Agenda Paper

for the

Ordinary Meeting of Council

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

on

Tuesday, 21 August, 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

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

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

2. Acknowledgement of Original Inhabitants

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

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

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

3. Apologies

4. Disclosure of any Conflict of Interest of any Councillor

5. Adoption and Confirmation of the minutes of previous meeting

5.1 Confirmation of the Minutes of the Ordinary meeting of Bayside City Council held on 24 July 2018.

6. Public Question Time
7. **Petitions to Council**

7.1 **PETITION - TO BAN THE BURNING OF SOLID FUEL MATERIALS OUTDOORS FOR COOKING OF FOOD AND HEATING**

Corporate Services - Governance  
File No: PSF/18/103 – Doc No: DOC/18/187944

Petition from residents requesting banning the burning of solid fuel materials outdoors for cooking of food and heating. (5 signatories).

“We the undersigned hereby petition Bayside City Council to:

- Ban the burning of solid fuel materials outdoors in any “Barbecue” for cooking of food and;
- Ban the burning of solid fuel materials outdoors in any “incinerator” for heating.”

**Definition of “Barbecue” and “incinerator”:**

- A “Barbecue” is defined as a device used for cooking of food outdoors powered by gas, electricity, liquid or solid fuel materials (eg: wood, Briquettes etc)
- An “incinerator” is defined as a device used for burning any material (and not a Barbecue).

**Petition Requirements**

The submitted petition containing 5 signatories meets the required format of a petition in accordance with Council’s Governance Local Law No: 1, Clause 65.

**Officer Comment**

A range of considerations need to be addressed before Council can determine if a Local Law specific to banning solid fuel materials is required. Such considerations include having sufficient (and appropriate) resources and commonality of the problem and measures to ensure any new regulation can achieve the characteristics of better practice Local Law.

**Recommendation**

That the petition be received and a report be submitted to the November Ordinary Meeting of Council on this matter.

**Support Attachments**

Nil
7.2  PETITION - TO RETAIN STATUS QUO AT ELSTERWICK PARK SOUTH

Petition from residents requesting Council to retain Elsternwick Park South Ovals 3 and 4 in its current use status and abandon all plans to upgrade the ovals, increase sport during winter, install oval fencing, sports lighting and change pavilions and retain all current off leach arrangements.  (Total petitioners – 3879, 1,160 Bayside residents, and 2,719 from outside the municipality).

“We the undersigned, hereby petition Bayside City Council to retain Elsternwick Park South Ovals 3 and 4 in its current use status and abandon all plans to upgrade the ovals, increase sport during winter, install oval fencing, sports lighting and change pavilions and retain all current off leach arrangements.”

Petition Requirements
The submitted petition containing 3800 signatories meets the required format of a petition in accordance with Council’s Governance Local Law No: 1, Clause 65.

Officer Comment
Given a Special Meeting of Council has been scheduled ON 19 September 2018 to consider the matter of Elsternwick Park South Ovals 3 and 4, this petition will be referred to that meeting and referenced within the report.

RECOMMENDATION
That the petition be received and be referred to a Special Meeting of Council to be held on 19 September 2018 to consider Elsternwick Park south Ovals 3 and 4.

Support Attachments
Nil
7.3 PETITION - FOR OVAL 3 AND 4 REACTIVATION AT ELSTERNWICK PARK SOUTH

Petition on behalf of VAFA requesting Bayside City Council to reactivate Ovals 3 and 4 at Elsternwick Park South. (Total petitioners – 188, - 20 Bayside residents and 168 from outside the municipality).

We the undersigned, respectfully petition Bayside City Council in the reactivation of Ovals 3 and 4 on Elsternwick Park South for organised and structure sport to accommodate the significant increase in junior and female participation in the Bayside region.

To balance the needs and amenity demands of all residents (including dog walkers), and to address the looming sporting field crisis we advocate for the following:

- No fences or spoon drains around the sporting field perimetres
- Erection of fencing around the Elsternwick Park South precinct

Petition Requirements

The submitted petition containing 188 signatories meets the required format of a petition in accordance with Council’s Governance Local Law No: 1, Clause 65.

Officer Comment

Given a Special Meeting of Council has been scheduled on 19 September 2018 to consider the matter of Elsternwick Park South Ovals 3 and 4, this petition will be referred to that meeting and referenced within the report.

Recommendation

That the petition be received and be referred to a Special Meeting of Council to be held on 19 September 2018 to consider Elsternwick Park south Ovals 3 and 4.

Support Attachments

Nil
8. Minutes of Advisory Committees

Nil

9. Reports by Special Committees

Nil
Executive summary

Purpose and background
To present Council with the submissions received following the re-exhibition of Amendment C126 to the Bayside Planning Scheme, which proposes to:

- Introduce new Design and Development Overlays to Bayside’s small activity centres, recognising each centre's ability to accommodate increased growth;
- Rezone specific sites and some centres to better reflect their economic role and correct some zoning anomalies; and
- Make a range of other changes to the Bayside Planning Scheme to give effect to the Small Activity Centres Strategy 2014 ('the Strategy') through planning policy implementation.

Amendment C126 was publicly exhibited between 16 March 2017 and 24 April 2017 and received 91 submissions, many of which raised issues in relation to changing conditions in some centres since the Strategy was prepared.

In response to the submissions, Council reviewed the Strategy and Amendment C126 to ensure that the proposed controls reflected the current conditions, capacity and opportunities for each of the centres. Council was presented with the outcome of the review at its 20 February 2018 Ordinary Meeting and resolved to re-exhibit Amendment C126 due to the changes proposed to many centres and the controls to be used.

