Contributions relating to the CSIRO site, contingent on the expected transfers of land to the Council. See Minutes of Council Meeting on 25 November 2014: Item 12 Urgent Business.
Submission 5: While strictly not part of the Draft Highett Structure Plan updated 2018 Bayside should immediately resurface the southern Highett Road footpath between Donald Street and Middleton Street before the aged and infirm unnecessarily fall due to a dangerous variation in footpath levels/heights.

Submission 6: Support for strategies a, b and c relating to the provision of public open spaces and parks in Highett. Unfortunately, street furniture may well be another “temptation” to hoons / graffiti artists. Today, stealing from shops and damage to cars happens often. My daughters gave up parking near Highett railway when their cars were scratched with keys by “hoons”. Respect for the property of others needs to be taught in schools. 16 d) Please make sure that the trees planted are not the same as the ones in Princess Avenue which “split” berries every autumn. The pavement needs sweeping on a daily basis during this season.

16 e) Do not allow 3 story buildings in Princess Avenue as it will take away the family character of this area. Over development will cause the removal of existing trees on the properties.

Submission 8: Even with the inclusion of the CSIRO site, Highett will still have the least amount of green open space within the whole of Bayside. There must be more space set aside as green open space. Bayside Council must undertake to purchase more land to improve the amount of open green space in Highett. Bayside Council has systematically stripped Highett of too many healthy large canopy trees, not just on private land but also on public land. These include healthy trees that have even been protected by a VCAT ruling, with no apology to residents. Removal of these trees is seen as cynical. There is now a lack of trust between Bayside Council arborists and many residents of Highett. The neglect of the street trees has stripped the Bayside and of Highett of any decent large canopy trees. Decision makers at Bayside Council should hang their head in shame. Large canopy trees help counter the urban heat island effect, and their loss will lead to Highett experiencing excessive temperatures due to increased summer temperatures resulting from climate change. These large canopy trees also provide feeding, nesting, shelter and resting spaces for wildlife. Large flocks of corellas and black cockatoos no longer come to the eastern end of Highett (near the railway). These birds have few large native trees left. The planting of new trees MUST be attractive to and accommodate native bird feeding and nesting and new planting must be a priority. These trees must not be permitted to be root stock, but instead be of reasonable size that will quickly provide shade.

Submission 13: We did have lovely trees which have been removed outside the new AM/PM Café also corner of Middleton Street and Highett Road as new buildings are now being constructed.
Improving the provision of public open spaces and parks

Six strategies have been proposed to guide the provision of public open spaces and parks around the Highett Activity Centre.

Survey respondents were asked to indicate the extent to which they support or do not support each strategy.

As shown below, survey respondents indicated **strong support** for all strategies.

<table>
<thead>
<tr>
<th>Strategies to improve the provision of public open spaces and parks (N=63)</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>d)</strong> Enhance the leafy character of residential streets through large tree planting and landscaping</td>
</tr>
<tr>
<td><strong>f)</strong> Incorporate green infrastructure initiatives such as storm water management and increased tree canopy</td>
</tr>
<tr>
<td><strong>c)</strong> Upgrade Lyle Anderson Reserve</td>
</tr>
<tr>
<td><strong>b)</strong> Provide an open space link between Lyle Anderson Reserve and the CSIRO site, through the…</td>
</tr>
<tr>
<td><strong>a)</strong> On large sites, require more open space to be provided</td>
</tr>
<tr>
<td><strong>e)</strong> Investigate whether additional planning controls to protect vegetation on public and private land is justified</td>
</tr>
</tbody>
</table>

A total of **21 survey respondents** elaborated on their answer (which has been segmented by strategy/topic), as follows.

**Strategy a) On large sites, require more open space to be provided**

A) not larger size, better design and usage. Case in point Sir William Fry is large but terrible design and usage and so it doesn’t get used enough because it is not welcoming to the community nor is it well looked after. Bigger is not always better.

a) This is already in the planning scheme.

**Strategy b) Provide an open space link between Lyle Anderson Reserve and the CSIRO site, through the redevelopment of 38-40 Graham Road**

b) As per previous question, the developer might do this on their own and both other access streets are only 120m eftes and 100 metres away. This is NOT a required thing to force on a developer.

**Strategy d) Enhance the leafy character of residential streets through large tree planting and landscaping**

d) On the sides of streets with power lines, choose tree varieties which will need only light pruning, not the BUTCHERIN which currently takes place.

d) Think about type of trees used to enhance street scape - Not ones which wrap around power lines.

d) more trees, more green, more space good
Once again these have been promised many times in the past but nothing has been done. For example, there are 4 plots in the footpath outside the AM-PM cafe for trees yet 18 months have passed and no trees have been planted. It is very disappointing.

Please do look into large trees on residential roads. The ones that have this look so much nicer.

Would prefer trees that provide shade but are of a height just short of the overhead power lines—surely there are such trees.

Strategy e) Investigate whether additional planning controls to protect vegetation on public and private land is justified

e) good luck with that. Seems developers can knock down any trees on a block and clear block completely for their overdevelopment. Local residents are not allowed the same freedom - seems council looks the other way for developers and harasses general public.

Too easy for a developer to get an arborist report to cut down and tree and Council does nothing about it.

Vegetation overlay for trees on CSIRO site is important

Strategy f) Incorporate green infrastructure initiatives such as storm water management and increased tree canopy cover

f) This is already a part of the planning scheme

f) should also specify exclusive use of relevant indigenous species within proximity of the CSIRO Highett Grassy Woodlands, and extend that to the Lyle Anderson Reserve through adjacent streetscapes.

**Improvement Ideas/Suggestions**

Dog leash free areas

Encourage community gardens, and use of nature strips. Provide more garden spaces in the Highett road area.

In providing more open spaces, I would hope that this will also include further unleashed access for our canine friends. With increased housing density expected, and the fact that Bayside has the largest dog ownership per capita, this aspect should also be considered. Lyle Anderson Reserve is wonderful albeit a little small.

Introduction of sustainable planning tools like BESS (Built environment sustainability scorecard) would enable Bayside Council to easily integrate sustainability into the planning scheme.

**LANDSCAPING DOES NOT INCLUDE SPEED BUMPS - STOP WASTING COUNCIL MONEY ON USELESS INVESTIGATIONS**

Also the grass (or mud rather) on the nature strips badly needs some attention.

Less high rises and more trees, public land/space please, kids will be growing up indoors, in small spaces instead of outdoor, or enjoying recreational & sporting facilities

There is an existing need for more car parking on the Highett road Shopping precinct from Worthing Rd on the west to Nepean Hwy on the east to service existing shops. The car park at woolworths provides spaces for their customers and residents above in the apartments but cannot be expected to accommodate general parking for the broader shopping strip. Consideration should be given at the planning stage to provide general public parking at the northern end of the CSIRO site, abutment woolworth site within the proposed 5 story zone. The advantages are many - Proximity to the railway station shops and offices, bus stops and providing easy pedestrian access to the cafes clustered around the Highett Road station street omer which notonally the "heart of Highett".

There needs to be a hell of a lot more recreational open space provided in the CSIRO site given no open space was considered when developing the woolworths site. Providing wildlife corridors is a must and must be a priority for Council.

Would love to see more parks in the area as well as playgrounds. I really feel Highett is in danger of becoming a "concrete" suburb.
In addition, three submissions presented the following comments regarding the provision of public open spaces and parks in Highett:

**Submission 3:** PIS: How can this justification for the VPO remain?? Surely not in the agreed controls??
CHECK. Note VPO is for trees >10m and 300mm DBH. VPO will constrain development in the DPO and require a planning permit although rest of the land use will have an abbreviated planning process?

P26 suggest one hectare of [insert] recreational open space... conservation land is also open space

P26 areas of map marked as “maintain existing vegetation” are indicative only? They are certainly not mapped precisely Highett and Thistle Groves and Middleton St are not marked as “Maintain Leafy Residential Streetscape” Intended?

P27 increased OS contributions?? Co resolution to forgo in relation to CSIRO -subject to conditions: see Minutes of Council Meeting on 25 November 2014 Item 12 Urgent Business

**Submission 10:** I am concerned that with the increased building density in the Highett area, particularly in the vicinity of Highett Station, there is virtually no provision made for playgrounds/parks, bike learning tracks (bbq areas). WITHIN A SHORT WALKING DISTANCE OF THE MULTI STOREY BUILDING, for the children now living (or will be living) in this area. This is all the more concerning given the regular reports about increasing obesity in children and adults. In particular, I am referring to multi-stores in Major St, Worthing Rd (parallel to Major St), corner Highett Rd and Graham Rd, and corner Railway Pde and Wickham Rd, where the ground floor units have only a tiny open space for each unit, and nothing for the upper levels. Also many new houses built nearby are crammed onto smaller blocks with very tiny backyards for children. (2A-2B in the Survey). While walking may be good, children will not wish to spend more time walking to and from park/playground than playing there. If parents drive them to the open spaces (places earmarked for POSSIBLE open space) this will only add to the congestion and possibly they will end up with a parking spot as far from the "park" as if they had walked from their units. Also, where will children be able to learn to ride a bike safely if there are no bike learning tracks? (Surely not in the tiny open spaces of the units, tiny backyards or on the footpaths.) Similarly, along busy Bay Rd where is the plan for parks/playground/bike learning areas for the proposed multi-stores? In the future, will COUNCIL HAVE TO BUY BACK PROPERTIES in order to provide these open spaces (for parks/playgrounds/bike areas) when there is a demand from people who come to live in these very densely built areas? I would be more inclined to support multi-storey development if adequate open spaces/playgrounds etc were included when plans are proposed.

**Submission 13:** Vegetation: we would like to know what shall be put in place.
Comments on other matters relating to the draft Plan

Several participants presented comments on other matters relating to the draft plan and consultation supporting resources.

Comments relating to draft Plan

Submission 3: P30 and paper - where is that?

Submission 4: As well as campaigning more widely and working with the Bayside City Council and CSIRO on preserving the HGW we contributed to the 2006 HSP and made a submission to the 2014 RZ SAC hearings into Bayside’s Amendment C125 that includes the following list of proposals (with new text in brackets). We think they are all still valid:
- planning controls to the east (and west and north) should aim to minimise any additional shading of the Highett Grassy Woodland.
- The rear and side setbacks (of development on neighbouring blocks) should be at least those in NRZ3 and should be mandatory.
- Planning policy should ensure that avoiding the planting of environmental woods continues to apply.
- Performance standards for lighting should be applied to development abutting the Highett Grassy Woodland.
- Basements should be prohibited in land abutting the Highett Grassy Woodland.
- “Views from the Highett Grassy Woodland should be a major consideration in planning controls over abutting properties.
- … consider cat controls as applied, for instance, at the Waterways development in Kingston.
- Residential development between the Highett Grassy Woodland and Cheltenham Park should (in order to provide wildlife islands) continue to provide large gardens with the appropriate zoning being preferably the NRZ.

Implementation (p27)
The draft seems (as on p27) to be unclear about whether the CSIRO land will be subdivided as expected, So, at this point in time, the second paragraph might refer to three, or not two, categories with the addition of a third dot point:
- 3. The expected transfer of 4 hectares of land to Bayside City Council when the CSIRO site is sold by the Federal Government

Biodiversity
It is disappointing that the draft HSP makes no mention of biodiversity and the proposals for wildlife corridors have been dropped. We have suggested above that the vision should at least mention biodiversity. As to wildlife corridors we accept the evidence that continuous corridors would not be feasible. That said appropriate planting on properties and in the public domain could provide important wildlife islands that would facilitate the movement of invertebrates, skinks, and small birds through the area. For instance, understorey planting, preferably with indigenous species, on nature strips would provide food and shelter and, for some species, breeding sites.

Submission 6: Overdevelopment within the State of Victoria has other implications, (2) two of these, which I believe are receiving no consideration from the Government bodies are: Death I We all die. The number of people who die in each area will increase along with the living. Has this been considered? Where will the new graveyards be? Talk about us “living longer” is incorrect. One of my best friends died at 94, ten days before my husband who was 72 when he died. I have no complaint with Cheltenham Cemetery on Reserve Road. When my husband was dying the space for “bodies” had just been increased. The closeness of this facility has helped me to deal with losing him. Not everyone copes with death in the same way. The proximity has helped me. I visit him nearly every day.

Other things that the Government “bodies” have not considered is the health impact of living in apartments will have on people. The fact that people do not have open space (i.e. back yards) where they can get Vitamin D from the sun, and gentle use of body muscles as one walks from the back door to the garbage
bin, washing line and garden beds, is to me of great concern. At present, hospitals in this area are excellent, and easily accessible. However, if when the population increases due to overdevelopment the provision of additional Medical facilities is a must. Lack of consideration of this necessity, by government entities, amazes me. Another problem with "Apartment living" is the lack of privacy as one leaves one's apartment in large buildings / fenced villages. "Conflicts of interests" arise. This can be compared to the problems we are facing today of "bullies / controlling persons" in family relationships.

Politicians and Councillors cannot control the amount of electrical, gas and water households use. Overdevelopment of properties by turning single home owner dwellings into units will increase the amount of "trash" that will accumulate. The Council's idea of minimizing garbage bin sizes is, in my opinion, bad. People who have no back yard, cannot have compost bins. I have two compost bins down the side of my house and put lawn waste, leaf waste, and vegetable peelings etc. into these bins and, when the compost "matures" I apply it to my garden beds, to improve the quality of the soil.

Some people do not comprehend the problems that can arise when rubbish is put into the wrong "waste" bin in high rise apartments. The costs which result from accidental waste / trash placement can cause thousands of dollars to fix, and as this is a "body corporate" problem. Everyone has to contribute to the costs.

Security will need to be improved in the activity centre, car parking area, unit developed areas and shops.

Submission 9: Half a Plan: All of the information produced and distributed only talks about Bayside's part of Highett. When I asked a Council Planner about this the feedback was "Kingston Council are not planning to do anything at the moment" and that the Planners are talking to each other about it. This makes no sense whatsoever, surely both Councils should be working on the plan for all of Highett rather than half a plan? Given this process is it conceivable that one side of the railway line could end up looking very different to the other side of the railway line if each Council adopts a different planning approach. A good example of this is the feedback that the Planner gave me that "Kingston are not planning on changing their zoning to four storeys" where it abuts the area that Bayside is proposing to make the changes in. So Kingston can sit back and let Bayside over-develop its side of the railway line? This two-Council approach is already evident in the streetscape along Highett Road where pavements, plantings and street furniture vary from side to side. Surely something of this long term significance requires a consistent approach from the Mayor down in both Councils and also with the State Government so that the end result is homogenous across all of Highett? As a minimum Kingston Council should be providing a clear statement of where they agree and disagree with what Bayside Council is proposing to do so that it is clear to all how things might end up looking.

Submission 13: Flood zone: as properties at lower Middleton, Donald, Worthing Road, Highett Road are in flood zone, what shall be put in place to protect these homes?

Shopping has always been more value Kingston Council end. The local cafe at the car park entrance and vacant now at Woolworths has had three proprietors so far all which have not survived. The baby shop approximately four doors down open for approximately 12 months closing down now. Do we need more commercial?

Submission 15: Also, it is my understanding that we were meant to have trees planted out the front of our shopfront by the end of this month. Will this be going ahead? (Shop 4, 487 Highett Road)

Comments relating to draft Plan consultation supporting resources

Submission 3: Summary of Existing and Proposed Planning Strategies and Controls - Highett Activity Centre. Is this separate document a part of formal documentation? The HSP 1 size of the CSIRO PPRZ seems wrong and I don't think Graham Rd through the CSIRO site was ever a proposal, rather than a possibility. CHECK Urban Design Advice Highett Neighbourhood Activity Centre Pt0 "CSIRO site is not in the PS" Is not subject to the planning controls within the PS

Submission 4: Finally, we also want to put on record that we believe the informal document provided to
enhance the consultation process - Summary of Existing and Proposed Planning Strategies and Controls - Highett Activity Centre – is inaccurate in relation to two aspects of the 2000 HSP. We don’t want it to appear that we had a bad impact on the area.
- The proposal to extend Graham Road through the HGW was not, at that stage, a proposal, and just something to possibly be explored.
- The indicated size of the PPRZ on the CSIRO site should be 0.7 hectares whereas our efforts have led to the expected provision of 1 hectare.

Submission 6: Page 12/13. PLEASE BE AWARE YOUR WEB SITE IS NOT EASY TO GET INFORMATION FROM. I ASKED IT FOR SPECIFIC PAGES OF THE DRAFT PLAN, i.e., PAGES 25 TO 27. COULD NOT GET THEM.

Survey respondent. I am aware of the boundaries through other materials but unfortunately this image isn’t detailed enough.

Other topics
Survey respondent. The Highett Library is VERY small and old and could really do with an upgrade with all the new people moving into the area.
ERROR CORRECTIONS

Four submissions presented comments on inaccuracies or errors relating to the draft plan or supporting resources:

Submission 4: The term "Highton Grassy Woodlands" (with an 's') should at several points be replaced in the text and diagrams with 'Highton Grassy Woodland' (no 's') as in the rest of the draft and in the MSS. P28 last para needs rewriting. The note on the bottom of p29 is incorrect.

Submission 7: Notwithstanding our view that the sites should be included in precinct 2A, we note the discrepancy between the dwelling typology sought in Precinct 3 between pages 16 and 18. Precinct 3 is described on page 16 as: An area of increased density with a mix of apartments, townhouses and detached houses with landscaped setbacks and sensitive interface to the street. Whereas the definition described on page 18 omits reference to apartments. If 32-34 and 36-40 Graham Road were to remain in precinct 3, we are of the opinion precinct 3 should be clarified to include reference to apartments.

Submission 9: There are errors in the information produced and distributed. For example, the Fact Sheet attached to the letter sent to me on 29th March 2018 has errors in the drawing at the bottom of page 2 (Commercial and Residential Zones are shown on the wrong sides of the drawing) and there spelling mistakes in the document. Who checks these before they are distributed?

Submission 14: Page 9 I wish to correct a misconception in your Managing Growth in Highton report, which was shared via the Highton Community Hub Facebook page tonight. There are more than one sports ground in Highton, but if you are referring to the Bayside portion of Highton there are two. The Peterson Reserve that it notes, and the Highton Bowls Club Reserve adjacent to the Lyle Anderson Reserve. Lawn Bowls is a recognised Commonwealth Games Sports, and as such a reserve on which it is played should, in my opinion, be recognised in your report. And as one of only two, sports reserves in the Bayside Portion of Highton then intrinsically valuable.
10.4 PEDESTRIAN CROSSINGS IN THE CHURCH AND BAY STREET MAJOR ACTIVITY CENTRES

Executive summary

Purpose and background

The purpose of this report is to revise the prioritised list of sites associated with the multi-year program of pedestrian crossing works at the roundabouts in the Church Street and Bay Street Major Activity Centres.

Key issues

At the Ordinary Meeting of Council on 26 July 2016 Council resolved (in part) to:

- "Develop a multi-year program of pedestrian crossing works at the roundabouts in Church Street and Bays Street Major Activity Centres as part of Council’s 2016/17 Active Transport Facility Improvement Program; and
- Explore other potential State government funding opportunities to facilitate the implementation of zebra crossings at each of the subject sites."

Prioritised List of Sites (July 2016)

In July 2016 the roundabouts within the Church and Bay Street Major Activity Centres were prioritised based on the crash history at each site and the volume of pedestrians crossing at each site during peak hours. The prioritised list of sites was:

1. Church Street / Male Street (implemented in June 2018);
2. Church Street / Carpenter Street;
3. Church Street / St Andrews Street;
4. Bay Street / Asling Street; and
5. Bay Street / Cochrane Street.

A multi-year program of pedestrian crossing works were to be provided at each of the above sites as part of Council’s Active Transport Facility Improvement Program over a five-year period starting in 2017/18 with the program of works completed by 2021/22.

External Funding Opportunities

In May 2018 Council was successful in securing $875,000 from the Safe Travel in Local Streets Program, funded through the State government’s Towards Zero Road Safety Strategy 2016-2020, towards the implementation of the five roundabout sites within the Church and Bay Street Major Activity Centres. Projects utilising this funding need to be completed by 2019/20. This means that the remaining four roundabout sites need to be treated over the next two financial years in order to utilise the State government funding.

Revised Prioritised List of Sites

In May 2018 pedestrian crossing works were implemented at the roundabout at Church Street/Male Street. The next two roundabouts to be treated are also both located within the Church Street Major Activity Centre. Similarly, the last two roundabouts to be treated are located in the Bay Street Major Activity Centre. Treating two sites simultaneously within the same activity centre will cause significant disruption to the community and will severely disrupt traders within the activity centre given the close proximity of the roundabouts to each other.
An opportunity exists to revise the prioritised list of sites to be treated in order to reduce the amount of disruption within both the Church and Bay Street Major Activity Centres that would be caused by treating two sites simultaneously within the same activity centre. The revised recommended prioritised list of sites is:

1. Church Street / Carpenter Street;
2. Bay Street/Asling Street;
3. Church Street / St Andrews Street; and
4. Bay Street / Cochrane Street.

**Capital Funding Allocation**

It was originally intended to fund the implementation of the multi-year program of pedestrian crossing works from the Active Transport Facility Improvement program over a five-year period starting in 2017/18 with one site treated within each financial year with the program of works completed by 2021/22. However, obtaining the State government funding contribution will enable the multi-year program of pedestrian crossing works to be fast tracked whilst providing significant savings to the capital works program.

Funding from the 2018/19 Active Transport Facility Improvement Program will be used to implement one roundabout site in 2018/19. There may also be an opportunity to implement an additional site if there any savings within the 2018/19 Capital Works Program.

It is proposed to seek an increased funding allocation for the 2019/20 Active Travel Transport Facility Improvement Program as part of the capital works budget deliberations later this year in order to ensure that sufficient funding is available to implement the remaining roundabout sites in 2019/20.

**Recommendation**

That the prioritised list of sites associated with the multi-year program of pedestrian crossing works at the roundabouts in the Church Street and Bay Street Major Activity Centres be amended to:

1. Church Street / Carpenter Street;
2. Bay Street/Asling Street;
3. Church Street / St Andrews Street; and
4. Bay Street / Cochrane Street.

**Considerations and implications of recommendation**

**Liveable community**

**Social**

The design of roundabouts and the road rules governing their use currently prioritises the flow of traffic over the safe cross street movement of pedestrians. The provision of pedestrian crossings at roundabouts, particularly at locations with high volumes of pedestrians such as Major Activity Centres, will improve pedestrian safety, prioritise pedestrian movement and establish a pedestrian friendly streetscape.
Natural Environment
Improved pedestrian priority at roundabouts in both the Bay Street and Church Street Major Activity Centres will result in pedestrian friendly streetscapes. This approach aligns with a key aim of the Bayside Walking Strategy which is to encourage walking for more short trips within Bayside. A reduction in private vehicle trips will result in more walking journeys and assist in reducing greenhouse gas emissions.

Built Environment
The provision of a pedestrian crossing at a roundabout will improve pedestrian priority and establish a pedestrian friendly streetscape. Whilst it is acknowledged that the introduction of a pedestrian crossing would change the appearance of the streetscape, should any project proceed, consideration will need to be given as to how the provision of such a facility would link to its adjacent surrounds as part of the design phase.

Customer Service and Community Engagement
No community consultation has been undertaken as a part of this report. Community consultation will be undertaken as part of the development and implementation of additional pedestrian crossings at the roundabouts located within both the Bay Street and Church Street Major Activity Centres.

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
The project to install raised zebra crossings on each leg of the roundabout at Church Street/Male Street, Brighton in May 2018 cost approximately $350,000 and was jointly funded by Council and the State government on a 50:50 basis. Based on the costs of this project, it is estimated that the remaining four roundabout sites will cost a combined total of $1.4 million to implement, with the State government providing a $700,000 funding contribution towards these projects.

The 2018/19 Active Transport Facility Improvement Program will be utilised to fund the implementation of one roundabout site in 2018/19. It may be possible to implement an additional site in 2018/19 if there are savings within the 2018/19 Capital Works Program. An increased funding allocation for the 2019/20 Active Travel Transport Facility Improvement Program will be sought as part of the capital works budget deliberations later this year to ensure that sufficient funding is available to implement the remaining roundabout sites in 2019/20.

Utilising the funding from the State government’s Safe Travel in Local Streets Program will provide a saving of approximately $875,000 to Council, whilst enabling the multi-year program of pedestrian crossing works to be fast tracked for delivery within a three year period, rather than five years.

Links to Council policy and strategy
The provision of additional pedestrian crossings at roundabouts within both the Bay Street and Church Street Major Activity Centres contributes to Goal 2 ‘Transport’ within the 2017-21 Council Plan.
Options considered

Option 1

<table>
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<th>Summary</th>
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<td>Revising the prioritised list of sites to be treated will reduce the amount of disruption within both the Church and Bay Street Major Activity Centres that would be caused by treating two sites simultaneously within the same activity centre.</td>
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<tr>
<td>Issues</td>
<td>There are no issues associated with this option.</td>
</tr>
</tbody>
</table>

Option 2

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</tr>
</thead>
<tbody>
<tr>
<td>Benefits</td>
<td>There are no benefits associated with this option.</td>
</tr>
<tr>
<td>Issues</td>
<td>Treating two sites simultaneously within the same activity centre will cause significant disruption to the community and will severely disrupt traders within the activity centre given the close proximity of the roundabouts to each other.</td>
</tr>
</tbody>
</table>
Executive summary

Purpose and background

The purpose of this report is to seek endorsement of the Integrated Water Management Strategic Directions Statement which has been developed by the Integrated Water Management Forum, of which Bayside City Council is a member.

Integrated Water Management (IWM) is a collaborative approach to planning that brings together organisations that influence the water cycle. It has the potential to provide greater value to our communities by identifying and leveraging opportunities to optimise outcomes.

The Integrated Water Management Framework for Victoria is designed to help local government, water corporations and catchment management authorities’ work together to ensure the water cycle efficiently contributes to the liveability of the region, with communities at the centre of decision-making. Through ongoing engagement with their communities, these organisations manage waterways that are inextricably linked to local identity, amenity, cultural value and the continued economic success of a region.

To assist organisations to deliver these long-term benefits, IWM Forums have been established across Victoria by the State government to identify, prioritise and oversee the implementation of critical collaborative water opportunities.

The Dandenong IWM Forum was established in November 2017 and oversees IWM planning and implementation for the Dandenong catchment. This area includes all catchments that flow into Port Phillip Bay from Port Melbourne to Point Nepean, including the Elster Creek catchment.

The Forum is comprised of Managing Directors and Chief Executive Officers of 22 organisations that are involved in the management or planning of water in the Dandenong IWM Forum Area. These organisations include:

- Four water corporations (South East Water, Melbourne Water, Southern Rural Water and Yarra Valley Water);
- 13 local government areas (Bayside City Council, City of Port Phillip, City of Glen Eira, City of Kingston, City of Monash, City of Knox, City of Maroondah, City of Whitehorse, City of Greater Dandenong, City of Casey, City of Frankston, Mornington Peninsula Shire Council and Yarra Ranges Shire Council);
- Port Phillip and Westernport Catchment Management Authority;
- Two Traditional Owner organisations (Bunurong Land Council Aboriginal Corporation and Wurundjeri Land and Compensation Cultural Heritage Council Aboriginal Corporation);
- Department of Environment, Land, Water and Planning (DELWP); and the
- Victorian Planning Authority.
A Working Group was formed as part of Dandenong IWM Forum in January 2018 to develop a prioritised list of IWM initiatives that would contribute to achieving an agreed vision, underpinned by a set of strategic outcomes for the Dandenong IWM Forum area, and for seeking feedback from the Forum members.

**Key issues**

The water cycle in the Dandenong catchment is overseen and managed by several agencies. Local governments, catchment management authorities and water corporations have a shared interest in delivering enduring environmental, economic, cultural and social benefits to their local communities through initiatives that will enhance regional resiliency and liveability. Enhanced collaboration in the way in which land and water are planned and managed will be fundamental to ensuring these aspirations are realised.

Bayside City Council has participated in the Dandenong IWM Forum and associated Working Groups. Involvement and collaboration with other members has resulted in the development of a draft Strategic Directions Statement (SDS) for endorsement by member Councils. The draft SDS is included as Attachment 1 to this report. The draft SDS is provided as a confidential attachment to Council at the request of the Minister, to enable a ministerial release of the document in mid-August 2018.

Endorsement of the draft SDS will commit Bayside City Council to enhanced regional collaboration with other Dandenong IWM Forum members. In 2018/19, $4 million has been made available by the Victorian government to support IWM initiatives across the state, with the processes for allocation still to be defined.

**What is the Strategic Directions Statement (SDS)?**

The SDS articulates the regional context, the shared vision and the strategic water-related outcomes for the Dandenong catchment.

The SDS includes a prioritised list of IWM projects and strategies developed in collaboration by the Dandenong IWM Forum partners. Three IWM projects directly relate to Bayside City Council:

- **Elster Creek Catchment Flood Management Project** – aligning the work of the Elster Creek Action Plan (by Bayside City Council, City of Glen Eira, City of Kingston, City of Port Phillip, and Melbourne Water) with the IWM Forum;
- **Upgrading stormwater outfalls to Port Phillip Bay** - aimed at reducing the number of beach closures due to stormwater pollution, and understanding its sources, in all foreshore municipalities in the catchment; and
- **Elsternwick Park North** – to oversee the redevelopment of Elsternwick Park North in the context of the Elster Creek Action Plan, with an aim to improve flood mitigation and water quality in the Elster Creek catchment.

Partners of the Dandenong IWM Forum are committing to:

- Support DELWP to progress priority strategic enablers for IWM in Victoria; and
- Ensure priority projects and strategies are progressed in line with the shared vision and strategic outcomes of the Dandenong catchment.

The draft SDS will be finalised by DELWP once it has been endorsed by member Councils. It is not expected that the final version will vary greatly from the draft attached to this paper.
**Recommendation**

That Council:

1. endorses the draft Strategic Directions Statement, inclusive of the nominated vision, strategic priorities and 34 initiatives;
2. supports the implementation of the Strategic Directions Statement and associated priority initiatives; and
3. notes that the priority initiatives within the Strategic Directions Statement are subject to ongoing review and assessment by the Dandenong Region Integrated Water Management Forum members.

**Support Attachments**

1. Attachment 1 - Integrated Water Management (IWM) Forum Dandenong region Strategic Directions Statement Final Draft V4 (separately enclosed) (confidential)

**Considerations and implications of recommendation**

**Liveable community**

**Social**

Achieving the long-term goals and vision of the IWM Forum will benefit the estimated population of 1.6 million people living in the Dandenong IWM Forum area, which is predicted to rise to two million by 2040. The region encompasses a major urban growth corridor and much of the greenfield residential development in south east Melbourne will occur here over the next two decades. Significant densification is predicted for many suburbs across the region. Protecting the region’s distinctive character while maintaining and enhancing liveability and resiliency for its growing communities will be a priority for the Dandenong catchment.

**Natural Environment**

Despite the predicted increase of rainfall events due to climate change, the Dandenong catchment will experience a reduction in average annual rainfall by 2040. As a result, droughts will become more frequent and longer in duration, impacting the region’s productive agriculture and viticulture industries. Less rainfall over the catchment, coupled with fast-growing urban populations and industrial demands, will place increased pressure on water services in the catchment.

**Built Environment**

The extent and density of development across Greater Metropolitan Melbourne has a major impact on the condition of waterways entering Port Phillip Bay. Increased urbanisation creates more impervious surfaces, and increased rainfall intensity due to change increases the risk of flooding in our communities. For the Dandenong catchment, a diverse geographic area encompassing coastal environments, natural forests, agricultural lands and dense urban areas, balancing the impacts of land use and urbanisation on waterway health is complex and requires careful management.

Integrated Water Management is the approach used. The IWM Forum enables the shared responsibility of achieving liveable and resilient communities across the Dandenong catchment.
Customer Service and Community Engagement

No direct community engagement has been undertaken by DEWLP or Forum member organisations on the draft Strategic Directions Statement of the Integrated Water Management Forum for Dandenong Catchment.

Feedback received during the development of Bayside’s Community Plan 2025 identified that:

- Bayside’s beaches and foreshores are the most valued environmental asset, with their protection and maintenance a first order priority; and
- Bayside will be a better place when there is no unfiltered runoff into the Bay.

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 the endorsement of the Strategic Directions Statement, or with this report.

Finance

There are no financial implications or obligations associated with the endorsement of the Strategic Directions Statement. Involvement in the Integrated Water Management Forum may assist Council to access funding for project opportunities in future. The Victorian Government has committed four million dollars to support Integrated Water Management initiatives in 2018/19 across Victoria.

Links to Council policy and strategy

The projects detailed in the draft Strategic Directions Statement relate to Goal 5 – Environment in the Community Plan 2025, specifically the community aspirations that:

- By 2025, both community and Council will be environmental stewards, taking action to protect and enhance the natural environment and balancing appreciation and use with the need to protect natural assets for future generations; and
- Bayside’s beaches are never closed due to poor water quality; and after a storm

Endorsement of the draft Strategic Directions Statement relates to Goals 4 and 5 of the Council Plan 2017-2021, Open Space and Environment, specifically strategies to:

- 4.2 Protect and ensure the quality of our open space, including beaches and foreshore; and
- 5.2 Influence state and federal governments for improved response to climate change, aimed at reducing impacts such as foreshore erosion, beach replenishment and bay health.

The draft Strategic Directions Statement relates to Council’s Environmental Sustainability Framework, through Goal 4: Sustainable Places under the theme of Sustainable Water, with the goals and objectives of:

- Improved quality of stormwater entering the Bay
- Increased retention of stormwater in the landscape
- Manage storm water, debris and waste to protect the water quality of the bay and enhance the environment.
The work and outcomes of the IWM Forum has implications for the revised draft Integrated

Where the project outcomes of the IWM Forum include consideration of alternative water
supply within the municipality, this relates to the Open Space Sustainable Water
Executive summary

Purpose and background
In 1999 Council partnered with the Brighton Secondary College (the College) and the Sandringham Hockey Club (currently known as the Southern United Hockey Club) to establish a synthetic sporting facility (the Hockey Facility) for community and school use, on school land at the College.

The management of the Hockey Facility is governed by a Joint Use Agreement (the Agreement) signed by the College, Southern United Hockey Club, Council and the Minister for Education. The initial term of the Agreement expires in 2020. A further term of 10 years is available within the Agreement.

On the 25 March 2014, Council resolved to provide funding towards the renewal of the synthetic hockey surface ($75,000) at Brighton Secondary College and to receive an annual report summarising the activities of the Brighton Secondary College Hockey Facility Management Committee (Management Committee), including its financial position.

Council received the last of these annual reports at its 22 August 2017 meeting and resolved to receive a further report in July 2018 summarising activities, including the financial position of the Management Committee.

Key issues
Council is yet to receive the necessary information to summarise the activities and determine the Committee’s financial position by the date of drafting of this report. The Manager Open Space, Recreation and Wellbeing will continue to work with the Management Committee to develop a summary report to be presented to Council at its 21 August 2018 meeting.

Recommendation
That Council receives a report detailing Brighton Secondary College Synthetic Hockey Facility Management Committee activities and financial position at the August 2018 Ordinary Meeting of Council.