Key issues
The Amendment was re-exhibited between 7 June and 16 July 2018 with a further 80 submissions received, resulting in a total of 171 submissions. The key issues and feedback raised in submissions include:

- General support for the amendment as it addresses a policy gap within the Planning Scheme and provides greater certainty for business owners and residents about the future of these small activity centres;
- General agreement with the need to remove the DDO2 as this does not provide the certainty or specific guidance that the proposed DDOs provide;
- Conflicting views on the heights proposed to be introduced (some submitters supported greater height than proposed, others submitted lesser heights);
- Whether height controls should be mandatory or discretionary, with views on both expressed. Currently, the 28 of the 33 centres are proposed to have mandatory height controls;
- Whether the zone changes proposed were necessary, particularly when changing from the Mixed Use Zone or Neighbourhood Residential Zone to the Commercial 1 Zone;
Bayside City Council
Ordinary Council Meeting - 21 August 2018

- Whether the amendment is strategically justified and aligns with State policy in relation to accommodating housing and population growth;

- Whether some centre boundaries should be increased to land beyond existing centre boundaries, particularly when this land is currently developed for residential purposes. There is a clear objective to ensure that the boundaries of the centres are clearly articulated so as to avoid any uncertainty about where centres are expected to grow;

- Impacts on residential amenity if growth is to be accommodated in these locations; and

- A range of site specific issues outlined in the response to submissions.

A summary of submissions, including late submissions received until 10 August 2018, and the officer response is outlined at Attachment 1.

Recommended Next steps
Pursuant to the Act, a planning authority must consider all submissions and must either:

- Change the amendment in the manner requested by submitters;

- Refer the submissions to an independent Planning Panel; or

- Abandon the amendment.

The re-exhibited amendment documents incorporate changes made in response to submissions provided through the first round of exhibition. Recommended changes in response to the second round of exhibition will be addressed through the Panel process, with the following changes suggested in response to submissions:

- No longer proceeding with the rezoning and application of the DDO15 of properties at 307 and 311 New Street and 66-68 Bay Street, Brighton within the New Street and Bay Street centre. This is in response to the number of submissions received and that these sites are unlikely to be redeveloped for commercial purposes, and as such, will not contribute substantially to the viability of the commercial elements of the centre. Any redevelopment of these properties will be considered under the current controls affecting the land, being the Neighbourhood Residential Zone and relevant overlays;

- Include the property at 298 New Street within the New Street and Bay Street centre boundary, as this site has been granted planning permission for a child care centre to be developed on it. This will involve rezoning the site to the C1Z and applying the DDO15;

- Correct the zone at 300 New Street to be entirely within the C1Z, rather than the split zoning which presently exists;

- Create a new DDO Schedule specifically for the South Road and Esplanade Avenue centre given the submissions received and the five storey built form which exists. This will refer to the five storey mandatory height control in the western half of the centre which tapers down towards the eastern part where a two storey height control is proposed (as per the DDO17);

- Retain the Weatherall Road and Morey Road centre within the activity centre hierarchy, and retain the Commercial 1 Zone for this centre;

- Apply the DDO14 to the Bluff Road and Arranmore Avenue centre, recognising the existing three storey built form in the centre instead of the two storey control proposed;

- Introduce a minimum lot size of 900 square metres for the northern portion of the Nepean Highway and Centre Road site for development to reach four storeys. Otherwise, a three storey height control will apply, consistent with the existing built form;
• Apply the DDO17 to 1A Esplanade Avenue, Brighton reflecting the retention of this site within the activity centre boundary;

• Clarify proposed wording in relation to the Southland MAC and the Pennydale area, having regard to Council’s decision on this matter;

• Reintroduce planning permit exemptions into the DDO schedules as included in the original exhibition package;

• Retain the New Street and Martin Street centre as a location where electronic gaming machines are prohibited;

• Clarifying a number of controls in terms of whether they are mandatory or discretionary; and

• Several other minor drafting, consistency and interpretation matters highlighted through submissions.

It is considered appropriate that Council requests the Minister for Planning to appoint an independent Planning Panel to consider the submissions received to Amendment C126.

The Planning Panel will consider submissions, receive presentations from Council and submitters and then provide recommendations to Council on any changes to be made to the amendment in response to submissions.

Council will then have a further opportunity to consider whether it agrees with the Panel’s recommendations before adopting the Amendment.

A final suite of documents will then be presented to Council for decision before requesting approval of the amendment from the Minister for Planning.

**Recommendation**

That Council:

1. Accepts the late submissions received to Amendment C126 in accordance with Section 22(2) of the Planning and Environment Act 1987;

2. Requests the Minister for Planning to appoint an independent Planning Panel to consider the submissions received for Amendment C126 in accordance with Section 23(1)(b) of the Planning and Environment Act 1987;

3. Incorporates the changes outlined in this report as part of Council’s submission to the Panel.

4. Writes to all submitters and advises them accordingly.

**Support Attachments**

1. Draft Summary and Response to Submissions from re-exhibited Amendment ↓
Considerations and implications of recommendation

Liveable community

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

Natural Environment
Amendment C126 seeks to reduce car dependency and support sustainable transport usage by increasing the diversity of land uses in the centres. This will ensure dwellings are constructed close to shops and services reducing reliance on private transport.

Built Environment
The amendment allows a moderate level of growth and development in centres. The Design and Development Overlays proposed will provide guidance for future development in the area and outline specific requirements for each centre type, including building height and setbacks. The amendment will provide certainty on how the centres are expected to change over time.

Customer Service and Community Engagement
Public exhibition of Amendment C126 was undertaken between 18 March and 24 April 2017. The re-exhibition process was conducted between 7 June and 16 July 2018. The exhibition included:

- Notice of the amendment published in the Bayside Leader and Government Gazette;
- Notice and advertising in the Bayside Leader and on Council’s social media pages;
- Over 3,000 letters being sent out to affected property owners and occupiers, as well as properties surrounding to the centres offering individual meetings to discuss C126. For the re-exhibited material, this resulted in over 44 phone enquiries, 9 counter enquiries, 9 email enquiries, 6 requests for one on one meetings with Council’s Strategic Planners and an additional 79 submissions; and
- Letters to the prescribed Ministers required in accordance with the Planning and Environment Act 1987, referral authorities and adjoining municipalities.