Support Attachments
Nil
Considerations and implications of recommendation

Liveable community

Social
There are no social implications associated with the recommendations in this report.

Natural Environment
The recommendations in this report do not impact the natural environment.

Built Environment
The recommendations in this report do not impact the built environment.

Customer Service and Community Engagement
Further consultation will be conducted with Brighton Secondary College Synthetic Hockey Facility Management Committee.

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 the recommendations in this report.

Finance
There are no financial implications associated with the recommendations in this report.

Links to Council policy and strategy
There are no links to Council policy and strategy associated with the recommendations in this report.
Executive summary

Purpose and background
This report provides a summary and analysis of Council's financial performance for eleven (11) months to 31 May 2018.

The report is designed to analyse actual results against the 2017/18 Adopted Budget to ensure consistency and compliance with the Budget, and to measure Council’s overall financial performance.

Please refer to the Detailed Financial Report attached for full analysis.

Key issues

2017/18 Year to date operating result
The May 2018 result is a surplus of $26.8M which is $7.8M favourable to budget.

2017/18 Forecast operating result
The current forecast for the year is a surplus of $29M which is $7M favourable to Budget

The underlying forecast is favourable to budget by $3.8M and excludes the following one off or timing items totalling $3.2M:

- $2.5M increase in the Open Space levy due to increased development activity.
- $1.4M operational grants from the Victorian Grants Commission received in advance for the 2018/19 year.
- $256k increase in drainage contributions.
- $155k due to the sale of Council owned laneways (discontinuances).
- $127k net income due to the timing of grant funding for Aged and Disability Regional projects.
- $54k increase in the sale of bathing boxes.
- ($269k) Operating Grant funding received in 2016/17 for 2017/18 programs.
- ($938k) Capital grants and contributions received in advance or deferred to align with the expected completion of capital projects (Blackspot, Brighton Library Interior Upgrade, Elsternwick Park No 1 Oval Precinct and Dendy Street Beach).

It should be noted that Council budgets for a surplus in its operating budget each year so as to fund capital works and debt reduction. Any end of year surplus that is favourable to budget is quarantined in Council’s infrastructure reserve which is used to fund capital works in future years or other unavoidable projects.

Cash and Investments
The cash position as at May 2018 is $96.2M
The YTD favourable variance to budget of $28.6M as at May 2018 is mainly due to:

- $19.2M greater opening cash balance than budgeted:
  - $11.6M Favourable capital works underspend including Rollover of 2016/17 capital projects of $11.1M (to be spent in 2017/18).
$7.6M Favourable cash underspend for operating activities including $3.1M transferred to the Infrastructure Reserve.

$9.5M YTD favourable operating cash flow results.

There will be a significant drawdown on these cash reserves over the next 4 years to fund an expansion of major capital projects.

**Victorian Auditor General’s Office (VAGO) Indicators**

Current forecasts indicate that Council will achieve VAGO indicator targets.

**Local Government Performance Reporting Framework (LGPRF) Indicators**

Current forecasts indicate that Council will achieve LGPRF indicator targets.

**Capital Result**

The forecast for capital expenditure to 30 June 2018 is favourable by $6.6M driven mainly by the forecast carry forward of $5.1 million of project budget to 2018/19. The forecast at the end of May indicates that 86% of the 2017/18 adjusted budget will be spent by June 2018.

**Recommendation**

That Council notes the operating and capital financial report for eleven months to 31 May 2018.

**Support Attachments**


**Considerations and implications of recommendation**

**Liveable community**

**Social**

There are no social impacts associated with this report.

**Natural Environment**

There are no natural environmental impacts associated with this report.

**Built Environment**

There are no built environmental impacts associated with this report.

**Customer Service and Community Engagement**

There are no impacts to customer service.

No community engagement has been undertaken in preparing 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**

Section 138 of the *Local Government Act 1989* prescribes that, at least every three months, a financial report of revenue and expenditure be presented to Council.

**Finance**

The year-end forecast operating result is a surplus of $29M which is $7M favourable to budget. Taking into account one off and timing issues the underlying operating result is $3.8M favourable to budget.

The forecast for capital expenditure to 30 June 2018 is favourable by $6.6M driven mainly by the forecast carry forward of $5.1 million of project budget to 2018/19 and indicates that 86% of the 2017/18 adjusted budget will be spent by June 2018.

**Links to Council policy and strategy**

The monthly financial report is identified within Goal 8 Governance in the Council Plan 2017-2021. We want an organisation that is financially stable and with decision making that is open, transparent, and informed by the community.
Bayside City Council Financial Report 31 May 2018

Operating Result

2017/18 Year to date operating result

The May 2018 result is a surplus of $26.8M which is $7.8M favourable to budget.

2017/18 Forecast operating result

The current forecast for the year is a surplus of $29M which is $7M favourable to Budget. The forecast result increased by $1.982M from $5.052M last month and includes:

- $217k increase in parking fines and court recovery.
- $204k reduction in Aged & Disability employee costs due to reduced requests for service and vacancies.
- $169k increase in drainage contributions.
- $135k increase in interest income from general bank accounts and term deposits mainly due to a favourable opening cash position for the year.
- $110k savings in unscheduled works for open space tree management.
- $166k savings in water and sewage as a result of lower water usage in open spaces.

The underlying forecast is favourable to budget by $3.8M and excludes the following one off or timing items totalling $3.2M:

- $2.5M increase in the Open Space levy due to increased development activity.
- $1.4M operational grants from the Victorian Grants Commission received in advance for the 2018/19 year.
- $256k increase in drainage contributions.
- $155k due to the sale of Council owned laneways (discontinuances).
- $127k net income due to the timing of grant funding for Aged and Disability Regional projects.
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<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Operating Services &amp; New Initiatives Budget</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Income</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Rates and Charges</td>
<td>81,282</td>
<td>81,772</td>
<td>400</td>
<td>88,707</td>
<td>89,161</td>
<td>454</td>
</tr>
<tr>
<td>Statutory Fees and Fines</td>
<td>5,779</td>
<td>6,615</td>
<td>1,036</td>
<td>6,206</td>
<td>7,457</td>
<td>1,161</td>
</tr>
<tr>
<td>User Fees</td>
<td>7,309</td>
<td>7,482</td>
<td>112</td>
<td>7,829</td>
<td>7,907</td>
<td>79</td>
</tr>
<tr>
<td>Rental Income</td>
<td>4,082</td>
<td>4,069</td>
<td>(13)</td>
<td>4,099</td>
<td>4,095</td>
<td>(4)</td>
</tr>
<tr>
<td>Grants - Operating</td>
<td>8,520</td>
<td>9,291</td>
<td>771</td>
<td>9,130</td>
<td>11,149</td>
<td>2,019</td>
</tr>
<tr>
<td>Grants - Capital</td>
<td>905</td>
<td>304</td>
<td>(601)</td>
<td>2,280</td>
<td>1,707</td>
<td>(574)</td>
</tr>
<tr>
<td>Contributions - Cash - Operating</td>
<td>79</td>
<td>10</td>
<td>(69)</td>
<td>109</td>
<td>99</td>
<td>(10)</td>
</tr>
<tr>
<td>Contributions - Cash - Capital</td>
<td>1,833</td>
<td>5,631</td>
<td>3,798</td>
<td>5,380</td>
<td>7,742</td>
<td>2,362</td>
</tr>
<tr>
<td>Interest Income</td>
<td>1,816</td>
<td>2,517</td>
<td>701</td>
<td>1,975</td>
<td>2,685</td>
<td>710</td>
</tr>
<tr>
<td>Other Income</td>
<td>1,556</td>
<td>1,695</td>
<td>139</td>
<td>1,818</td>
<td>1,907</td>
<td>381</td>
</tr>
<tr>
<td><strong>Net Profit/(Loss) on Disposal of assets</strong></td>
<td>-</td>
<td>(31)</td>
<td>(31)</td>
<td>-</td>
<td>(31)</td>
<td></td>
</tr>
<tr>
<td><strong>Total Income</strong></td>
<td><strong>113,282</strong></td>
<td><strong>119,755</strong></td>
<td><strong>6,473</strong></td>
<td><strong>127,421</strong></td>
<td><strong>133,960</strong></td>
<td><strong>6,548</strong></td>
</tr>
<tr>
<td><strong>Expenditure</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Employee Costs</td>
<td>38,326</td>
<td>36,609</td>
<td>1,717</td>
<td>43,047</td>
<td>41,867</td>
<td>1,180</td>
</tr>
<tr>
<td>Materials and Services</td>
<td>39,742</td>
<td>38,872</td>
<td>870</td>
<td>44,466</td>
<td>44,777</td>
<td>(311)</td>
</tr>
<tr>
<td>Bad and Doubtful Debts</td>
<td>10</td>
<td>55</td>
<td>(45)</td>
<td>170</td>
<td>226</td>
<td>(56)</td>
</tr>
<tr>
<td>Depreciation and Amortisation</td>
<td>15,740</td>
<td>17,000</td>
<td>(1,259)</td>
<td>17,178</td>
<td>17,516</td>
<td>(337)</td>
</tr>
<tr>
<td>Other Expenses</td>
<td>308</td>
<td>333</td>
<td>35</td>
<td>432</td>
<td>443</td>
<td>(10)</td>
</tr>
<tr>
<td>Finance Costs</td>
<td>112</td>
<td>111</td>
<td>1</td>
<td>112</td>
<td>111</td>
<td>1</td>
</tr>
<tr>
<td><strong>Total Expenditure</strong></td>
<td><strong>94,299</strong></td>
<td><strong>92,579</strong></td>
<td><strong>1,320</strong></td>
<td><strong>105,406</strong></td>
<td><strong>104,940</strong></td>
<td><strong>466</strong></td>
</tr>
<tr>
<td><strong>Operating Result - Surplus</strong></td>
<td><strong>18,983</strong></td>
<td><strong>27,176</strong></td>
<td><strong>7,793</strong></td>
<td><strong>22,015</strong></td>
<td><strong>29,029</strong></td>
<td><strong>7,914</strong></td>
</tr>
</tbody>
</table>
Operating Result by Division

<table>
<thead>
<tr>
<th>Division (in ‘000s)</th>
<th>YTD Budget</th>
<th>YTD Actuals</th>
<th>Budget variance</th>
<th>2017/18 Adjusted Budget</th>
<th>Current Forecast</th>
<th>Variance to Current Forecast</th>
<th>2017/18 Adjusted Budget % Variance</th>
</tr>
</thead>
<tbody>
<tr>
<td>Executive</td>
<td>8,007</td>
<td>7,251</td>
<td>756</td>
<td>9,103</td>
<td>8,372</td>
<td>731</td>
<td>8.0%</td>
</tr>
<tr>
<td>Corporate Services</td>
<td>7,177</td>
<td>6,861</td>
<td>316</td>
<td>8,620</td>
<td>8,454</td>
<td>165</td>
<td>1.9%</td>
</tr>
<tr>
<td>Env Rec. &amp; Infrastructure</td>
<td>30,025</td>
<td>29,871</td>
<td>154</td>
<td>33,984</td>
<td>33,183</td>
<td>(809)</td>
<td>-0.3%</td>
</tr>
<tr>
<td>City Planning &amp; Community Services</td>
<td>6,022</td>
<td>4,191</td>
<td>2,731</td>
<td>8,767</td>
<td>8,902</td>
<td>1,875</td>
<td>21.4%</td>
</tr>
<tr>
<td>Corporate Finance</td>
<td>(2,608)</td>
<td>(3,933)</td>
<td>1,326</td>
<td>(2,235)</td>
<td>(4,713)</td>
<td>2,477</td>
<td>-110.8%</td>
</tr>
<tr>
<td>Underlying Operating</td>
<td>49,524</td>
<td>44,240</td>
<td>5,284</td>
<td>57,340</td>
<td>52,189</td>
<td>5,160</td>
<td>9.0%</td>
</tr>
</tbody>
</table>

| Rates                                   | (81,440)   | (82,105)    | 656             | (88,882)                  | (89,511)        | 629                           | -0.7%                               |
| Capital Income                          | (2,798)    | (5,910)     | 3,112           | (7,660)                   | (9,223)         | 1,562                         | -26.4%                              |
| Depreciation                            | 15,740     | 17,000      | 1,258           | 17,170                    | 17,516          | (337)                         | -2.0%                               |
| Grand Total                              | (18,983)   | (26,776)    | 7,793           | (22,015)                  | (29,029)        | 7,014                         | -31.9%                              |

Executive forecast favourable $731k
- $421k favourable variance in salaries due to the vacant Innovation officer, lower banding for secondment roles, library staff on long service leave partially backfilled, as well as vacancies in Arts and Culture and Customer Experience.
- $180k savings due to the Highett/Hampton feasibility being postponed with the Hampton Library service maintained in its current state whilst the Hampton Hub feasibility is finalised per Council resolution in February 2018.

Corporate Services forecast favourable $165k
- $120k reduction in equipment leasing costs due to later than expected commencement of new leases.
- $60k local government election failure to vote fine income higher than anticipated.
- $58k reduction in vehicle fringe benefits tax associated with a reduction in fleet vehicles.
- ($98k) increase in annual software support which represents a transition to best of breed cloud solutions as an alternative to capital investment.

Environment, Recreation and Infrastructure forecast unfavourable ($89k)
- ($1.089M) increase in waste management resulting from:
  - ($561k) reduction in sales of recycling income due to the uncertainty that is occurring in the recycling sector effecting all recycling processors.
  - ($550k) increase in waste disposal charges associated with the cost of processing recyclable materials at $150 per tonne for the remainder of 2017/18.
  - $222k increase in grant funding of $60 per tonne from March to June 2018 to assist Councillors with the cost of processing kerbside recyclables.
  - ($91k) increase in the number of hard waste collections booked.
  - ($43k) net increase in tipping fees due to the temporary change in landfill site. ($153k) increase in the disposal rate offset by $110k savings in transportation costs.
  - ($184k) increase in litter collection for dumped rubbish.
- $222k savings in salaries in Asset Management due to change in processes and vacant staff positions.
- $63k increase in infrastructure assets statutory fees for regular point of discharge, additional fire hydrants, occupation of carparks and drainage constructions.
- $45k savings for the Graffiti Prevention Trial to be carried forward to 2018/19.
$111k Ricketts Point Masterplan not needed as no significant changes of use are proposed. A site assessment was completed instead and this will aid in managing Ricketts Point in its current state and be used to inform future development.

$114k savings in salaries due to vacant role in Open Space to be filled after the completion of the Service Review.

$156k decrease in water and sewage utilisation for open spaces.

($75k) reduction in Plant Nursery sales income.

City Planning and Community Services forecast favourable $1.875M

- $1.238M increase in parking resulting from:
  - $551k increase in parking fines issued around hot spot areas including school crossings and beach car parks.
  - $140k increase in the number of court recoveries for parking fines.
  - $134k increase in parking fees due to increased patronage.
  - $75k savings in vacant role filled in April 2018.
  - $42k increase in permit user fees.

- ($110k) increase in printing for 3 year beach parking stickers and parking machines cash collection costs.

- $226k increase in Asset Protection user permit fees due to service improvements within the department.

- $170k savings in legal planning appeals and general legal fees due to a reduction in outsourcing and low risk cases presented to VCAT

- $153k increase in planning fee income due to the number of planning applications lodged.

- $125k savings for Statutory Planning officer role. Department utilising current staff.

- ($158k) increase in a number of Urban Strategy projects including Southland Structure Plan and Highett Plan review to meet community and council expectations.

- $395k net favourable variance in Aged and Disability Services primarily due to staff vacancies throughout the year and reduced requests for services. The Aged Care reforms has resulted in additional service providers operating in Bayside, which has reduced salary expenditure and fee income.

- ($56k) for the development of Early Years Plan as requested from Councillors.

- $152k savings in Youth Services due to vacancies during the year, these have now been filled.

- $127k increase related to the timing of grant funding for Aged and Disability Regional projects.

- ($209k) School Crossing grant funding received in advance in 2016/17.

Corporate Finance forecast favourable $2.477M

- $1.423M Timing of operational grants from the Victorian Grants Commission received in advance for the 2016/17 year in addition to $55k increase in Victorian Grants Commission funding for 17/18.

- $355k increase in interest income from general bank accounts and term deposits due mainly to a favourable opening cash position for the year.

- $256k drainage contributions from developers.

- $155k forecast increase for sale of discontinuances.

- $129k savings in 2017/18 workcover premium due to improved claims history.

- $54k increase in sale of two bathing boxes.
Cash and Investments

The cash position as at May is $96.2M.

The cash position of $96.2M has increased by $6.8M from the 2016/17 ending balance of $89.4M.

The YTD favourable variance to budget of $28.6M as at May 2018 is mainly due to:

- $19.2M greater opening cash balance than budgeted:
  - $11.6M Favourable capital works underspend including Rollover of 2016/17 capital projects of $11.1M (to be spent in 2017/18).
  - $7.6M Favourable cash underspend for operating activities including $3.1M transferred to the Infrastructure Reserve.