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 arising from referring the submissions received to an independent Planning Panel.
Finance
Resources to progress Amendment C126 have been allocated in Council’s 2018/19 Budget.

Links to Council policy and strategy
Bayside Housing Strategy 2012

Amendment C126 is consistent with the Bayside Housing Strategy 2012 as it accords with the Strategy’s vision of directing medium density development into Bayside’s smaller order shopping centres. The Housing Strategy provides guidance on the level of growth to be accommodated and ensures development must have regard to building rhythm and the surrounding residential character.

Amendment C126 builds on this vision by outlining the role that these centres play in providing options for accommodating growth and dwelling diversity and retaining the commercial roles of activity centres.
Options considered

Option 1

<table>
<thead>
<tr>
<th>Summary</th>
<th>Request that the Minister for Planning appoint an independent Planning Panel to consider the submissions received for Amendment C126 as presented.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Benefits</td>
<td>Will provide the opportunity for all submitters to have their issues and concerns considered by an independent body.</td>
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<td></td>
<td>Will allow the merits of the amendment as it currently stands to be considered and Council will have the benefit of understanding the recommendations of the Planning Panel.</td>
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<td>Will allow for changes to Amendment C126 to be debated and considered as part of the Planning Panel process.</td>
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<td>Following the Planning Panel process, if Council decided to adopt the Amendment C126, this will provide certainty as to the future built form in small activity centres through the specific DDOs proposed.</td>
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<td>Once implemented into the Scheme, this will confirm small activity centre boundaries and avoid centre expansion which is not consistent with the final planning scheme amendment outcome.</td>
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<tr>
<td>Issues</td>
<td>There are no issues resulting from this approach.</td>
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</table>

Option 2

<table>
<thead>
<tr>
<th>Summary</th>
<th>Abandon Amendment C126.</th>
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<tbody>
<tr>
<td>Benefits</td>
<td>There are no obvious benefits associated with this approach.</td>
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<tr>
<td>Issues</td>
<td>This will result in there being a policy gap within the Planning Scheme in relation to Bayside’s small activity centres.</td>
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<td></td>
<td>The existing DDO2 and DDO 3 would continue to apply to the centres. Whilst the DDO2 specifies objectives and decision guidelines, there are no built form requirements specified to achieve the character protection sought by the control. All that is required is a written response which demonstrates how a building delivers the design objectives of the overlay. As a result, limited weight can be given to the DDO2 and DDO3 as it does not specify performance standards to be met or specify how development should meet the objectives. The predominant two storey character sought is a decision guideline within the DDO2 and DDO3, however it does not function as a height control but rather something to be considered in decision making. The consequence of retaining the DDO2 and DDO3 on these centres would result in new development not being consistent with Council’s preferred built form in small activity centres. This is expected to be a particular issue in centres where development already exceeds 2 storeys.</td>
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<tr>
<td>Submitter No.</td>
<td>Summary of Submission</td>
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<tr>
<td>93</td>
<td>New and Bay Street, Brighton</td>
</tr>
<tr>
<td>94</td>
<td>Bluff Road and Highett Road Centres, Hampton</td>
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</tbody>
</table>
### Bayside Planning Scheme Amendment C126 – Draft Council response to submissions received

<table>
<thead>
<tr>
<th>Submitter No.</th>
<th>Summary of Submission</th>
<th>Council Officer Response</th>
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</thead>
</table>
| 95            | New and Bay Street, Brighton  
1. Existing redevelopment has had a significant detrimental impact on the community.  
2. There are a large number of empty shops on Bay Street with little parking. The changes are clearly designed to support further development not existing residence or business. Eg "Revised Design and Development Overlay Schedule 15 ... Discretionary 4 storey height limit". All these changes are expanding the existing issues further down Bay Street. How can a small supermarket or milk bar exist or survive when large retail supermarkets are open until midnight in Bay Street and Church Street? | 1. Existing redevelopment has been assessed against the relevant planning provisions applicable under the Bayside Planning Scheme. It is not clear specifically what detrimental impacts the submitted is referring to. It is considered that any construction related impacts can be managed through the planning permit process.  
2. The Economic analysis undertaken Sox Economics and Planning suggests that “The centre can conceivably play a useful complement to the Bay Street MAC with local convenience functions within the existing footprint of the centre.” Council can generally only indirectly influence the business mix in small activity centres however proactive Council investment in nearby MACs/IMACs aimed towards expanding their commercial footprint can allow commercial services to re-locate from the aforementioned centres to other higher order centres. Further, proactive council investment in upgrading the street amenity of these centres could assist in making them more attractive to visitors, thereby inducing a change in their character to support local retail and hospitality functions. |
| 96            | Keys Street Centre, Beaumaris  
1. The third level must have a minimum setback from the street frontage, as per existing development, Beaumaris hotel.  
2. Amendment to allow retail on top floor or roof deck to take advantage of views for future development.  
3. No parking bays allowed due to noise in small area.  
4. Traffic movements through the area will need to be considered to ensure acceptable traffic flow. | 1. Agree – Where a development proposal includes a third level it should be set back from the front boundary so that there is a consistent upper level setback and street wall height that presents to Beach Road. The current drafting of the DDO specifies that, “A building should achieve a 2 storey street wall height with zero setback to the primary street frontage.” The DDO should be amended to specify that, “Where a third level is proposed it should be recessed or setback from the front boundary of the site.” Council considers that discretion can exist as to the extent of the setback depending on the particular conditions of each site and the preferred 5 metre setback is preferable.  
2. If a proposal seeks to propose commercial uses at upper levels, this is permissible under the controls proposed through Amendment C126 and will need to be considered as part of the individual merits of a planning permit application.  
3. Car Stacker are used in many high and medium rise apartment buildings in the inner city. In apartment buildings of this scale, car stackers are commonly located below ground level, which dampens noise and vibration. It is generally accepted car stackers are unlikely to present a noise issue to neighbours if they are located in an underground carpark. Clause 52.06 states: ‘Accommodating cars in stackers can be an appropriate way to provide car parking where space is limited.’ Design standard 4 - Mechanical parking states: ‘Mechanical parking may be used to meet the car parking requirement provided:  
• At least 25 per cent of the mechanical car parking spaces can accommodate a vehicle clearance height of at least 1.8 metres.  
• Car parking spaces that require the operation of the system are not allocated to visitors unless used in a valet parking situation.  
• The design and operation is to the satisfaction of the responsible authority.’  
4. Once Planning scheme Amendment C126 has progressed, the detailed traffic conditions can be considered through both Council’s ongoing traffic management responsibilities and as a result of any new development. |
# Bayside Planning Scheme Amendment C126 – Draft Council response to submissions received