<table>
<thead>
<tr>
<th>Cash and cash equivalents at the end of the period</th>
<th>30-Jun-17 Actual $000</th>
<th>31-May-18 Actual $000</th>
<th>Budget $000</th>
<th>Variance $000</th>
<th>Full Year Budget $000</th>
<th>Forecast $000</th>
<th>Variance $000</th>
</tr>
</thead>
<tbody>
<tr>
<td>Unallocated &amp; unrestricted</td>
<td>39,137</td>
<td>40,061</td>
<td>33,059</td>
<td>13,012</td>
<td>28,008</td>
<td>38,774</td>
<td>7,780</td>
</tr>
<tr>
<td>Restricted, committed and allocated funds</td>
<td>58,974</td>
<td>50,112</td>
<td>34,484</td>
<td>15,628</td>
<td>33,636</td>
<td>51,088</td>
<td>17,452</td>
</tr>
<tr>
<td>Total</td>
<td>98,111</td>
<td>90,173</td>
<td>67,543</td>
<td>28,650</td>
<td>62,544</td>
<td>89,862</td>
<td>25,288</td>
</tr>
</tbody>
</table>

Cash & cash equivalents (including investments) consists of:

- Retail banks: 77,026 $000
- Community banks: 3,000 $000
- Cash on hand and at bank: 9,386 $000

Total cash and cash equivalents: 98,111 $000

Statutory Reserves

- Recreational Land Reserve: 15,009 $000
- Car Parking Reserve: 398 $000

Total Statutory Reserves: 15,407 $000

Funds Subject to Intended Allocation

- Infrastructure Reserve: 8,220 $000
- Dendy Street Beach Improvement Reserve: 1,581 $000
- Community Facilities Enhancement Reserve: 947 $000
- Early Childhood Facilities Reserve: 5,522 $000
- Defined Superannuation Shortfall: 2,000 $000
- Uns spent Conditional Grants Reserve: 5,902 $000
- Street and Park Trees Management: 87 $000

Total Funds Subject to Intended Allocation: 39,093 $000

Total Other Reserves: 54,500 $000

Committed Funds

- Trust Funds and Deposits: 4,474 $000

Total Committed Funds: 4,474 $000

Total Restricted, Committed and Allocated funds: 58,974 $000

Restricted funds include trust funds and reserves.
### Victorian Auditor – General’s Office (VAGO) Indicators

<table>
<thead>
<tr>
<th>Indicator</th>
<th>Definitions</th>
<th>VAGO Target (to maintain low risk)</th>
<th>Forecast Performance</th>
<th>Forecast Achievable</th>
</tr>
</thead>
<tbody>
<tr>
<td>Liquidity</td>
<td>The ability to pay liabilities within the next 12 months. (current assets/current liabilities)</td>
<td>&gt; 150%</td>
<td>578.83%</td>
<td>Yes</td>
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<tr>
<td>Self-financing</td>
<td>The ability to replace assets using cash generated from day to day operations (net operating cash flow/underlying revenue)</td>
<td>&gt; 20.0%</td>
<td>32.15%</td>
<td>Yes</td>
</tr>
<tr>
<td>Capital Replacement</td>
<td>To ensure sufficient spending on capital renewal and new capital works. (Total capital spend: Depreciation)</td>
<td>&gt; 150%</td>
<td>238.55%</td>
<td>Yes</td>
</tr>
<tr>
<td>Indebtedness</td>
<td>The ability to repay debt from own source revenue being revenue not tied to specific projects. (not current liabilities / own source revenue)</td>
<td>&lt; 40.0%</td>
<td>0.90%</td>
<td>Yes</td>
</tr>
<tr>
<td>Underlying result</td>
<td>Sufficient operating income to cover operating expenses (new surplus/revenue)</td>
<td>&gt; 0%</td>
<td>20.66%</td>
<td>Yes</td>
</tr>
<tr>
<td>Renewal gap</td>
<td>To ensure sufficient spending on existing capital assets. (Renewal capital spend: depreciation)</td>
<td>&gt; 100%</td>
<td>193.22%</td>
<td>Yes</td>
</tr>
</tbody>
</table>

### Local Government Performance Reporting Framework Indicators

<table>
<thead>
<tr>
<th>LGPRF Performance Indicators</th>
<th>Expected Range</th>
<th>2017/18 Forecast</th>
<th>Within Range?</th>
</tr>
</thead>
<tbody>
<tr>
<td>Average residential rate per residential property assessment</td>
<td>$700 to $2,000</td>
<td>$1,991</td>
<td></td>
</tr>
<tr>
<td>Expenses per property assessment</td>
<td>$2,000 to $5,000</td>
<td>$2,304</td>
<td></td>
</tr>
<tr>
<td>Unrestricted cash compared to current liabilities</td>
<td>10% to 300%</td>
<td>290.0%</td>
<td></td>
</tr>
<tr>
<td>Loans and borrowings compared to rates</td>
<td>0% to 70%</td>
<td>0.0%</td>
<td></td>
</tr>
<tr>
<td>Loans and borrowings repayments compared to rates</td>
<td>0% to 20%</td>
<td>2.5%</td>
<td></td>
</tr>
<tr>
<td>Adjusted underlying surplus (or deficit)</td>
<td>-20% to 20%</td>
<td>15.9%</td>
<td></td>
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<tr>
<td>Rates compared to adjusted underlying revenue</td>
<td>30% to 80%</td>
<td>71.4%</td>
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<tr>
<td>Rates compared to property values</td>
<td>0.15% to 0.75%</td>
<td>0.15%</td>
<td></td>
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</tbody>
</table>

Page 6
Capital Results

<table>
<thead>
<tr>
<th></th>
<th>YTD Adjusted Budget</th>
<th>YTD Actuals</th>
<th>Variance</th>
<th>2017/18 Adjusted Budget</th>
<th>2017/18 Forecast</th>
<th>Current Variance</th>
<th>Forecast rollover to 2018/19</th>
<th>Variance including rollover</th>
</tr>
</thead>
<tbody>
<tr>
<td>Capital Expenditure</td>
<td>42,323</td>
<td>35,702</td>
<td>6,621</td>
<td>48,410</td>
<td>41,784</td>
<td>6,626</td>
<td>5,133</td>
<td>1,493</td>
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</table>

June 2018 capital forecast expenditure - favourable to budget $6.621M includes:

- Increases in forecast expenditure ($2.5M) which is fully funded
  - ($2.5M) Purchase of the Sandringham Masonic Hall funded from the Infrastructure reserve.

Forecast savings/(overspend) in project delivery $2.8M
- $2.27M Sandringham Village Activity Centre Streetscaping delayed due to redesign. Works will commence in 2018/19 and project is foreshadowed to be completed in 2019/20.
- ($1.37M) Stormwater Harvesting Brighton Golf Course overspend funded from savings in Sandringham Village Activity Centre Streetscaping
- $916k Dendy Park Soccer/Cricket Pavilion Redevelopment - Savings expected to budget
- $330k Ardoyne Street Drain Black Rock due to favourable tender results.
- $333k Highett Road Activity Centre Streetscaping delayed due to discussions with Public Transport Victoria.
- $294k Activity Centre Hawthorn Rd Village delayed due to VicRoads drainage works.
- $269k Kindergarten upgrades completed under budget.
- $231k North Road Drain Brighton due to favourable tender results.
- $219k Sportground Reconstruction - Spring St Reserve due to favourable tender results.
- ($550k) Variations required for safety elements not included in original scope for the Banksia Reserve Beaumaris Pavilion Redevelopment.
Forecast carry forward of projects $5.1M to be completed in 2018/19

- $1M Sandringham Library Redevelopment - Finalised at Council meeting on 20th February to refurbish Library for $3.89M.
- $716k Durrant St Drainage, Pavement & Tree Improvements - Significant delays due to Melbourne Water approval and redesign, and no tenders received for construction. Tender awarded at May Council meeting and works to commence in July.
- $700k Chisholm Reserve Pavilion - Delays due to planning approvals. Construction to commence August 2018.
- $500k Playground Renewal Projects - Project delayed through consultation and design development process.
- $379k New Telecommunications Solution - Revised scope and timeframes.
- $250k Cheltenham Park Pavilion Redevelopment - May not fully expend 2017/18 budget in 2017/18. Construction budget over two years, work to be completed in 2018/19.
- $228k Sandringham FS & Harbour Masterplan Implementation - Delays due to Cultural Heritage Management Plan (CHMP) to be carried out in 2017/18.
- $200k Public Toilet - Elsternwick Park South - Delays due to scope finalisation.
- $200k Brighton Library Interior Upgrade - Slight risk of works not being completed by 30 June 2018.
- $129k Customer Data Management - Delays due to completion of the telecommunications implementation and cleansing of data to be completed first.
- $105k Black Rock Foreshore Masterplan Implementation - Delays due to CHMP to be carried out in 2017/18.
- $100k Sportsground Lighting - Cheltenham Park (West) - Works are dependent on results from Flora and Fauna environmental report at this location which arose from the community consultation process.
- $100k Public Toilet - Southey St Sandringham Foreshore - Completion now expected in late July.
- $71k Brighton Dunes Stabilisation - Project may not proceed in 2017/18, pending further information from DEWLP.
- $55k Castlefield Reserve Pavilion Redevelopment - May not fully expend 2017/18 budget in 2017/18. Construction budget over two years, work to be completed in 2018/19.
- $50k Bay Trail – Middle Brighton Baths Study - Design only in 2017/18. Construction to commence early 2018/19 with budget proposed due to awaiting completion of sewer works by South East Water.
- $34k Audio Visual Renewal - Corporate Centre - To be completed in 2018/19.
- $33k Mobile Permit Verification - Delays in obtaining software.
- $30k Child Development Information System (CDIS) - To commence August 2018.
- $27k Purchase of High Resolution Aerial Imagery - Weather dictates when fly overs can occur for aerial imagery. All imagery to be completed in 2018/19.
### Detailed Schedules

#### 1. Income Statement

<table>
<thead>
<tr>
<th></th>
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</thead>
<tbody>
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<td>Rates and Charges</td>
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<td>81,772</td>
<td>490</td>
<td>88,707</td>
<td>80,161</td>
<td>4,54</td>
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<td>Statutory Fees and Fines</td>
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<td>1,036</td>
<td>6,296</td>
<td>7,457</td>
<td>1,161</td>
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<td>User Fees</td>
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<td>7,482</td>
<td>112</td>
<td>7,829</td>
<td>7,907</td>
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<td>Rental Income</td>
<td>4,092</td>
<td>4,099</td>
<td>(7)</td>
<td>4,099</td>
<td>4,095</td>
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<tr>
<td>Grants - Operating</td>
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<td>9,291</td>
<td>771</td>
<td>9,130</td>
<td>11,149</td>
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<tr>
<td>Grants - Capital</td>
<td>965</td>
<td>304</td>
<td>(661)</td>
<td>2,280</td>
<td>1,707</td>
<td>(574)</td>
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<td>Contributions - Cash - Operating</td>
<td>79</td>
<td>10</td>
<td>(69)</td>
<td>109</td>
<td>99</td>
<td>(10)</td>
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<tr>
<td>Contributions - Cash - Capital</td>
<td>1,833</td>
<td>5,631</td>
<td>3,698</td>
<td>5,380</td>
<td>7,472</td>
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<td>Interest Income</td>
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<td>701</td>
<td>1,975</td>
<td>2,685</td>
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<td>Other Income</td>
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<td>139</td>
<td>1,816</td>
<td>1,996</td>
<td>814</td>
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<td>Net Profit/(Loss) on Disposal of assets</td>
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<td>(31)</td>
<td>(31)</td>
<td>-</td>
<td>(31)</td>
<td>(31)</td>
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<td><strong>Total Income</strong></td>
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<td><strong>119,755</strong></td>
<td><strong>6,473</strong></td>
<td><strong>127,421</strong></td>
<td><strong>133,969</strong></td>
<td><strong>6,548</strong></td>
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#### Expenditure

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</thead>
<tbody>
<tr>
<td>Employee Costs</td>
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<td>36,609</td>
<td>1,717</td>
<td>43,047</td>
<td>41,867</td>
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<td>Materials and Services</td>
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<td>38,872</td>
<td>870</td>
<td>44,666</td>
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<td>Bad and Doubtful Debts</td>
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<td>55</td>
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<td>(56)</td>
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<td>Depreciation and Amortisation</td>
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<td>17,000</td>
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<td>17,178</td>
<td>17,516</td>
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<td>Other Expenses</td>
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<td>333</td>
<td>35</td>
<td>432</td>
<td>443</td>
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<td>Finance Costs</td>
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<td>111</td>
<td>1</td>
<td>112</td>
<td>111</td>
<td>1</td>
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<td><strong>Total Expenditure</strong></td>
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<td><strong>92,979</strong></td>
<td><strong>1,320</strong></td>
<td><strong>105,406</strong></td>
<td><strong>104,940</strong></td>
<td><strong>466</strong></td>
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</table>

**Operating Result - Surplus**  
18,983  26,776  7,793  22,015  29,029  7,014
### 2. Statement of Capital Works

<table>
<thead>
<tr>
<th>CAPITAL in $'000's</th>
<th></th>
<th></th>
<th>2016/17 Adjusted Budget</th>
<th>Current Forecast</th>
<th>2017/18 Adjusted Budget less Forecast variance</th>
<th>2017/18 Carry Forward Balance to 2018/19</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>YTD Budget</td>
<td>YTD Actual</td>
<td>Variance</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Property Expenditure</strong></td>
<td></td>
<td></td>
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<tr>
<td>Buildings</td>
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<td>7,823</td>
<td>1,968</td>
<td>11,975</td>
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<td>Building Improvements</td>
<td>2,178</td>
<td>1,490</td>
<td>688</td>
<td>2,327</td>
<td>2,157</td>
<td>170</td>
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<tr>
<td>Heritage Buildings</td>
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<td>2,509</td>
<td>-</td>
<td>2,509</td>
<td>-</td>
<td>-</td>
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<tr>
<td><strong>Plant &amp; Equipment Expenditure</strong></td>
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<td></td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>Plant, machinery and equipment</td>
<td>-</td>
<td>19</td>
<td>(10)</td>
<td>-</td>
<td>10</td>
<td>(10)</td>
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<tr>
<td>Fixtures, Fittings and Furniture</td>
<td>887</td>
<td>287</td>
<td>601</td>
<td>891</td>
<td>756</td>
<td>135</td>
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<td>Arts and Culture</td>
<td>130</td>
<td>70</td>
<td>60</td>
<td>130</td>
<td>112</td>
<td>18</td>
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<td>IT Systems, Network, Servers and Communication</td>
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<td>584</td>
<td>432</td>
<td>1,445</td>
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<td>18</td>
<td>430</td>
<td>430</td>
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<td><strong>Infrastructure Expenditure</strong></td>
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<td>Foreshore and Conservation</td>
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<td>Parks and Recreation</td>
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<td>15,896</td>
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<td>Off-Street Car Parks</td>
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<td>239</td>
<td>622</td>
<td>1,125</td>
<td>958</td>
<td>167</td>
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<tr>
<td>Drainage Infrastructure</td>
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<td>4,437</td>
<td>397</td>
<td>5,273</td>
<td>5,040</td>
<td>233</td>
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<tr>
<td>Road Infrastructure</td>
<td>7,976</td>
<td>7,219</td>
<td>757</td>
<td>8,153</td>
<td>8,458</td>
<td>(305)</td>
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<tr>
<td><strong>Total Expenses</strong></td>
<td>42,323</td>
<td>35,702</td>
<td>6,621</td>
<td>48,410</td>
<td>41,784</td>
<td>6,626</td>
</tr>
</tbody>
</table>

### Revenue

<table>
<thead>
<tr>
<th></th>
<th>2016/17</th>
<th>2017/18</th>
<th>Variance</th>
<th>2017/18</th>
<th>2017/18</th>
</tr>
</thead>
<tbody>
<tr>
<td>Grants - Capital</td>
<td>(965)</td>
<td>(304)</td>
<td>(661)</td>
<td>(2,280)</td>
<td>(1,707)</td>
</tr>
<tr>
<td>Other Income</td>
<td>-</td>
<td>30</td>
<td>-</td>
<td>(30)</td>
<td>30</td>
</tr>
<tr>
<td>Contributions - Cash - Capital</td>
<td>(1,833)</td>
<td>(5,576)</td>
<td>3,743</td>
<td>(5,380)</td>
<td>(7,486)</td>
</tr>
<tr>
<td><strong>Total Revenue</strong></td>
<td>(2,798)</td>
<td>(5,910)</td>
<td>3,112</td>
<td>(7,660)</td>
<td>(9,223)</td>
</tr>
</tbody>
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**Total** | 39,525 | 29,792 | 9,733 | 40,750 | 32,561 | 8,188 | 4,633 |
### Statement of Cash Flows