<table>
<thead>
<tr>
<th>Submitter No.</th>
<th>Summary of Submission</th>
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</table>
| 97            | **East Brighton centre**  
1. Need more people to take advantage of the shops. It is important to allow three level shop/ apartments (or more) for the whole Centre not just for nos. 758-768 Hawthorn Road. Council has proposed 4 levels just around the corner near Centre Rd and also at Union St and it would make a lot of sense to allow even four floors near to the highway for the indented shops: 770 all the way to the Highway and shops 763 to 765D. Why minimise the potential of these shops? What is wrong with allowing more people to live above the shops?  
2. The area also needs more and more affordable accommodation. There is a tram on their doorstep and large parkland nearby. | 1. Council considers that the height controls proposed are justified having regard to the minimal residential growth envisaged for the Centre and the conditions of the Centre. The Nepean Highway and Centre Road centre has quite different characteristics to the East Brighton Shopping Centre and Council considers that a lower mandatory building height is warranted.  
2. Council has adopted an advocacy action plan in relation to affordable housing and will continue to define its strategic objectives in relation to affordable housing through the review of the Bayside Housing Strategy, occurring in 2018/19. |
| 98            | **Bluff Road and Bay Road centre, Sandringham**  
1. Please do not limit gaming any more than is currently on the Strategy. Existing use rights need to be prioritised. | 1. The Bluff Road and Bay Road centre is already a location where electronic gaming machines are prohibited as outlined in the Schedule to Clause 52.28-4. This is not proposed to be changed through Amendment C126. |
| 99            | **New and Bay Street, Brighton**  
1. The subject site is not suitable to be transitioned to the Commercial 1 Zone given the existing built form on the site and the challenges of redeveloping an existing strata titled lot. This change would considerably impact the property value and amenity of existing residents. | 1. Council considers that the likelihood of the subject site being redeveloped is low, given the existing conditions of the site. It is considered reasonable to remove the site from the centre boundary and retain the current controls for the site. |
### Bayside Planning Scheme Amendment C126 – Draft Council response to submissions received

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<thead>
<tr>
<th>Submitter No.</th>
<th>Summary of Submission</th>
<th>Council Officer Response</th>
</tr>
</thead>
<tbody>
<tr>
<td>100</td>
<td>Bluff Road and Love Street Centre</td>
<td>1. Impacts on property values are not generally relevant when preparing planning scheme amendments as property values are influenced by a variety of factors, including market conditions.</td>
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<tr>
<td></td>
<td></td>
<td>2. The objective of Amendment C126 is to support Bayside’s smaller activity centres to retain their important role in the economy. Whilst there may be some amenity impacts as a result of commercial uses, VCAT has commonly found that residents of activity centres cannot expect the same level of amenity as residents of purely residential areas. The suitability of any individual use and its offsite impacts may be considered through the planning permit process if a planning permit is required.</td>
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<td>3. Council’s Land Use audit undertaken in October 2017 indicated that there were at least 11 commercial premises operating in within the centre, indicating that there is an active ground floor commercial component to the centre which facilitates commercial uses. It is considered that the Commercial 1 Zone is the appropriate zone given the role of the centre as a Small Neighbourhood Activity Centre and the ability of the centre to accommodate some form of local convenience retailing.</td>
</tr>
</tbody>
</table>
### Item 10.1 – Reports by the Organisation

#### Weatherall Road Shopping Centre

1. Support for the change is noted.
2. Council considers that the proposed three storey height control is justified having regard to the conditions of the centre. This height has regard to the existing opportunities for the centre as well as its location amongst Neighbourhood Residential Zoned land away from major roads.
3. Council agrees that a three storey street wall height is appropriate in the Weatherall Road Centre as outlined by the DDO14. If an additional height were to be recommended by a Planning Panel, Council considers that the top level should be required to be set back. Given the proposed three storey mandatory height control, it is not considered necessary to impose controls relating to a fourth floor.
4. Given that the centres to have the DDO14 applied have a greater capacity for growth, it is considered reasonable to allow setbacks to be taken from lane ways where laneways exist however this should be discretionary. It is proposed to amend the wording within the DDO14 to facilitate this.
5. Council considers that the use of mandatory controls throughout have been justified and further discussion on this issue can occur as part of the Panel process.

#### New Street and Bay Street centre

- General support for the amendment.

#### Dandy Village

1. The zone of the Council car park does not determine the types of parking restrictions to be imposed in the car park. Changing the zone of the Council car park is unlikely to result in any alterations to travel behaviour to the centre.
2. The car park is a public car park and any car parking benefit realised from private land owners nearby is not considered a relevant factor in determining the zoning of the land.
3. It is not proposed to alter the parking conditions within the centre at this time beyond changing the zone of the land. The primary purpose of public car parking is to provide somewhere for visitors to the centre to park, and the use of the car park as an extension of private residential parking is considered an irrelevant matter.
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<td>104</td>
<td>Keys Street Shopping Centre</td>
<td>26</td>
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<tr>
<td></td>
<td>1. Doesn't want to be classified as a Keys Street address. Council should ensure that 464 Beach Road, Beaumaris remains within the NRZ.</td>
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<tr>
<td>105</td>
<td>New Street and Bay Street Centre</td>
<td>26</td>
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<tr>
<td></td>
<td>1. Supports rezoning and believes that it is commensurate with the current changing landscape of the precinct and the density of the area close to public transport.</td>
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<td>2. Barkly St should be closed at that end of the village and a piazza style of landscaping be created, almost extending the park out to encourage commercial use and recreational seating appurtenant to the commercial uses. At the very least, close half of the Barkly St and make it one way at the intersection and extend what area is relinquished to create further landscaping. The intersection is problematic with Barkly St, one needs to only stand there for 15 mins and see the ongoing confusion on New St that occurs when the lights turn green exiting Barkly St. It is dangerous.</td>
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<tr>
<td>106</td>
<td>East Brighton Shopping Centre</td>
<td>26</td>
</tr>
<tr>
<td></td>
<td>1. A property has already been redeveloped in the centre near the submitter’s property which breaches his privacy and raises shadowing concerns.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>2. They have had difficulty securing tenants for their property due to the noise, loss of privacy, buildings built to boundaries and loss of access to and from the laneway during construction, which will be exacerbated by C126.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>3. C126 will further affect their property and privacy if the other properties in the centre is built up.</td>
<td></td>
</tr>
</tbody>
</table>

| 1. | It is not proposed to alter street addressing within the centre to indicate a change, simply because a property is identified as being within the activity centre boundary. Whilst the current developed conditions of the site do not reflect a commercial use, given the location of the site it is considered that the development should remain within the centre boundary to ensure any changes occurring within the public realm in the centre are inclusive of this property. As such, it is proposed to retain the site within the C32 and apply the DDO17 to the site. |      |
| 2. | Support for the change to the zone is noted. Following submissions, it is considered that the properties at 807 New Street and 66-68 Bay Street can be removed from the amendment. |      |
| 2. | Any further changes to the public realm and road network will be considered separately to Amendment C126 and will not be within the ambit of the amendment. Any future streetscape works will be subject to separate community consultation and will be considered at that time. |      |

| 1. | Part of the reason for undertaking Amendment C126 is to ensure that there are localised controls in place for Bayside’s small activity centres. Whilst Council cannot do anything in relation to development already permitted and constructed, the objective of the amendment is to ensure that a framework exists to guide new development to be compliant with Council’s strategic objectives for small activity centres. |      |
| 2. | Whilst there can be challenges whilst new development is occurring, Council can influence this through the use of planning permit conditions which require construction management plans to be developed to Council’s satisfaction. |      |
| 3. | Council has attempted to include controls which provide for minimal impacts from new development on nearby residential developments which are outlined within the DDO16. |      |
## Bayside Planning Scheme Amendment C126 – Draft Council response to submissions received

<table>
<thead>
<tr>
<th>Item</th>
<th>Description</th>
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<tbody>
<tr>
<td>107</td>
<td>New Street and Bay Street Centre</td>
</tr>
<tr>
<td>1.</td>
<td>Following submissions, it is considered appropriate to remove 66-68 Bay Street from the amendment. The site will be retained in the current controls affecting the land. This is considered reasonable given the conditions of the site making it complex to redevelop. The built form outcomes sought from the urban design concept plan could be delivered whilst the site is retained in the NZR.</td>
</tr>
<tr>
<td>2.</td>
<td>We do not want the situation where in the 6 unit complex individual owners or their tenants could establish commercial activities with in this residential complex. It would be unacceptable if this proposed change permitted a coffee shop or other retail outlet for example to be established in one or more of the units whilst the remaining units were residential.</td>
</tr>
<tr>
<td>3.</td>
<td>A commercial use should only be permitted in the event that all units are sold and the new owner of all units decided to redevelop the site for a commercial use. The planning scheme should make this restriction very clear.</td>
</tr>
<tr>
<td>108</td>
<td>Weatherall Road and Morey Road Shopping Centre</td>
</tr>
<tr>
<td>1.</td>
<td>No more than 2 storey buildings should be allowed in order to fit in with a local housing.</td>
</tr>
<tr>
<td>2.</td>
<td>Underground parking with 2 car allowance for each apartment and office is essential. Parking in the local streets is already a problem with parking from current homes and the Parlour customers.</td>
</tr>
<tr>
<td>3.</td>
<td>Entering Morey Road from Kirkwood Street is extremely dangerous with cars parking both sides of the road and too close to the corners. You can't see oncoming traffic in either direction now, as you exit Kirkwood Street. Let alone if the new proposal goes ahead. Submitter is requesting parking restrictions on the corners being introduced either way.</td>
</tr>
<tr>
<td>109</td>
<td>Nepean Highway and Centre Road Shopping Centre</td>
</tr>
<tr>
<td>1.</td>
<td>The existing buildings within this area are 3 stories high. As a resident directly impacted by this proposal, I do not support increasing the height of buildings within this area, which would ultimately benefit property developers to build apartments. Council should remove the “discretionary 4 storey height limit” and replace with maximum 3 storey height limit.</td>
</tr>
<tr>
<td>2.</td>
<td>A three storey building has been approved for the corner of Nepean Highway and Hornby Street. The submitter's</td>
</tr>
<tr>
<td>3.</td>
<td>It is proposed to declassify the centre from the activity centre hierarchy and rezone the centre to the Neighbourhood Residential Zone. In response to submissions, it is considered reasonable that the centre can be retained within the C12 as currently exists and the DDO13 applied which provides the two storey mandatory height control.</td>
</tr>
<tr>
<td>3.</td>
<td>This has been referred to Council's Traffic Department for consideration.</td>
</tr>
</tbody>
</table>
| 2. | The objective of Amendment C126 is to provide greater certainty about the built form expectations for Council's small neighbourhood activity centres. The 2015 VCAT decision relating to 675 Nepean Highway was granted at VCAT partly due to the absence of a clear local policy in the Planning Scheme as to how the centre should be developed. The implementation of a clear framework into the Planning Scheme will assist in
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Bayside Planning Scheme Amendment C126 – Draft Council response to submissions received