<table>
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<tr>
<th></th>
<th>30-Jun-17 (Outflows)</th>
<th>Actual (Outflows)</th>
<th>Budget (Outflows)</th>
<th>Variance (Outflows)</th>
<th>31-May-18 (Outflows)</th>
<th>Actual (Outflows)</th>
<th>Budget (Outflows)</th>
<th>Variance (Outflows)</th>
<th>Full Year (Outflows)</th>
<th>Actual (Outflows)</th>
<th>Budget (Outflows)</th>
<th>Variance (Outflows)</th>
<th>Forecast (Outflows)</th>
<th>Variance (Outflows)</th>
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<tr>
<td><strong>Cash flows from operating activities</strong></td>
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<tr>
<td><strong>Receipts</strong></td>
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<td></td>
<td></td>
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</tr>
<tr>
<td>Rates and charges</td>
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<td>89,626</td>
<td>89,885</td>
<td>1,759</td>
<td>88,613</td>
<td>89,673</td>
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<td>Statutory fees and fines</td>
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<td>6,627</td>
<td>5,849</td>
<td>778</td>
<td>6,274</td>
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<td>User charges</td>
<td>7,074</td>
<td>9,569</td>
<td>9,500</td>
<td>69</td>
<td>8,320</td>
<td>8,220</td>
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<tr>
<td>Rental income</td>
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<td>4,069</td>
<td>4,492</td>
<td>(423)</td>
<td>4,512</td>
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<tr>
<td>Contributions - monetary</td>
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<td>5,641</td>
<td>1,931</td>
<td>3,910</td>
<td>5,009</td>
<td>7,919</td>
<td>2,880</td>
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<tr>
<td>Grants - Operating</td>
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<td>9,332</td>
<td>9,353</td>
<td>979</td>
<td>9,221</td>
<td>11,137</td>
<td>1,916</td>
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<td>4,000</td>
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<td>567</td>
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<td>2,842</td>
<td>1,841</td>
<td>(1,001)</td>
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<td>Trust funds and deposits</td>
<td>153</td>
<td>1,413</td>
<td>111</td>
<td>1,302</td>
<td>122</td>
<td>120</td>
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<tr>
<td>Other receipts</td>
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<td>1,285</td>
<td>1,641</td>
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<td>1,668</td>
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<tr>
<td><strong>Net GST refund</strong></td>
<td>5,756</td>
<td>6,671</td>
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<td>6,764</td>
<td>6,908</td>
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<td></td>
<td></td>
</tr>
<tr>
<td><strong>Employee costs</strong></td>
<td>(38,970)</td>
<td>(38,370)</td>
<td>(38,074)</td>
<td>704</td>
<td>(42,364)</td>
<td>(41,241)</td>
<td>1,123</td>
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<tr>
<td><strong>Payments to suppliers</strong></td>
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<td>(47,390)</td>
<td>(47,677)</td>
<td>267</td>
<td>(52,784)</td>
<td>(58,364)</td>
<td>(5,580)</td>
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<tr>
<td><strong>Net cash provided by (used in) operating activities</strong></td>
<td>47,370</td>
<td>47,545</td>
<td>38,453</td>
<td>9,482</td>
<td>40,332</td>
<td>42,515</td>
<td>2,184</td>
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</tr>
<tr>
<td><strong>Cash flows from investing activities</strong></td>
<td></td>
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<td></td>
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<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Payments for property, infrastructure, plant &amp; equipment</td>
<td>(27,514)</td>
<td>(38,032)</td>
<td>(38,842)</td>
<td>(91)</td>
<td>(45,977)</td>
<td>(41,784)</td>
<td>3,893</td>
<td></td>
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<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Proceeds from sale property, infrastructure, plant &amp; equipment</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>(31)</td>
<td>(31)</td>
<td></td>
<td></td>
<td></td>
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<td></td>
<td></td>
</tr>
<tr>
<td>Proceeds from term deposit investments</td>
<td>(10,026)</td>
<td>(10,500)</td>
<td>2,000</td>
<td>(12,500)</td>
<td>5,000</td>
<td>(4,000)</td>
<td>(9,000)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Net cash used in investing activities</strong></td>
<td>(37,540)</td>
<td>(49,433)</td>
<td>(38,842)</td>
<td>(12,591)</td>
<td>(40,677)</td>
<td>(45,815)</td>
<td>(5,138)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Cash flows from financing activities</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Finance costs</td>
<td>(437)</td>
<td>(124)</td>
<td>(149)</td>
<td>25</td>
<td>(162)</td>
<td>(124)</td>
<td>38</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Proceeds from borrowings</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Repayment of borrowings</td>
<td>(5,193)</td>
<td>(2,128)</td>
<td>(2,121)</td>
<td>5</td>
<td>(2,131)</td>
<td>(2,126)</td>
<td>5</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Net cash used in financing activities</strong></td>
<td>(5,630)</td>
<td>(2,250)</td>
<td>(2,280)</td>
<td>30</td>
<td>(2,290)</td>
<td>(2,260)</td>
<td>43</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Net increase(decrease) in cash and cash equivalents</strong></td>
<td>4,200</td>
<td>(3,738)</td>
<td>(669)</td>
<td>(3,069)</td>
<td>(2,638)</td>
<td>(5,549)</td>
<td>(2,911)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Cash and cash equivalents at the beginning of the period</strong></td>
<td>5,185</td>
<td>9,385</td>
<td>5,212</td>
<td>4,173</td>
<td>5,212</td>
<td>9,385</td>
<td>4,173</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Cash and cash equivalents at the end of the period</strong></td>
<td>9,385</td>
<td>5,647</td>
<td>4,563</td>
<td>1,104</td>
<td>2,574</td>
<td>3,836</td>
<td>1,262</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Term Deposits</strong></td>
<td>80,026</td>
<td>90,526</td>
<td>63,000</td>
<td>27,526</td>
<td>60,000</td>
<td>84,026</td>
<td>24,026</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Total cash and cash equivalents at the end of the period</strong></td>
<td>89,411</td>
<td>96,173</td>
<td>67,543</td>
<td>28,630</td>
<td>62,574</td>
<td>87,862</td>
<td>25,288</td>
<td></td>
<td></td>
<td></td>
<td></td>
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<td></td>
<td></td>
</tr>
</tbody>
</table>
## 4. Balance Sheet

<table>
<thead>
<tr>
<th></th>
<th>30-Jun-17 Actual $'000</th>
<th>31-May-18 Actual $'000</th>
<th>Budget Variance $'000</th>
<th>Full Financial Year Budget $'000</th>
<th>Forecast $'000</th>
<th>Variance $'000</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Current assets</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Cash and cash equivalents</td>
<td>9,385</td>
<td>5,647</td>
<td>4,543</td>
<td>1,104</td>
<td>2,574</td>
<td>3,836</td>
</tr>
<tr>
<td>Trade and other receivables</td>
<td>8,960</td>
<td>8,212</td>
<td>8,854</td>
<td>(642)</td>
<td>6,718</td>
<td>9,721</td>
</tr>
<tr>
<td>Other financial assets</td>
<td>80,026</td>
<td>90,526</td>
<td>63,000</td>
<td>27,526</td>
<td>60,000</td>
<td>84,026</td>
</tr>
<tr>
<td>Inventories</td>
<td>108</td>
<td>108</td>
<td>77</td>
<td>31</td>
<td>78</td>
<td>110</td>
</tr>
<tr>
<td>Non-current assets classified as held for sale</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Other assets</td>
<td>1,354</td>
<td>571</td>
<td>1,361</td>
<td>(790)</td>
<td>1,505</td>
<td>1,576</td>
</tr>
<tr>
<td><strong>Total current assets</strong></td>
<td>99,842</td>
<td>105,064</td>
<td>77,835</td>
<td>27,229</td>
<td>70,875</td>
<td>99,289</td>
</tr>
<tr>
<td><strong>Non-current assets</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Trade and other receivables</td>
<td>167</td>
<td>167</td>
<td>153</td>
<td>14</td>
<td>153</td>
<td>155</td>
</tr>
<tr>
<td>Property, infrastructure, plant and equipment</td>
<td>3,372,475</td>
<td>3,391,144</td>
<td>2,936,145</td>
<td>454,999</td>
<td>2,941,544</td>
<td>3,396,743</td>
</tr>
<tr>
<td>Financial assets</td>
<td>230</td>
<td>230</td>
<td>230</td>
<td>-</td>
<td>230</td>
<td>230</td>
</tr>
<tr>
<td>Other assets</td>
<td>55</td>
<td>55</td>
<td>55</td>
<td>-</td>
<td>55</td>
<td>55</td>
</tr>
<tr>
<td><strong>Total non-current assets</strong></td>
<td>3,372,927</td>
<td>3,391,596</td>
<td>2,936,583</td>
<td>455,013</td>
<td>2,941,982</td>
<td>3,397,183</td>
</tr>
<tr>
<td><strong>Total assets</strong></td>
<td>3,472,799</td>
<td>3,496,660</td>
<td>3,014,418</td>
<td>482,242</td>
<td>3,012,857</td>
<td>3,496,452</td>
</tr>
<tr>
<td><strong>Current liabilities</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Trade and other payables</td>
<td>12,888</td>
<td>5,889</td>
<td>6,396</td>
<td>507</td>
<td>9,148</td>
<td>8,455</td>
</tr>
<tr>
<td>Trust funds and deposits</td>
<td>4,474</td>
<td>4,088</td>
<td>4,652</td>
<td>454</td>
<td>4,563</td>
<td>4,594</td>
</tr>
<tr>
<td>Provisions</td>
<td>8,272</td>
<td>7,948</td>
<td>8,687</td>
<td>738</td>
<td>8,776</td>
<td>8,799</td>
</tr>
<tr>
<td>Interest bearing loans and borrowings</td>
<td>2,126</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Income in Advance</td>
<td>430</td>
<td>7,346</td>
<td>8,036</td>
<td>690</td>
<td>-</td>
<td>614</td>
</tr>
<tr>
<td><strong>Total current liabilities</strong></td>
<td>27,990</td>
<td>25,281</td>
<td>27,671</td>
<td>2,390</td>
<td>22,487</td>
<td>22,432</td>
</tr>
<tr>
<td><strong>Non-current liabilities</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Provisions</td>
<td>980</td>
<td>804</td>
<td>1,381</td>
<td>577</td>
<td>1,406</td>
<td>1,192</td>
</tr>
<tr>
<td>Interest bearing loans and borrowings</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td><strong>Total non-current liabilities</strong></td>
<td>980</td>
<td>804</td>
<td>1,381</td>
<td>577</td>
<td>1,406</td>
<td>1,192</td>
</tr>
<tr>
<td><strong>Total liabilities</strong></td>
<td>28,970</td>
<td>26,085</td>
<td>29,052</td>
<td>2,967</td>
<td>23,893</td>
<td>23,624</td>
</tr>
<tr>
<td><strong>Equity</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Accumulated surplus</td>
<td>844,778</td>
<td>880,038</td>
<td>877,355</td>
<td>2,683</td>
<td>881,813</td>
<td>881,813</td>
</tr>
<tr>
<td>Asset revaluation reserve</td>
<td>2,544,521</td>
<td>2,544,523</td>
<td>2,078,078</td>
<td>466,445</td>
<td>2,078,078</td>
<td>2,544,521</td>
</tr>
<tr>
<td>Other reserves</td>
<td>54,500</td>
<td>46,014</td>
<td>29,933</td>
<td>16,081</td>
<td>29,073</td>
<td>46,494</td>
</tr>
</tbody>
</table>
10.8 GENERAL REVALUATION 2018

Executive summary

Purpose and background
Pursuant to Section 13DH (3) of the Valuation of Land Act 1960 this report details the 2018 General Revaluation of all rateable and non-rateable properties within the municipal boundaries of Bayside City Council, for adoption by Council.

Key issues
In accordance with the provisions of the Local Government Act 1989 and the Valuation of Land Act 1960, Council is required to return valuations on all rateable and non-rateable properties every two years. The return must also be in the prescribed form and be made under the supervision of a person who has made a statutory declaration that the valuation and return will be impartial and true (attachment 1).

In accordance with the Cultural and Recreational Lands Act (CRLA) certain properties are required to be declared as Cultural and Recreational Lands (at the time of a revaluation) for the purpose of special consideration in regard to rates payable.

General Revaluation 2018
Council at its Meeting held on 30 November 2016 appointed Matheson Stephen Valuations Australia Pty Ltd to undertake the 2018 General Revaluations of all rateable properties and non-rateable properties within the municipal boundaries of Bayside City Council.

Council’s contract valuers conducts inspections, analyses market sales, rental data and commercial leases every two years to develop levels of value for land, buildings and rentals. This information is then applied to individual properties, taking into account the different characteristics of each property throughout Bayside.

The three valuations made on a property are:

• Site value (SV) — the value of the land only, excluding any improvements;

• Capital improved value (CIV) — the market value of the land plus buildings and other improvements at the date of valuation (i.e. what it would likely have sold for on that date); and

• Net annual value (NAV) — for non-residential and investment residential properties, this is the assessed rental value. In accordance with legislation this must be at least 5 per cent of the CIV for any property. For residential properties it is fixed at 5 per cent of the CIV, but the amount is not set for commercial or industrial properties and will generally be higher.

In accordance with Section 7 of the Valuation of Land Act 1960 a report of the valuation together with associated data was submitted to the Valuer General by 30 April 2018. Certification by the Minister that the 2018 General Revaluation was generally true and correct was received on 22 June 2018 and is included as attachment 2.

The current valuation became operative from 1 July 2018.

The Report of General Valuation under section 7 AA(1) is included as attachment 3 which provides a summary of the:
1. Valuation records completed by Matheson Stephen Valuations Australia Pty Ltd.

2. Electronic schedule (VM2020 Valuation System) indicating assessment numbers, property addresses and their respective valuations that constitute the valuation and return of all rateable and non-rateable properties (inclusive of Cultural and Recreational Land Act properties).

3. Valuations as they appeared on the property database for assessment numbers 19 to 948531 inclusive were used for rating purposes from 1 July 2018.

<table>
<thead>
<tr>
<th>The total rateable valuations being as follows</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>CAPITAL IMPROVED VALUE</td>
<td>$69,396,305,000</td>
</tr>
<tr>
<td>SITE VALUE</td>
<td>$54,146,660,000</td>
</tr>
<tr>
<td>NET ANNUAL VALUE</td>
<td>$3,502,789,150</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>The total non-rateable leviable valuations being as follows</th>
</tr>
</thead>
<tbody>
<tr>
<td>CAPITAL IMPROVED VALUE</td>
</tr>
<tr>
<td>SITE VALUE</td>
</tr>
<tr>
<td>NET ANNUAL VALUE</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Number of Properties</th>
<th>C.I.V.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential</td>
<td>$64,494,500,000</td>
</tr>
<tr>
<td>Commercial incl CRLA</td>
<td>$4,112,480,000</td>
</tr>
<tr>
<td>Industrial</td>
<td>$789,325,000</td>
</tr>
<tr>
<td>Non Rateable Leviable</td>
<td>$2,650,770,000</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>$72,047,075,000</strong></td>
</tr>
</tbody>
</table>

Valuations for Rating Purposes

The 2018 revaluation has resulted in a Capital Improved Value (Excl Non Rateable Properties) of $69,396 million which is an 18.8 percent increase over the 2016 valuation of $58,375 million.

The purpose of regular property valuations is to match rate liability to changing property valuations. A General Revaluation redistributes the amount of rates payable by each property by applying a rate in the dollar to the capital improved value of each property.

Future valuations will now be returned on an annual basis as a result of the State Government centralising land valuation processes with the Valuer-General Victoria (VGV).

Recommendation

That Council:

1. notes the return of the 2018 General Valuations pursuant to the provisions of Section 13DH of the Valuation of Land Act 1960; and

2. adopts the 2018 General Valuations pursuant to the provisions of the Valuation of Land Act 1960.
Support Attachments

1. Statutory Declaration BCC April 2018
2. 2018 General Valuation - GTC Declaration by Minister - Department of Environment Land Water & Planning
3. Report Section 7AA(1)

Considerations and implications of recommendation

Liveable community

Social
Council requires from the supplier an understanding of Local Government, corporate social responsibility and a customer focus.

Natural Environment
There are no natural environment impacts associated with this report.

Built Environment
There are no built environment impacts associated with this report.

Customer Service and Community Engagement
Council requires from the supplier an understanding of Local Government, corporate social responsibility and a customer focus.

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
Pursuant to the Valuation of Land Act 1960 it is a requirement for Council to complete biennial property valuations.

Finance
Council’s 2017/18 Budget includes an amount of $250,000 for Valuation Services

Links to Council policy and strategy
The Valuation Services Contract is consistent with the 2017-18 Council Plan as identified in Commitment Goal 7 relating to Council’s intention to continue to be financially responsible with good governance.
STATUTORY DECLARATION OF THE RETURN OF THE GENERAL VALUATION FOR BAYSIDE CITY COUNCIL

1. Shelly Wijaya Pohn of Matheson Stephen Valuations Australia Pty Ltd., Level 1, Suite 13, 40 Burgundy Street, Heidelberg, in the state of Victoria, do solemnly and sincerely declare that:

The attached copy of the valuation, comprising rateable and non rateable leasible property in accordance with Form 2, containing 45,696 records, is the final and complete valuation for the Bayside City Council as at level of value date January 1, 2018.

And I make this solemn declaration conscientiously believing the same to be true and by virtue of the provisions of an Act of the Parliament of Victoria rendering persons making a false declaration punishable for willful and corrupt perjury.

Declared at Sandringham in the State of Victoria on the Twenty-Fourth Day of April, in the year Two Thousand and Eighteen.

Signed

Before me:

C4 Member: 324859
Dear Mr Cummins

Re: 2018 General Valuation – GTC Declaration by Minister

Further to my recent letter, dated 4 June 2018, the Minister has now declared pursuant to section 7AF of the Valuation of Land Act 1960 that the 2018 general valuation of your municipality is generally true and correct.

In making this declaration, the valuation is taken to be suitable to be adopted and used for the purposes of any rating authority for the full period allowed by the Valuation of Land Act 1960 or any other Act as applies to any particular rating authority using the valuation. A copy of the declaration is attached.

In accordance with section 7AG of the Valuation of Land Act 1960 a copy of the relevant valuation information has been forwarded to other rating authorities (the State Revenue Office).

Should you have any questions, please contact Mark Sanderson on (03) 9194 0416 or email valuer.general@delwp.vic.gov.au.

Yours sincerely,

Robert Marsh
Valuer General Victoria
22/06/2018
Encl.
Declaration of the Minister for Planning
under section 7AF of Valuation of Land Act 1960

In accordance with section 7AC and 7AD of the Valuation of Land Act 1960, the Valuer-General has certified that a general valuation in the following municipalities returned to council for the year 2018 by the valuer specified, is generally true and correct with respect to each of the bases of value assessed, namely, net annual value, capital improved value and site value.