understands that the application for this was refused by Bayside Council however was overturned by VCAT. I cannot understand Bayside Council’s decision to refuse a development of 3 stories high, and now implement a discretionary 4 story limit. These changes “are designed to provide greater certainty about future development in these centres”. I do not understand how providing a “discretionary” limit provides any certainty, for residents, developers or Bayside Council.

implementing the preferred vision for the centre into policy to ensure that growth is accommodated in the centre in line with Council expectations.

110 New Street and Bay Street Centre

1. Contends the inclusion of the Identified Small Commercial Activity Centre - Mixed Use in the DDO13 is contrary to the advice of Council’s independent consultants retained to review the original Amendment and the correct advice of Council’s Planning Officers who recommended its expansion to include 307 New Street, 68 Bay Street and 331 New Street, Brighton in Centre 22 (Centre 22) and the inclusion of Centre 22 in the proposed DDO15.

2. It is further contended that rezoning the land now in the CLZ to a MUZ is inconsistent with the independent economic analysis prepared for the Council and fails to have proper regard to the existing and approved development in Centre 22 surrounding the intersection of Bay and New Streets, Brighton.

3. Including Centre 22 in DDO 13 fails to recognise the existing scale of development and the existing uses in Centre 22 or the existing approval for five storey development including over 1,800m² of shop use within Centre 22.

4. The role and vision for Centre 22 under proposed Clause 21.11-10 should reflect the existing Activity Centre role of Centre 22 and the enhancement of that retail role by the approved development.

1. With the reexhibition of Amendment C126, it is proposed to apply the DDO15 to the New Street and Bay Street centre. This includes a discretionary four storey height control. It appears the submitter has confused the material with the originally exhibited documentation.

2. Following submissions, it is considered appropriate to remove 66-68 Bay Street from the amendment. The site will be retained in the current controls affecting the land. This is considered reasonable given the conditions of the site making it complex to redevelop. The built form outcomes sought from the urban design concept plan could be delivered whilst the site is retained in the NRZ.

3. With the reexhibition of Amendment C126, it is proposed to apply the DDO15 to the New Street and Bay Street centre. This includes a discretionary four storey height control. It appears the submitter has confused the material with the originally exhibited documentation.

4. It is considered that the designation of the centre as a small neighbourhood activity centre will allow the centre to contribute to the economic vision for the area.
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</table>

**Bluff Road and Arranmore Avenue Centre**

1. Does not support the change from the MUZ to the C12 as the flexibility of the MUZ creates vibrancy and the right balance between commercial and residential zones. The 'as of right' uses in the C12 are not likely to locate in the centre.
2. The Bluff/Arranmore centre will not become a SNAC due to the proximity to Black Rock and as such, the centre should not be treated as a small neighbourhood activity centre the same as others.
3. C126 erodes property owner rights as it restricts individual rights to property.
4. C126 does not encourage shop-top housing and is inconsistent with Ministerial Direction No 9/2.4 & 4.1 as it makes it more difficult to allow residential uses to locate in these areas.
5. The tighter controls of DDO 13 are unnecessary and unwelcome. There are already more than enough restrictions on building height, form and setbacks.

1. In order to ensure the commercial objectives for the centre is realised, Council considers that the application of the Commercial 1 Zone is the appropriate zone to facilitate the objectives for the centre as encouraging a more local convenience role.
2. Council considers that the role of the centre to serve more local convenience can be expanded and the vision for the centre should reflect the centres potential rather than the composition of existing uses.
3. Comment noted.
4. Amendment C126 is primarily focused on ensuring the ongoing viability and vibrancy of Bayside’s small activity centres. Shop-top housing is encouraged in all centres as outlined through the proposed M53 changes and the DDDs.
5. Council considers that the need for specific controls for the centre and mandatory controls will provide guidance on the expected development outcomes for the centre.
6. Support noted.

**New Street and Martin Street Centre**

1. Greater heights are justified based on site context. The centre has potential for heights in excess of 3-stores.
2. The height control should be discretionary as mandatory controls are not justified for the centre.
3. Does not agree that a ‘one size fits all’ approach is an appropriate planning outcome.
4. Considers that the proposed wording at Clause 21.02.4 and at Clause 21.11.10 conflict.
5. Maintains that the amendment should be abandoned until further strategic work has been completed.

1. Council considers that having regard to the existing conditions of the centre, a three storey height control is appropriate for this centre.
2. Council considers that it has sufficient justification for the use of mandatory height controls in this centre.
3. Council has undertaken an assessment of each of the 33 centres and considers that the approach taken with Amendment C126 is justifiable given the similar roles and size of the centres. The DDDs proposed provide adequate flexibility for future built form outcomes whilst still facilitating certainty about the expected future role.
4. The wording proposed in these clauses is intended to be complementary rather than conflicting. Whilst the role is to accommodate minimal growth (clause 21.02.4), this can still be achieved within the controls proposed which is referred to in Clause 21.13.10.
5. Comment noted. Council considers that it has adequate justification for the amendment and will put this to the Planning Panel appointed to consider submissions.