<table>
<thead>
<tr>
<th>Municipality</th>
<th>Valuer</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Shire of Alpine</td>
<td>LG Valuation Services</td>
</tr>
<tr>
<td>2. City of Bayside</td>
<td>Matheson Stephen Valuations</td>
</tr>
<tr>
<td>3. City of Boroondara</td>
<td>Matheson Stephen Valuations</td>
</tr>
<tr>
<td>4. Shire of Buloke</td>
<td>Preston Rowe Patterson Horsham and Wimmera Pty Ltd</td>
</tr>
<tr>
<td>5. Shire of Gannawarra</td>
<td>LG Valuation Services</td>
</tr>
<tr>
<td>6. Shire of Hindmarsh</td>
<td>Preston Rowe Patterson Horsham and Wimmera Pty Ltd</td>
</tr>
<tr>
<td>7. City of Kingston</td>
<td>Patel Dore Valuers</td>
</tr>
<tr>
<td>8. City of Manningham</td>
<td>Patel Dore Valuers</td>
</tr>
<tr>
<td>9. Shire of Mansfield</td>
<td>LG Valuation Services</td>
</tr>
<tr>
<td>10. Shire of Moira</td>
<td>LG Valuation Services</td>
</tr>
<tr>
<td>11. City of Moonee Valley</td>
<td>Rating Valuation Services</td>
</tr>
<tr>
<td>12. Shire of Moorabool</td>
<td>Preston Rowe Patterson Geelong Pty Ltd</td>
</tr>
<tr>
<td>13. Shire of Mount Alexander</td>
<td>VRC Property Pty Ltd</td>
</tr>
<tr>
<td>14. Shire of Murrindindi</td>
<td>LG Valuation Services</td>
</tr>
<tr>
<td>15. City of Greater Shepparton</td>
<td>LG Valuation Services</td>
</tr>
<tr>
<td>16. Shire of Southern Grampians</td>
<td>Opteon Solutions</td>
</tr>
<tr>
<td>17. Shire of Strathbogie</td>
<td>LG Valuation Services</td>
</tr>
<tr>
<td>18. Shire of Towong</td>
<td>LG Valuation Services</td>
</tr>
<tr>
<td>19. City of Wodonga</td>
<td>LG Valuation Services</td>
</tr>
<tr>
<td>20. Shire of Yarrambianblack</td>
<td>Preston Rowe Patterson Horsham and Wimmera Pty Ltd</td>
</tr>
</tbody>
</table>

I declare pursuant to section 7AF(1) of the Valuation of Land Act 1960, that the general valuations for the whole of the municipality listed is generally true and correct with respect to each of the bases of value assessed.

[Signature]

HON RICHARD WYNNE MP
Minister for Planning
17/6/18
### Valuation of Land Act 1960

**REPORT OF GENERAL VALUATION UNDER SECTION 7AA(1)**

#### Valuation Summary

<table>
<thead>
<tr>
<th>Area</th>
<th>Date of rating authority:</th>
<th>Date of previous rating authority:</th>
<th>Name of rating authority</th>
<th>Basis of rating:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>30 Jun 2018</td>
<td>29 Apr 2016</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>06 Jan 2016</td>
<td>Bayside City Council</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>07 Jan 2018</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th></th>
<th>Residential</th>
<th>Commercial</th>
<th>Industrial</th>
<th>Rural</th>
<th>Non-Rateable Inv</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Number of assessments</td>
<td>40,298</td>
<td>1,875</td>
<td>559</td>
<td>0</td>
<td>457</td>
<td>43,199</td>
</tr>
<tr>
<td>without buildings</td>
<td>1,708</td>
<td>590</td>
<td>175</td>
<td>0</td>
<td>34</td>
<td>2,507</td>
</tr>
<tr>
<td>Total Net Annual Value</td>
<td>$3,098,430,290</td>
<td>$220,021,100</td>
<td>$4,325,830</td>
<td>50</td>
<td>$135,415,330</td>
<td>$3,366,946,150</td>
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<tr>
<td>Total Site Value</td>
<td>$150,195,915,000</td>
<td>$53,123,005,000</td>
<td>$561,980,000</td>
<td>50</td>
<td>$2,572,705,000</td>
<td>$166,717,415,000</td>
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<tr>
<td>Total Capital Improved Value</td>
<td>$64,404,600,000</td>
<td>$41,112,480,000</td>
<td>$765,325,000</td>
<td>50</td>
<td>$2,850,770,001</td>
<td>$72,647,915,000</td>
</tr>
</tbody>
</table>

#### Summary of previous valuation details as amended to the end of the rating year immediately preceding the current valuation

<table>
<thead>
<tr>
<th></th>
<th>Residential</th>
<th>Commercial</th>
<th>Industrial</th>
<th>Rural</th>
<th>Non-Rateable Inv</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Number of assessments</td>
<td>40,298</td>
<td>1,875</td>
<td>559</td>
<td>0</td>
<td>457</td>
<td>43,199</td>
</tr>
<tr>
<td>without buildings</td>
<td>1,708</td>
<td>590</td>
<td>175</td>
<td>0</td>
<td>34</td>
<td>2,507</td>
</tr>
<tr>
<td>Total Net Annual Value</td>
<td>$2,717,429,200</td>
<td>$105,028,358</td>
<td>$49,521,138</td>
<td>50</td>
<td>$70,428,650</td>
<td>$3,022,602,246</td>
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<tr>
<td>Total Site Value</td>
<td>$460,160,390,000</td>
<td>$2,552,038,000</td>
<td>$600,590,000</td>
<td>50</td>
<td>$1,154,235,039</td>
<td>$44,430,088,039</td>
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<tr>
<td>Total Capital Improved Value</td>
<td>$54,277,580,000</td>
<td>$3,400,650,000</td>
<td>$685,575,000</td>
<td>50</td>
<td>$1,284,079,000</td>
<td>$58,860,950,000</td>
</tr>
</tbody>
</table>

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Item 10.8 – Reports by the Organisation

Page 191 of 239
Bayside City Council

Ordinary Council Meeting - 24 July 2018

10.9 PROPOSED SALE OF LAND ADJOINING 4 AND 6 WARD STREET AND 9 DALGETTY ROAD, BEAUMARIS

Corporate Services - Commercial Services
File No: FOL/16/963 – Doc No: DOC/18/159829

Executive summary

Purpose and background
This report seeks Council approval to sell Council owned land adjacent to 4 and 6 Ward Street and 9 Dalgetty Road, Beaumaris (Land) in accordance with Council’s ‘Discontinuance and Sale of Roads and Right of Ways and Drainage Reserves Policy’ (Policy) and commence the statutory procedures under Section 189 and 223 of the Local Government Act 1989 (Act).

The subject Land known as Lot 1 on Title Plan 954364A, being part of the land in Certificate of Title Vol: 8531 Fol: 414 is currently owned by Council. The Land was previously used as a right of way (road), though discontinued in the Victorian Government Gazette on 19 October 1977. As Council is the registered proprietor of the Land, it cannot be adversely possessed.

Council has approached the adjoining property owners and offered to sell the Land in accordance with Council’s Policy. The property owners at 4 and 6 Ward Street, Beaumaris have signed conditional offers to purchase part of the land adjoining their properties and 9 Dalgetty Road, Beaumaris has signed a conditional offer to purchase the section of land fenced and enclosed into their property. Attachment 1 sets out the proposed subdivision of the land to be sold to adjoining owners by private treaty.

Key issues
The subject Land is currently vacant and is no longer required for pedestrian or vehicle access. Officers have received consent from all adjoining property owners to sell the land. Council’s policy encourages the sale of the land that is not required for municipal purposes.

Currently South East Water has a drainage easement, encumbering part of the land. The current easement will remain to protect South East Water’s existing drainage infrastructure and has been stipulated in the proposed Title Plan Survey.

Officers have obtained an independent market valuation for the subject Land, dated 22 June 2018 and the proposed sale prices are based on this valuation, set out in ‘Table 1’ of this report. The value of the land is reduced marginally as a result of the easement on Lot 2 and 3 of the proposed Plan of Subdivision 920761B (as seen in Attachment 1, Plan of Subdivision) thus the ‘encumbered’ value has been adopted for these two lots.
Recommendation

That in accordance with Section 189 of the Local Government Act 1989 Council resolves to:

1. Commence the statutory procedures to sell the land described as lots 1, 2 and 3 on PS920761B (Land), as shown in Attachment 1, to the property owners of 4 and 6 Ward Street and 9 Dalgetty Road, Beaumaris by private treaty in accordance with Council Policy;

2. Give Public Notice of the proposed sale of the Land in the appropriate newspaper and on Council’s website, in accordance with Sections 82A, 189 and 223 of the Local Government Act 1989;

3. Establish a Special Committee of Council in accordance with section 223 of the Local Government Act 1989 consisting of all Councillors with a quorum of four Councillors to consider any submissions received at a meeting to be held at a later date 11 September 2018, in the Council Chambers, Boxshall Street Brighton in relation to the proposed sale; and

4. If no submissions are received following the publication of the Public Notice, authorise the Chief Executive Officer, or such other person delegated by the Chief Executive Officer, to undertake the necessary procedural steps to complete the formal procedures for the sale of the Land including the execution of all relevant documentation.

Support Attachments

1. Attachment 1 - Plan of Subdivision ⇩

Considerations and implications of recommendation

Liveable community

Social

The sale of discontinued right of ways will remove the need for Council to regularly maintain land that it may no longer be required to hold ownership over to deliver social needs. In this case the land is used for drainage purposes by South East Water. This drainage service will still continue to operate if the land ownership was transferred through easement rights.

Natural Environment

There are no impacts associated with this report.

Built Environment

A drainage easement has been created on the subdivided land.

Customer Service and Community Engagement

Consultation has been undertaken with relevant Council departments and external service authorities. No objections have been received. It will be necessary for Council to undertake procedures under section 189 and 223 of the Local Government Act 1989 for the sale of the land. The proposed commencement of the statutory procedures under section 189 and 223 of
the *Local Government Act* 1989 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**
Part of the land is currently enclosed in the property boundary of 9 Dalgetty Road, Beaumaris. Council has title to the land and it cannot be adversely possessed. In order to sell the land Council must undertake the statutory processes in accordance with Section 189 and 223 of the *Local Government Act* 1989.

The Land will be encumbered by a drainage easement in favour of Council on title and cannot be built over.

**Finance**
Revenue achieved from the sale of discontinued roads or former drainage reserves will be held in a fund and utilised for the development of Council’s land holdings or the purchases of additional land for open space.

The land will be sold at market value as determined by a qualified valuer, contracted to Council, taking into account the following:

i. The land area and dimensions of the land;
ii. The increase in value of any property which occurs as a result of the transfer of the extra land;
iii. The potential the abutting property has for redevelopment as a result of the transfer of land; and
iv. Any easements, encumbrances or other assets retained on the land as a requirement of Council or other statutory authorities.

**Table 1**

<table>
<thead>
<tr>
<th>Lot</th>
<th>Property</th>
<th>Area m²</th>
<th>Market Value/Purchase Price (Exc. GST)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>9 Dalgetty Road, Beaumaris</td>
<td>11.3m²</td>
<td>$15,000</td>
</tr>
<tr>
<td>2</td>
<td>6 Ward Street, Beaumaris</td>
<td>71m²</td>
<td>$80,000</td>
</tr>
<tr>
<td>3</td>
<td>4 Ward Street, Beaumaris</td>
<td>96m²</td>
<td>$100,000</td>
</tr>
</tbody>
</table>

Three (3) property owners have signed conditional Letters of Offer to purchase the land for the combined sum of $195,000 (Exc. GST) given the land can be sold.

See Table 1 for details of the purchase price of the Land.

There will be no other costs payable by Council as all costs associated with the sale including transfer, surveying and legal are to be paid proportionally by the purchasers.

**Links to Council policy and strategy**
Discontinuance and sale of roads and right of ways and drainage reserves policy provides for the 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.
Plan of Subdivision

Under Section 35(8) of the Subdivision Act 1988

Location of Land

Parish: Moorabbin
Township: 
Section: 
Crown Allotment: 48 (Part)
Crown Portion: 
Title Reference: Vol 11692 Fol 374
Last Plan Reference: Lot 1 on TP954364A
Postal Address: Land Between 4 and 6 Ward Street, Beaumaris

MGA94 Co-ordinates: 
(East of approx. centre of land) E 327 520
(North of land) N 5 793 225
Zone: 55

Vesting of Roads and/or Reserves

Identifier: Council/Body/Person: Nil
Nil

Notations

Depth/Limitation: Does Not Apply
Survey: This plan is not based on survey.
To be completed where applicable.
This survey has been connected to permanent marks noted
In Proclaimed Survey Area No.
Staging: This is not a staged subdivision.

Easement Information

Easements marked (*) are created when the appropriate vesting date is recorded or transfer registered.
Easements marked (**) are removed when the appropriate vesting date is recorded or transfer registered.

<table>
<thead>
<tr>
<th>Easement Reference</th>
<th>Purpose</th>
<th>Width</th>
<th>Material</th>
<th>Origin</th>
<th>Land Benefited/In Favour Of</th>
</tr>
</thead>
<tbody>
<tr>
<td>E-1</td>
<td>AS PROVIDED FOR BY SECTION 528121st LGA 1958</td>
<td>SEE DIAG</td>
<td>SECTION 528121st LGA 1958</td>
<td>M.H.B.W.</td>
<td></td>
</tr>
</tbody>
</table>
Item 10.9 – Reports by the Organisation
Executive summary

Purpose and background
This report seeks Council approval for a discontinuance and sale of the road adjoining 13-15 New Street and 7 Mair Street, Brighton, (shown hatched on Attachment 1).

At the Ordinary Council Meeting on 22 May 2018, Council resolved to:

Commence the statutory procedures under Section 206 and Clause 3 of Schedule 10 of the Local Government Act 1989 (Act), to discontinue the 3.66m wide road adjoining 13 and 15 New Street and 7 Mair Street, Brighton, shown hatched in Attachment 1 (the Subject Road), and to sell the land from the road to the owners of 13 & 15 New Street, Brighton (the Proposal).

As part of the statutory procedures, Council gave Public Notice of the Proposal in the appropriate newspapers and on Council’s website, under Sections 82A, 207A and 223 of the Act. Consequentially, officers received a written submission on 22 June 2018 from the owner of 2 Seaview Avenue, Brighton (Objector).

A Special Committee of Council was held on 17 July 2018 to consider the submission received in accordance with Section 223 of the Local Government Act 1989. A copy of the submission and minutes of the Special Committee of Council is attached. Unfortunately, the submitter was not present at the hearing, however a further submission was submitted which is attached.

Key issues
The section of road at the rear of 15 New Street is currently enclosed within the property. This exclusive occupation has been established for more than 15 years. Whilst the section of road at the rear of 13 New Street is physically open, it has not been used for vehicular or pedestrian access for some time.

As per Council’s ‘Road Discontinuance and Sale of Roads, Right of Ways and Drainage Reserve Policy’ (Policy):

“Council will encourage the sale of such land that is not being used for pedestrian or vehicular access and/or is no longer required for other strategic or public use.”

Given the above, the subject road is no longer reasonably required as a road for public pedestrian and vehicular access and can be discontinued and sold in accordance with Council’s Policy.

After giving public notice under Section 223 of the Act, officers received a submission from the Objector on 22 June 2018. Consequentially, officers reviewed the submission and sought legal advice from solicitors who believe that the Objector no longer has carriageway rights over the subject road being discontinued and sold.

After consultation, officers believe the Objector does not reasonably require the subject road at the rear of 13-15 New Street, Brighton for pedestrian or vehicular access to the rear of their property as it the land is beyond the rear of their property boundary. The Objector has not used the subject road for access for over 15 years.
As per the submission received on 22 June 2018, the Objector has suggested that a Covenant should be lodged upon sale of the land to restrict the development potential of the land. This would limit the development potential and reduce the market value/sale price of the land. Officers believe that the objector has no legal interest or claim to lodge a covenant on the subject parcel(s) of land. Any development restrictions should be imposed through planning permit conditions and objections can be made through the planning application process and will be assessed as per the relevant planning scheme. The proposal to discontinue and sell the land at the rear of 13-15 New Street, Brighton should be assessed independently of any proposed planning applications.

In accordance with Section 189(2)(b) of the Local Government Act 1989, officers have instructed Matheson Stephen Valuations to prepare a valuation report for the subject road dated 30 January 2018. The valuation has been assessed in accordance with Council’s Policy and reflects an accurate and recent market value. Subsequently at the Ordinary Meeting on 22 May 2018, Council approved to sell the land by private treaty to the owners of 13 -15 New Street Brighton in accordance with the purchase prices shown in ‘Table 1’ of this report.

Recommendation

That Council, having considered the written and verbal submissions received under Section 223 of the Local Government Act 1989 to the proposed discontinuance and sale of the road adjoining 13-15 New Street and 7 Mair Street, Brighton, (shown hatched on Attachment 1) and Council considering the road not reasonably required as a road for public use, resolve to:

1. In accordance with Section 206 and Clause 3 of Schedule 10 of the Local Government Act 1989 (Act) discontinue the road adjoining 13 and 15 New Street and 7 Mair Street, Brighton, shown hatched in Attachment 1;

2. Direct a public notice be published in the Victoria Government Gazette;

3. Proceed to sell and transfer the land to the owners of 13 and 15 New Street, Brighton by private treaty; in accordance with Council’s Road Discontinuance and Sale Policy, Council’s previous resolution at the Ordinary Council Meeting on 22 May 2018 and the purchase prices shown in ‘Table 1’ of this report;

4. Authorise the Chief Executive Officer, or such other person as delegated by the Chief Executive Officer, to undertake the necessary steps to complete the formal procedures for the discontinuance and sale of the land from the road to the owners of 13 and 15 New Street, Brighton including the execution of all relevant documentation; and

5. Advise any party who lodged a submission in relation to the proposal of Council’s decision and provide the following reasons for the decision to proceed with the discontinuance and sale of the road:

   i. Council considers the road is not reasonably required as a road for public use.

   ii. Council considers it is acting in accordance with the functions and powers conferred on it under the Local Government Act 1989, having regard to its role, purposes and objectives, particularly in relation to the efficient management of resources in Council’s control and in accordance with its policy.
iii. The discontinuance and sale of the road should be assessed independently of the planning application for the development of the adjoining properties at 13 and 15 New Street, Brighton, and the proposal should proceed. The submitter has a right to object to the planning application for the development at 13 and 15 New Street based upon relevant planning grounds.

iv. Although 2 Seaview Avenue, Brighton enjoys carriageway rights over a section of the road which abuts the east property boundary, officers do not consider that the section of road proposed to be discontinued and sold to the owner of 13 and 15 New Street, Brighton, is reasonably required for access to 2 Seaview Avenue.

v. The section of road proposed to be discontinued does not directly abut the side of 2 Seaview Avenue, and its discontinuance and sale to the owner of 13 and 15 New Street at current market value, accords with Council policy.

vi. The proposed discontinuance and sale of the section of road adjoining the rear of 13 and 15 New Street will not preclude the submitter from gaining access to the remainder of the open road at the side of their property.

vii. A Caveat will not be placed on the subject land to restrict the development potential of the land. Any development restrictions should be imposed through planning permit conditions and will be assessed as per the relevant Planning Scheme.

viii. Council’s Contract Valuer, Matheson Stephen Valuations have provided a market valuation on 30 January 2018. The valuation has been assessed in accordance with Council’s Policy and reflects an accurate and recent market value. The land is to be sold in accordance with the purchase prices shown in Table 1 of this report as per the Council Resolution at the Ordinary Council Meeting on 22 May 2018.