**East Brighton Shopping Centre**

1. Supportive of the changes proposed for the centre following the first stage of public exhibition.
2. Support for the designation of the centre as one with low capacity for change.
3. Considers that the setbacks of 3.5m at ground floor and 5.5m at first floor should be mandatory controls.

1. Comment noted.
2. Comment noted.
3. Council has strengthened the wording within the DDO to provide greater protection for the Onley property in particular and considers that the application of mandatory setback controls should not be provided for the interface.
4. Whilst this is standard wording taken from the residential zones, as no land within the centre boundary is subject to a Special Building Overlay, it is agreed that the wording can be revised to its original form of 9 metres.
4. Since Ordinary Meeting of Council 24 June 2014 by reducing the overall building height to 2 storeys (9 metres), two storeys have always been identified as 9 metres, not 10 metres. Ask for this wording to stand in relation to the eastern side of Hawthorn Road.

5. Concerned and object to the deletion of all the references to amenity, overlooking, overshadowing in the revised DD016. We ask that specific reference is made in the DD016 to Clause 55 and 58 to ensure there is no ambiguity around the protections afforded to residences around amenity, overlooking, overshadowing and visual bulk and heritage places; we strongly object to any erosion or minimisation of said residential rights.

6. We object to the insertion of the wording ‘laneways’ and ‘open space’ in the revised DD016. Please delete ‘including laneways, footpaths and open space’ – public realm covers all this. The above seems to be reiterated in the below wording: ‘Maximise views and connections to nearby public open space.’ There are no nearby public open spaces so this is simply standard wording not relevant to the DD016. Please delete.

7. We are likewise concerned and object to the deletion of all wording which speaks of protecting reinforcing views to key buildings. Please insert a reference to views of Olley.

8. In the previous DD016 the point was made that any development needs to: ‘consider the provision of appropriate access as part of any development proposal’. This is significant. Many of these laneways have existing access limitations. Ensuring any development has to solve these access difficulties should be an enforceable DD016 consideration. Please reinstate wording to this effect in the revised DD016.

9. The easement to be created at the rear of 758-778 Hawthorn Road agreed in 2015 has been deleted. Reinstate this.

10. Municipal Strategic Statement – Clause 21.02 ‘Use the Bayside Small Activity Centre Strategy 2014 to guide the future development of the smaller centres within Bayside’. This 2014 strategy has been amended significantly in the interim, certainly in relation to East Brighton Shopping Centre. This is confusing and concerning as this could potentially be taken to mean that we lose everything that has been agreed to since 2014.
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### East Brighton Shopping Centre

1. Support the Centre’s allocation to low capacity for change, as agreed in 2014.
2. Support the fact that this centre has previously identified problems with parking and traffic congestion. Any future development needs to be made to mitigate for these factors.
3. Request that additional wording is inserted into all references of 758-768 Hawthorn Road to clarify that this refers only to these even numbers on the western side of Hawthorn Road.
4. Support a mandatory height limit of 3 storeys to the even numbers 758-768 Hawthorn Road. Please insert the wording ‘A planning permit may not be granted to vary this requirement.’
5. Support a mandatory 2 storey height limit to the rest of the centre. We ask that the 2 storey height limit can remain as 9 metres.
6. Support mandatory setbacks of 3.5 and 5.5 metres on the eastern side of Hawthorn Road and ask for the wording to be strengthened around this.
7. Ask for the reinstatement of wording, ‘consider the provision of appropriate access as part of any development proposal.’
8. Ask for the reinstatement of the wording for the western side of Hawthorn Road: ‘The construction of a new building on a lot at 758-778 Hawthorn Road must provide for the creation of an easement of a carriageway to facilitate the widening of the laneway along the rear boundary of the lot to a width of 5.5 metres.’
9. Support the protection of the heritage building Otley – both in terms of minimising any impact from future development and also protecting the remaining surrounding views to the building.

### Dandy Village

1. It is accepted that a Design and Development Overlay is the appropriate mechanism to provide design guidance, however the use of mandatory provisions is not supported.

1. Comment noted.
2. Car parking and traffic impacts can be considered as a result of individual development applications. Amendment C126 does not directly alter the parking conditions and this can be looked at in more detail following the completion of Amendment C126.
3. Wording will be inserted into the DDO16 to confirm that the increased height control relates only to the even numbers.
4. This wording will be added to confirm Council’s intentions that this will be a mandatory control.
5. Whilst this is standard wording taken from the residential zones, as no land within the centre boundary is subject to a Special Building Overlay, it is agreed that the wording can be revised to its original form of 9 metres.
6. Council has strengthened the wording within the DDO to provide greater protection for the Olley property in particular and considers that the application of mandatory setback controls should not be provided for the interface.
7. There are requirements in the design detail part of the DDO16 which encourages vehicles to enter sites from laneways to minimise the disruption to the commercial streetscapes. Any limitations to providing access from laneways will need to be considered at the design stage and a determination made at that time.
8. Council has not undertaken traffic modelling to determine a specific proposed width for existing laneways where widening may be required. This was removed as there are other measures for Council to require land to be set aside for public purposes which sit outside of the Design and Development Overlay. As part of the Major Activity Centre Structure Plan Reviews in 2015, Council identified a need to implement an appropriate measure for the widening of a number of laneways, as it is recognised that the DDO is not the appropriate place for such a requirement. Council can consider the laneway widths as part of a separate piece of work.
9. Comment noted.
### Bayside Planning Scheme Amendment C126 – Draft Council response to submissions received