Support Attachments
1. Attachment 1, Rear of 13-15 New St, Brighton
2. Attachment 2, Title Plan
3. Agenda - 17 July 2018 - Special Committee of Council
4. Mr Darmody’s further presentation

Considerations and implications of recommendation

Liveable community

Social
While the Proposal does not give rise to any social issues, it will generate income for Council as a result of the sale of the land which can be reinvested for community benefit.

Natural Environment
The discontinuance and sale of roads that are no longer reasonably required will improve the amenity of the area.
Built Environment
The proposal will also regularise the current occupation of the land at the rear 15 New Street and provide property owners with an opportunity to gain title to the land.

Customer Service and Community Engagement
All necessary service authorities and Council departments have been consulted and no objections have been received nor any requirements over the land noted.

Statutory procedures require Council to give public notice of its intention to discontinue and sell the road and invite submissions from affected parties. In addition, all abutting property owners will be advised of the proposal in writing and informed of their right to make a submission. Notification will also be provided on Council’s website.

Submitters may request to be heard by Council, or a committee of Council, prior to a decision being made to proceed or otherwise with the proposal. If any submissions are received, a further report will be presented to a future meeting of Council or a Special Committee of Council to enable the consideration of any submissions and for a decision on whether to discontinue the road in full, in part or not to discontinue the road.

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

Legal
Council’s intended course of action has been reviewed from a legislative compliance perspective by both Council officers and Macquarie Local Government Lawyers and no issues have been identified.

Finance
In accordance with Council’s Policy, the land has been allocated to the adjoining property owners in accordance with the division shown on Title Plan TP 959863D (refer Attachment 2). The results of these negotiations are shown in the table 1 below:

<table>
<thead>
<tr>
<th>Lot</th>
<th>Property</th>
<th>Area</th>
<th>Market Value (incl. GST)</th>
<th>Share of Council’s Cost</th>
<th>Purchase Price</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>13 New Street, Brighton</td>
<td>56m²</td>
<td>$108,416</td>
<td>$5,000</td>
<td>$113,416</td>
</tr>
<tr>
<td>2</td>
<td>15 New Street, Brighton</td>
<td>56m²</td>
<td>$108,416</td>
<td>$5,000</td>
<td>$113,416</td>
</tr>
</tbody>
</table>

Two (2) property owners have signed conditional Letters of Offer to purchase the land for the combined sum of $226,832, given the road can be discontinued.

Links to Council policy and strategy
Discontinuance and Sale of Roads, Right of Ways and Drainage Reserves.
Item 10.10 – Reports by the Organisation
Special Committee of Council Meeting Agenda

Agenda

for a Special Committee of Council
to hear submissions in relation to:

Special Committee of Council Meeting

To be held at the Council Chambers, Civic Centre,
Boxshall Street Brighton

on

Tuesday, 17 July, 2018
at 6:45pm
Order of Business

1. Welcome and opening of the meeting

2. Apologies

3. Disclosure of any Conflict of Interest

4. Submissions
   In accordance with Section 223 of the Local Government Act 1989, Council has received the following submissions in relation to Special Committee of Council Meeting.

   4.1 Road Discontinuance and Sale of land adjoining 13 and 15 New Street and 7 Mair Street Brighton - Submission - Mr John Darmody

5. Requests to be heard in support of submissions
   The following listed people have requested to be heard in support of their submission to Special Committee of Council Meeting.

   1. Mr John Darmody
1. Welcome and opening of the meeting

2. Apologies

3. Declarations of any Conflict of Interest
4. Submissions

4.1 ROAD DISCONTINUANCE AND SALE OF LAND ADJOINING 13 AND 15 NEW STREET AND 7 MAIR STREET BRIGHTON - SUBMISSION - MR JOHN DARMAODY

Corporate Services - Commercial Services
File No: FOL/15/2345 – Doc No: DOC/18/148057

<table>
<thead>
<tr>
<th>Date of receipt</th>
<th>Request to be Heard</th>
<th>Acknowledgement</th>
</tr>
</thead>
<tbody>
<tr>
<td>22 June 2018</td>
<td>Yes</td>
<td>22 June 2018</td>
</tr>
</tbody>
</table>

Organisation’s comments

(i) Council considers the road is not reasonably required as a road for public use.

(ii) Council considers it is acting in accordance with the functions and powers conferred on it under the Act, having regard to its role, purposes and objectives, particularly in relation to the efficient management of resources in Council’s control and in accordance with its policy.

(iii) The relevant Planning Officer has advised that the discontinuance and sale of the road should be assessed independently of the planning application for the development of the adjoining properties at 13 and 15 New Street, Brighton, and the proposal should proceed. The submitter has a right to, and may, object to the planning application for the development at 13 and 15 New Street based upon relevant planning grounds (such as overlooking/loss of privacy).

(iv) Although 2 Seaview Avenue enjoys carriageway rights over the road, officers do not consider that the section of road proposed to be discontinued and sold to the owner of 13 and 15 New Street, Brighton, is reasonably required for access to 2 Seaview Avenue.

(v) The section of road proposed to be discontinued does not directly abut the side of 2 Seaview Avenue, and its discontinuance and sale to the owner of 13 and 15 New Street at current market value, accords with Council policy.

(vi) The proposed discontinuance and sale of the section of road adjoining the rear of 13 and 15 New Street will not preclude the submitter from gaining access to the remainder of the open road at the side of his property – see below in ‘Figure 1, Aerial Plan’.

(vii) As per the submission received on 22 June 2018, the submitter has suggested that a Caveat should be lodged upon sale of the land to restrict the development potential of the land. If a caveat was to be lodged, this would limit the market value and sale price of the land.

(viii) As per section 189(2)(b) of the Act, Officers have instructed Matheson Stephen Valuations to prepare a valuation report dated 30 January 2018. Subsequently at the Ordinary Council Meeting on 22 May 2018 Council approved the sale of the
land to be sold by private treaty to the owners of 13 and 15 New Street, Brighton in accordance with the valuation report. The valuation report has been assessed in accordance with Bayside City Council’s Policy and reflects an accurate and recent market value.

Figure 1: Aerial Plan

Support Attachments
1. John Darmody - Submission to the Discontinuance and Sale of Road at rear 13-15 New Street
Hi Kenton,

Further to your emails and various assumptions I wish to advise that you are incorrect on the cornerstone of your argument and I confirm our objection to the sale of land as proposed.

I am surprised by the dismissive manner in which you have treated our position and trust that this is not typical of Councils approach to such matters.

I maintain that we do have a right of carriageway over the land. We also have used this right over the period of time we have lived at 2 Seaview Avenue for a range of activities including access for garden maintenance and recreational activity with our children.

Your supposition that we have no legal access to the right of carriageway is flawed.

We are able to access the land directly from our property and we indeed have a gate affording us the same.

In addition we have been provided informal access over the land to the West of 2a Seaview Avenue’s owner Ms Mavis Cameron as requested.

Our usage of the laneway extends to the land at the rear of 13 New St - however we do concede that it does not extend to the land at 15 New St as this had been fenced off with a gate. In that respect it is unreasonable for us to object to the sale at the rear of 15 New St - but maintain our objection to the sale of land at the rear of 13 New St.

Our title specifically describes part of the laneway with a specific easement in our favour.

I also advise that I still wish to view the valuation as per your offer. Despite your view that it is a market valuation I am unconvinced that a residual land value approach has been adopted.

I trust our position is clear and reiterate that we are willing to discuss this matter at a time we can attend a special committee meeting to find a solution that may find some middle ground - instead of being shoe horned and dismissed.

Kind Regards,
John Darmody
Director
DARMS PROPERTY
www.darms.com.au
john@darms.com.au
Telephone - 0412 204 222

On Jun 28, 2018, at 5:15 PM, Kenton Shue <kshue@bayside.vic.gov.au> wrote:

Hi John,
Just a friendly reminder that you have until COB (5:00pm) 26 June 2018 (today) to submit any final submissions.

If I do not receive anything further, I will attach your two previous email submissions received on 22 June 2018 to the Section 223 Special Committee Meeting Report. This will be presented and heard at the Special Committee Meeting of Council on 7:30pm 5 July 2018.

Kind regards,

Kenton Shue | Property Officer
Commercial Services
Bayside City Council
76 Royal Avenue Sandringham VIC 3191
Tel 95994746 | Fax 9598 4474
Email kshue@bayside.vic.gov.au
www.bayside.vic.gov.au

From: Kenton Shue
Sent: Wednesday, 27 June 2018 4:13 PM
To: 'John Darmody' <john@darms.com.au>
Subject: Section 223 Meeting - Special Committee Meeting of Council, Objection to Road Sale 13-15 New Street Brighton
Importance: High

Hi John,

Could you please consolidate all your final comments into one email submission. I will then add this submission into an attachment into the Special Committee Meeting report that I am preparing.

Kind regards

Kenton Shue | Property Officer
Commercial Services
Bayside City Council
76 Royal Avenue Sandringham VIC 3191
Tel 95994746 | Fax 9598 4474
Email kshue@bayside.vic.gov.au
www.bayside.vic.gov.au

From: John Darmody
Sent: Tuesday, 26 June 2018 2:25 PM
To: Kenton Shue <kshue@bayside.vic.gov.au>
Subject: Re: HPRM: Re: Objection to Road Sale 13-15 New Street Brighton

Hi Kenton

Can’t the matter be heard at the following meeting - which has been "set well in advance"?

Kind Regards
John Darmody
Director
DARMS PROPERTY
www.darms.com.au
john@darms.com.au
Telephone - 0412 204 222
On Jun 26, 2018, at 11:06 AM, Kenton Shue <kshue@bayside.vic.gov.au> wrote:

Hi John,

As discussed with Council’s Governance Department, we cannot reschedule the Special Committee Meeting as these dates are set well in advance. Please arrange for a written submission to be formally made either via email or letter/scanned pdf. This will be attached to the Special Committee Meeting Report, where I will have to present all the facts and background on the matter.

As per our previous email thread, it is fairly extensive. If you wish to simplify this information to portray a more succinct submission, you may resend your formal submission in a new email and I will include this in the attachment as a submission to be heard at the Special Committee Meeting at 7:30pm 5 July 2018.

If you do not resubmit anything I will include your previous email as an attachment in the report as a Submission. However this date is imminent and cannot change.

Kind regards,

Kenton Shue | Property Officer
Commercial Services
Bayside City Council
76 Royal Avenue Sandringham VIC 3191
Tel 95944746 | Fax 9598 4474
Email kshue@bayside.vic.gov.au
www.bayside.vic.gov.au

From: John Darroldy [mailto:john@darms.com.au]
Sent: Monday, 25 June 2018 12:57 PM
To: Kenton Shue <kshue@bayside.vic.gov.au>
Subject: HP#M: Re: Objection to Road Sale 13-15 New Street Brighton

Thank you - please arrange meeting after 7 July if possible.

Kind Regards
John Darroldy
Director
DARMS PROPERTY
www.darms.com.au
john@darms.com.au
Telephone - 0412 204 222

On Jun 25, 2018, at 12:51 PM, Kenton Shue <kshue@bayside.vic.gov.au> wrote:

Hi John,

Thank you for your response and proposed solution.

Your Property, 2 Seaview Avenue does not have carriage way easements rights, over the parcel of land west of 2A Seaview Avenue. As a result of this you have no legal access to the right of way, nor have you required
or used the road rear 13-15 New Street for access for >15 years. Therefore you have no legal interest or claim to the proposed land (to be discontinued and sold) and Council does not believe that a Covenant on the land should be lodged, restricting development potential in favour of yourself, limiting the market value and sale price of the land, as per your objection email sent on 22/6/18.

The valuation report is confidential, however if you would like to come into Council, I can show you a hard copy of the valuation. Given the Local Government Act requires Council under section 189 to sell land at market value, we see this process to be transparent and should not be of major concern to yourself.

I am looking into an alternative Special Committee Meeting after the 5 July 2018. Will let you know.

Please let me know if all the information from Council’s knowledge is correct.

Kind regards,

Kenton Shue | Property Officer
Commercial Services
Bayside City Council
76 Royal Avenue Sandringham VIC 3191
Tel 95994744 | Fax 95984474
Email kshue@bayside.vic.gov.au
www.bayside.vic.gov.au

From: John Darmody (mailto:jdarms.com.au)
Sent: Friday, 22 June 2018 5:33 PM
To: Kenton Shue (mailto:kshue@bayside.vic.gov.au)
Subject: Re: Objection to Road Sale 13-15 New Street Brighton

Hi Kenton,

Thank you for your quick feedback.

Despite your advice we are not persuaded to withdraw our objection. Our request to restrict development on the land is not addressed adequately.

In addition I would be interested in viewing the market valuation to understand the assumptions on how it was assessed.

Finally we are unable to agree that the sale is in the best interest of the community - as we surely are part of that group and a loss of our private space privacy is clearly not in our interest.

Notwithstanding the above—should council see fit to devise reasonable permanent covenants applicable to the land as a condition of the sale of the land that protect our privacy - we will may willing to be reconsider our position.
Kind Regards  
John Darmody  
Director  
DARMS PROPERTY  
www.darms.com.au  
john@darms.com.au;  
Telephone - 0412 204 222

On Jun 22, 2018, at 4:57 PM, Kenston Shue <jshue@bayside.vic.gov.au> wrote:

Hi John,

Thank you for your response. I will look into arranging an alternative Special Committee Meeting.

To respond to your three concerns:

1. This sale of land is independent of the planning application. You are more than welcome to object to their development permit, however 15 New Street already has the land enclosed and occupied.

2. As per the report to Council on 22 May 2018 – please see Council Agenda and Minutes. This will explain that as per the Local Government Act 1989, section 189 will not allow Council to sell the land for less than market. We have used our certified practicing valuer to prepare a market valuations for these two parcels of land.

3. You may well have carriageway rights, over part of the road, however the section of the Road being discontinued (rear 13-15 New Street) is of no interest to you. The part of the Road which you may use and have carriageway rights over is not being discontinued – you will still have vehicular and pedestrian access. Please see plan of section of Road to be discontinued below:

I hope I have convinced you to withdraw your objection, and pursue any further development and planning objections through Planning.

Council divests any revenue received from these discontinuance and sale of redundant right of ways to a Public Open Space fund, which is reinvested into providing more public open space to the residents in the suburb.

I hope you understand that this sale of unused and redundant Council right of ways is in the best interests of both the community and Council.
Happy to discuss any further concerns.

Kind regards,

Kenton Shue | Property Officer
Commercial Services
Bayside City Council
76 Royal Avenue Sandringham VIC 3191
Tel 95994799 | Fax 9595 4474
Email kshue@bayside.vic.gov.au
www.bayside.vic.gov.au

From: John Darmody (mailto:john@derm.com.au)
Sent: Friday, 22 June 2018 4:25 PM
To: Kenton Shue <kshue@bayside.vic.gov.au>
Cc: lidarmody@bigpond.com
lidarmody@bigpond.com
Subject: Objection to Road Sale 13-15 New Street
Brighton

Dear Kenton,

Further to your letter dated 15 June 2018 – I confirm that my wife and I are owners at 2 Seaview Avenue
Brighton.

We object to the land shown in the table being sold by Council on the following grounds:

- The owners of 13-15 New St will then apply for a permit for housing that has the potential to overlook our backyard and private space,
- The value of the land being sold is below market;
- We have carriage way rights over the land which will be diminished by sale of the land at rear of 13 & 15 New St.

We also understand Council’s objective to see better utilisation of the land and are willing to discuss this matter further.

An example of a compromise could be that the land to be sold has a caveat over it so that it cannot be aired considered as land when considering permit applications and calculating matters such as site coverage. In addition that all new building set backs that are applied to new development are assessed from the existing boundaries of 13 & 15 New St – EXCLUDING the boundaries of the road to be acquired. This would provide us piece of mind that the planning permit applications would be for development with sufficient set back to protect our privacy.
Finally we advise that we would request the right for our position to be heard by the Special Committee of Council – however are unable to attend on 5 July. We would ask that the meeting be pushed out one week and we could attend on 12 July at the same time if possible.

Thank you in advance for your consideration of our position.

Best Regards

JULIE AND JOHN DARMODY
2 SEAVIEW AVENUE
BRIGHTON
John Darmody | Director
DARMS Property
M: 0412 204 222
E: john@derms.com.au
W: www.darms.com.au

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Council's view is presented.

We are prepared to consider:

- marquee, etc.
- bringing equipment to the back yard etc.
- undertaking gardening activity and
- of our house is being used;
- As a walkway to the beach if the front
- home every now and then;
- To bring goods into the back of our
- the right of carriageway:
- residents of 2 Seaview Avenue use
- refer certificate of title.
- Right to the right of carriageway – 2 Seaview Avenue Brighton Beach 3186
- Right of carriageway – 2 Seaview Avenue Brighton Beach 3186
Certificate of Title

Exchange of Land dated June 2009.

Local Government Best Practice Guideline for the Sale and
Is this unassessable conduct? What is Council obliged?

endorse on 22/9/18

market value and agree the price of the land, or per your objection

development included in regard of Council's judgments

Council on the land should be located, restricting

discrimination and sold (and Council does not believe that a

no legal interest or claim to the proposed land) to be

125 New Street for access for 15 years. Therefore you have

right of way, if you require or use the road rear 12.

foreclosure as a result of this you have no legal access to the

Forestville Avenue does not have a carriageway

Authority to dispose of your land or part of it to 2/9/18.

Council Officer has misrepresented the right of the land in an

for the subject land, “...we have applied a reduction of 45% to the rate per square metre of

space

the incorporation of the subject land for anything other than open

is under the administration of the urban or local government with benefit from

subject land 30/7/18 by Republic Supps. Vendors noted:

Notes on Council Communications to date

Council Officer to Bayside Council Meeting 27 July 2018

Right of Carriageway – 2 Seaview Avenue Butterdon Beach 3186
10.11 RE-ALIGNMENT OF SANDRINGHAM / BLACK ROCK BOUNDAY ON DUFF STREET

Executive summary

Purpose and background
To seek Council’s approval to amend the suburb boundary alignment for one property namely 26 Duff Street Sandringham.

Key issues
Some thirty years ago the suburb boundary along Duff Street was clearly defined by the Registrar of Geographic Names as the suburb of Sandringham with the exception of one property in Black Rock. However Bayside City Council’s property database has shown that 26 Duff Street was known as Sandringham. Council was advised by the Department of Environment, Land, Water and Planning through Land Victoria that our database was incorrect and we were required to correct this anomaly.

Accordingly, Council changed the property database to reflect the true designated suburb boundary of Black Rock as registered by the Registrar of Geographic Names.

The residents of the 26 Duff Street have expressed their dissatisfaction with the correction of suburb boundary name, and have requested this be amended to reflect their suburb name of Sandringham, given they feel they have lost a connection to the suburb of Sandringham that they have had for more than 30 years and the imposition of redirecting notification of change of address.

The definition of the suburb boundary for this property appears to have no good reasoning, giving that all other properties within Duff Street are within the suburb boundary of Sandringham.

It is therefore recommended that Council request the Registrar of Geographic Names to amend the suburb boundary to enable 26 Duff Street to be officially known as 26 Duff Street as Sandringham. Refer to the attachment.

Recommendation
That Council requests the Registrar of Geographic Names to amend the boundary of 26 Duff Street from the suburb Black Rock to Sandringham.

Support Attachments
1. Duff Street Sandringham Boundary alignment ⇩
Considerations and implications of recommendation

Liveable community

Social
The subject property affected by the suburb changed has enjoyed the suburb of Sandringham for more than 30 years and the impact upon the property owners on this recent change has caused distress and have expressed concern about the their safety when call for emergency services.

Natural Environment
There are no natural environment implications associated with this report.

Built Environment
There are no built environment implications associated with this report.

Customer Service and Community Engagement
The residents have expressed their strong desire to be known as Sandringham as they have done so for more than 30 years.

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
It is important that our residents have a strong connection with its community and local neighbourhood and this is highlighted in the Council Plan. The realignment of the boundary back to the suburb of Sandringham will continue the connection for property owner at 26 Duff Street.
10.12 MULTIFUNCTION DEVICES & PRINTERS CON/18/150581

Corporate Services - Information Services
File No: PSF/18/105 – Doc No: DOC/18/161749

Executive summary

Purpose
The purpose of this report is to award Contract 16/40 for the renewal of Council’s Multi-Function Devices & Printers.

Background
Bayside City Council’s (BCC) current fleet of multi-function devices and printers have reached their “end of life” and are due for replacement. The advanced age of the devices decreases their reliability and increases ongoing maintenance costs. Replacing the devices presents Bayside with the opportunity to gain exposure to new technology developments and features in the market today. Therefore, the organisation is seeking a market leading print solutions specialist to design, develop and implement the refresh of a new printing solution.

Key issues
A request for tender was undertaken in accordance with Council’s Procurement Policy and section 186 of the Local Government Act 1989 and was released on Wednesday 10 April, 2018.

The selection criteria used to evaluate the tenders was based on the following weighted criteria:

1. Solution Viability – 40%
2. Price – 30%
3. Methodology – 20%
4. Experience & references – 10%

As a result of the public tendering process 4 tender submissions were received with 2 tenderers being identified as technically superior and were short listed for further investigation.

The shortlisted tenderers were invited to provide their Best and Final Offer and were invited to demonstrate their solution based on the selection criteria within the specification.

Whilst Toshiba’s lump sum price was not the cheapest solution this was equalised by the cheaper ongoing operating costs over 5 years when compared to the other tenderers. Toshiba scored the highest in regard to solution viability as it offered Council an easy to use solution, consolidation of printers, unified reporting (to identify and reduce printing costs), as well as other benefits including in-house label printing, signs and banners and the ability to reuse paper.

Successful Tenderer
Toshiba is an industry leader in innovation, speed and productivity enabling great efficiency gains for printing, scanning and copying.
The Toshiba solution offers a contemporary printer range with innovative & efficient solutions, such as optical character recognition (OCR) and scanning directly to Records Management System folders to reduce time and increase productivity.

Toshiba’s new range of EBN architecture devices are ranked with the highest environmental rating – which translates into energy cost savings and benefits to the environment. This is supported by their association with “Planet Ark” & “Close the Loop” to ensure used consumables are disposed of in an environmentally friendly manner.

Additionally, the highly innovative Eco-hyrid device is the world’s first multifunction device with an erasable print function – allowing staff to reuse paper which can reduce paper consumption considerably.

Recommendation
That Council:

1. Awards Contract No: 16/40 for the renewal of the Multifunction Devices & Printers to Toshiba (Australia) Pty Ltd, for a lump sum price of $339,192 plus $33,919 GST; and

2. Authorises the Chief Executive Officer to sign all necessary contract documentation relating to the awarding of Contract 16/40 for the provision of Multi-Function Devices and Printers.

Support Attachments
Nil

Considerations and implications of recommendation

Liveable community

Social
There are no social implications associated with this report.

Natural Environment
Toshiba Australia is a leading print solution specialist, with a variety of ecofriendly and online workflows, including erasable print, scan direct to Records Management Systems and on screen print warnings/recommendations and control.

Built Environment
There are no built environmental impacts associated with this report.

Customer Service and Community Engagement
The tender was publically advertised via the Procurement Australia panel on April 10, 2018.
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 tendering process has been undertaken in accordance with Council’s Procurement Policy and in accordance with section 186 of the Local Government Act 1989.

Finance
The proposed tendered price is within the annual operating budget allocation for the 2018/19 year and subsequent 4 years.

Links to Council policy and strategy
Ongoing Infrastructure lifecycle renewal is linked to the ICT Strategy to ensure continuous improvement and robust business continuity.
10.13 COUNCIL ACTION AWAITING REPORT

Corporate Services - Governance
File No: PSF/18/103 – Doc No: DOC/18/163717

Executive summary

Purpose and background
This report presents to Council a schedule of actions pending for the period to 24 July 2018.

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
| DATE OF MEETING | ITEM | COUNCIL RESOLUTION                                                                                                                                                                                                                                                                                                                                 | DIVISION | COMMENTS/STATUS                                                                                                                                                                                                 |
|-----------------|------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------
| 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 feature not be achievable, a revised Master Plan without the Village Square concept will be presented to a future Council meeting for adoption. | DCPCS    | 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 feature 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. | DERI     | A further report will be provided to a future Council meeting.                                                                                                                                                                                                                           |
| 21/06/16        | 10.3 | **Bayside Public Transport Advocacy Statement**  
That Council:  
2. receives further updates of the Bayside Public Transport Advocacy Statement as part of the annual Integrated Transport Strategy (ITS) update report required as part of Council’s resolution for adopting the ITS to seek the endorsement of any new advocacy issues and positions that are evolved. | DERI     | Further updates on the Bayside Public Transport Advocacy Statement will be provided to Council for adoption for any new advocacy issues when they arise.                                                                                                                              |
| 28/02/17        | 10.4 | **Potential Land Purchase**  
1. authorises the Chief Executive Officer to seek to negotiate the purchase of approximately 0.35 hectare of land at the CSIRO site in Highett for the potential future development of a library and community facilities; and  
2. receives a further report on the outcomes of these negotiations | DCorp    | A further report will be submitted to Council following the negotiations.                                                                                                                                                                                                                 |
<table>
<thead>
<tr>
<th>ITEM</th>
<th>DATE OF MEETING</th>
<th>DIVISION</th>
<th>COUNCIL RESOLUTION</th>
<th>COMMENTS/STATUS</th>
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<tbody>
<tr>
<td>10.9</td>
<td>25/7/17</td>
<td>DERI</td>
<td>Bayside Environmental Sustainability Framework 2016-2025</td>
<td>A report will be submitted to the August 2018 Council meeting.</td>
</tr>
<tr>
<td>10.3</td>
<td>22/8/17</td>
<td>DERI</td>
<td>Brighton Secondary College Synthetic Hockey Facility Plan</td>
<td>A report will be submitted to the July 2018 Council meeting.</td>
</tr>
<tr>
<td>10.1</td>
<td>24/10/17</td>
<td>PDPCS</td>
<td>Amendment C151 – Hampton East (Moorabbin) Structure Plan</td>
<td>That Council receives a further report in the first quarter of the 2018/19 financial year detailing progress in resolving historical issues and legalities.</td>
</tr>
<tr>
<td>10.16</td>
<td>24/10/17</td>
<td>DERI</td>
<td>HMVS Cebesrus – Heritage Works Permit Update</td>
<td>A report will be submitted to Council following the Minister for Planning’s decision in 2018.</td>
</tr>
<tr>
<td>10.1</td>
<td>21/11/17</td>
<td>DPCS</td>
<td>National Disability Insurance Scheme</td>
<td>A report is included on the agenda on this matter under the heading of ‘Building Inclusive Communities Funding Update’.</td>
</tr>
</tbody>
</table>

Item 10.13 – Reports by the Organisation
<table>
<thead>
<tr>
<th>DATE OF MEETING</th>
<th>ITEM</th>
<th>COUNCIL RESOLUTION</th>
<th>DIVISION</th>
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<tbody>
<tr>
<td>21/11/17</td>
<td>10.3</td>
<td><strong>Statutory Planning Service and Delegations</strong>&lt;br&gt;That Council receives a further report in June 2018 reporting on the outcomes of the trial and any further recommendations.</td>
<td>DCPCS</td>
<td>A report to the Council on the delegation trial will be reported in August 2018 together with the performance of the department for the 2017/18 financial year including further recommendations.</td>
</tr>
<tr>
<td>19/12/17</td>
<td>10.15</td>
<td><strong>Bayside Film Festival</strong>&lt;br&gt;4. Pending the outcome of the grant application, a further report be provided to Council which includes the findings of the work undertaken should the application be successful, and in the event that it is not, Council receive a further report.</td>
<td>DCCCS</td>
<td>A report will be submitted to Council at the October 2018 meeting</td>
</tr>
<tr>
<td>24/4/18</td>
<td>10.2</td>
<td><strong>Future Provision of Netball Facilities – Update</strong>&lt;br&gt;That Council:&lt;br&gt;8. Receives a report at or before the 23 October 2018 Council meeting on the establishment and project timeline of a netball centre on the site of the Sandringham Golf Driving Range;</td>
<td>DERI</td>
<td>A report will be submitted to Council at the October 2018 meeting.</td>
</tr>
<tr>
<td>19/6/18</td>
<td>10.4</td>
<td><strong>Draft Southland-Pennvale Structure Plan: Survey Results and Next Steps</strong>&lt;br&gt;1. Defers the Adoption of the Pennvale Structure Plan for a period of three months to:&lt;br&gt; a) Clarify and where appropriate refine the Draft Structure Plan recommendations in consultation with members of the Pennvale Action Group;</td>
<td>DCPCS</td>
<td>A report be submitted to the September meeting of Council.</td>
</tr>
<tr>
<td>DATE OF MEETING</td>
<td>ITEM</td>
<td>COUNCIL RESOLUTION</td>
<td>DIVISION</td>
<td>COMMENTS/STATUS</td>
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</table>
| 19/6/18        | 10.5 | **Notice of Motion 271 – Elsternwick Park South Ovals 3 & 4**  
That Council:  
2. Receives a report at the 21 August 2018 Ordinary Meeting detailing:  
a) The outcomes of community consultation on the proposed sporting infrastructure improvements at Elsternwick Park Ovals 3 and 4; and  
b) Mechanisms by which Council can ensure that any sporting association that is allocated use of these ovals is fully utilising other sports grounds allocated to it. | DERI     | Given community consultation has been extended until 17 August, it is proposed a report will be submitted to a Special Meeting of Council to be held on Wednesday 19 September 2018 specifically for this matter. |
| 19/6/18        | 10.6 | **Seasonal Sports Infrastructure Contributions Framework**  
That Council defer adoption of the Seasonal Sports Club Infrastructure Contributions Framework pending the completion of the 5 year review of Council’s Sportsground Pavilion Improvement Plan. | DERI     | A report will be submitted to Council at the October 2018 meeting.                                                                                                                                              |
| 19/6/18        | 10.8 | **Black and Well Street Car Park Feasibility Study**  
That Council:  
1. Commences a community consultation process on the options for the development of additional car parking in the Church Street Major Activity Centre (MAC);  
2. Undertakes a parking study of the Church Street MAC to inform the amount of additional car parking required in the area; and  | DCorp    | A report will be submitted to the October 2018 meeting of Council.                                                                                                                                              |
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<tr>
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</tr>
</thead>
<tbody>
<tr>
<td>19/6/18</td>
<td>10.11</td>
<td>Integrated Transport Strategy 2018-2028</td>
<td>DERI</td>
<td>A report will be submitted to Council at the August 2018 meeting.</td>
</tr>
<tr>
<td>19/6/18</td>
<td>10.17</td>
<td>Building Inclusive Communities Funding Update</td>
<td>DERI</td>
<td>A report will be submitted to Council at the May 2019 meeting.</td>
</tr>
<tr>
<td>19/6/18</td>
<td>10.19</td>
<td>Amendment C150 – Retail, Commercial and Employment Strategy 2016</td>
<td>DCPCS</td>
<td>This item is included in the July meeting agenda.</td>
</tr>
</tbody>
</table>
11. Reports by Delegates

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

12. Urgent Business
13. Notices of Motion

13.1 NOTICE OF MOTION NO: 272 - RENAMING OF THE "BEST OF THE BEST" BAYSIDE BUILT ENVIRONMENT AWARD.

Corporate Services - Governance
File No: PSF/18/103 – Doc No: DOC/18/164669

I hereby give notice that I intend to move at the Ordinary Council Meeting to be held on 24 July 2018 at 7:00pm at the Council Chambers, Civic Centre, Boxshall Street, Brighton the following Notice of Motion:

**Motion**

“In recognition of the Late Mr Donald Fulton’s contribution to architecture in Australia and his contribution to the community of Bayside, the Bayside Built Environment award for the most outstanding contribution to Bayside’s built environment “The Best of the Best” be named the “Don Fulton Award for excellence in design”. This award is to be based on the criteria a building that the judging panel feels deserves consideration for overall excellence in design. “

Cr Alex del Porto

Support Attachments
Nil
13.2 NOTICE OF MOTION - NO: 273 - DENDY BEACH PAVILION - 2018 STATE ELECTION ADVOCACY

Corporate Services - Governance
File No: PSF/18/103 – Doc No: DOC/18/168354

I hereby give notice that I intend to move at the Ordinary Council Meeting to be held on 24 July 2018 at 7:00pm at the Council Chambers, Civic Centre, Boxshall Street, Brighton the following Notice of Motion:

Motion

“That Council advocate to all political parties in the lead up to the 2018 State Election seeking State Government intervention to resolve the protracted and costly VCAT proceedings in relation to the Dendy Beach Pavilion project so that the much needed improvements to the infrastructure can be delivered to the Brighton Lifesaving Club, visitors to the precinct and the broader Bayside community.”

Cr Alex del Porto

Support Attachments
Nil
14. Confidential Business

That pursuant to Section 89(2) of the Local Government Act 1989, the Council resolves that so much of this meeting be closed to members of the public, as it involves Council consideration of matters coming within some or all of the following categories listed in Section 89(2) of such Act.

(a) Personnel matters;
(b) The personal hardship of any resident or ratepayers;
(c) Industrial matters;
(d) Contractual matters;
(e) Proposed developments;
(f) Legal advice;
(g) Matters affecting the security of Council property;
(h) Any other matter which the Council or Special Committee considers would prejudice the Council or any person;
(i) A resolution to close the meeting to members of the public.

14.1 MINUTES OF THE CHIEF EXECUTIVE OFFICER’S EMPLOYMENT MATTERS COMMITTEE HELD ON 16 JULY 2018
(LGA 1989 Section 89(2)(a) and (d) personnel matters and contractual matters.)

As Chief Executive Officer, I hereby declare that the contents of this agenda relating to the closed meeting of the ordinary meeting of Council are deemed confidential and accordingly members of Council are reminded that the contents of the agenda are not to be disclosed to any other party.

Mick Cummins

Chief Executive Officer