<table>
<thead>
<tr>
<th>Item</th>
<th>Report by the Organisation</th>
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<tbody>
<tr>
<td>1.</td>
<td>Mandatory provisions have the potential to restrict innovation and lead to a problematic planning outcome. There are no circumstances that justify the use of mandatory height controls and as such, the height controls should be discretionary.</td>
</tr>
<tr>
<td>2.</td>
<td>Preferred setbacks associated with a “secondary street frontage” should be clarified and the provision should be zero setback.</td>
</tr>
<tr>
<td>3.</td>
<td>We suggest that where a side or rear boundary is separated from a boundary of a property in a Residential Zone by a through laneway, the laneway width can form part of the setback distance at all levels (i.e. not only to ground level).</td>
</tr>
<tr>
<td>4.</td>
<td>We suggest that all existing permits and current applications should enjoy the benefit of transitional provisions.</td>
</tr>
<tr>
<td>3.</td>
<td>It is considered that including laneway widths within the setback distances can reasonably be accommodated and the DDO14 will be changed to reflect this.</td>
</tr>
<tr>
<td>4.</td>
<td>It is not proposed to introduce transitional provisions as Council does not typically undertake such an approach.</td>
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<thead>
<tr>
<th>116</th>
<th>Deniliquen Village</th>
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</thead>
<tbody>
<tr>
<td>1.</td>
<td>It is accepted that a Design and Development Overlay is the appropriate mechanism to provide design guidance, however the use of mandatory provisions is not supported. Mandatory provisions have the potential to restrict innovation and lead to a problematic planning outcome. There are no circumstances that justify the use of mandatory height controls and as such, the height controls should be discretionary.</td>
</tr>
<tr>
<td>2.</td>
<td>Preferred setbacks associated with a “secondary street frontage” should be clarified and the provision should be zero setback.</td>
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<tr>
<td>3.</td>
<td>We suggest that where a side or rear boundary is separated from a boundary of a property in a Residential Zone by a through laneway, the laneway width can form part of the setback distance at all levels (i.e. not only to ground level).</td>
</tr>
<tr>
<td>4.</td>
<td>We suggest that all existing permits and current applications should enjoy the benefit of transitional provisions.</td>
</tr>
<tr>
<td>1.</td>
<td>Comment noted. Council considers that the use of mandatory controls is justified as outlined within the planning scheme amendment documents and supporting material.</td>
</tr>
<tr>
<td>2.</td>
<td>Council considers that a level of discretion is required in relation to secondary street frontages and the wording proposed in the DDO14 is not currently proposed to be changed. The urban form concept plans outline where the zero setback should be provided and discretion exists to allow for flexible responses.</td>
</tr>
<tr>
<td>3.</td>
<td>It is considered that including laneway widths within the setback distances can reasonably be accommodated and the DDO14 will be changed to reflect this.</td>
</tr>
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<td>4.</td>
<td>It is not proposed to introduce transitional provisions as Council does not typically undertake such an approach.</td>
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<thead>
<tr>
<th>117</th>
<th>Keys Street Shopping Centre</th>
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</thead>
<tbody>
<tr>
<td>1.</td>
<td>Understands that the current zoning of his home (and the entire set of apartments at 464 Beach Rd Beaumaris) may</td>
</tr>
<tr>
<td>1.</td>
<td>Comment noted. It is not proposed to alter the Commercial 1 Zone from the site.</td>
</tr>
<tr>
<td>2.</td>
<td>Council is proposing to retain the subject site in the C12 as it is considered to form part of the activity centre. Whilst it may not contribute to the commercial uses in the centre, given the site’s location it is considered that it should not be excluded from the centre boundary.</td>
</tr>
</tbody>
</table>
have been inherited from the sites previous land use, and that when the site was transformed to be purely residential, the zoning of the land has never been considered, as to whether it needed to change.
2. Writing to request that Bayside Council review the zone of his home to reflect the nature of the use of this land. Propose that the zone be changed to that of the surrounding NRZ.

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<td>118</td>
<td><strong>New Street and Bay Street Centre</strong></td>
<td></td>
</tr>
<tr>
<td></td>
<td>1. This property is not at all suitable to be re-zoned for a multitude of reasons. The immediate area and layout of the property does not facilitate any conversion of residences into a commercial venue however if the change goes through, there would be a very real risk that commercial venues could be opened in an area that is not suitable to high traffic flows.</td>
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<tr>
<td></td>
<td>2. The use of the laneway which rests next to the property is far from suitable and would create a very real nuisance for residents living in this area.</td>
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<tr>
<td></td>
<td>3. An unintended consequence would also mean that property values for the residents would not depreciate at the same rate under a commercial zone and perhaps as concerning would be the council rate changes would also likely rise.</td>
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<tr>
<td></td>
<td>4. There is very little capacity for further car traffic to be accommodated it is already impossible for many hours in the day for visitors to find any sort of car parking.</td>
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</tbody>
</table>

|      | 1. Comment noted. Following submissions, it is considered appropriate to remove 66-68 Bay Street and 307 New Street from the amendment. The site will be retained in the current controls affecting the land. This is considered reasonable given the conditions of the site making it complex to redevelop. |
|      | 2. As the laneway is a public lane, it is considered that future redevelopment within the centre boundary may be able to access the lane for access, however this will need to be subject to a detailed consideration when development is proposed. |
|      | 3. Impacts on property values are not generally relevant when preparing planning scheme amendments as property values are influenced by a variety of factors, including market conditions. |
| 119  | **New Street and Bay Street Centre** |
|      | 1. Not satisfied at all with 307 being rezoned to commercial. Not a commercial site and therefore there is no justification, at all, for the rezoning despite us being split half and half at the moment. |
|      | 2. If the laneway is rezoned to commercial it has the potential, in fact will, become a thoroughfare for all sorts of heavy commercial vehicles. Up to 50 or so residential cars use the laneway to exit and enter 307 and the apartments next door. |

|      | 1. Comment noted. Following submissions, it is considered appropriate to remove 66-68 Bay Street and 307 New Street from the amendment. The site will be retained in the current controls affecting the land. This is considered reasonable given the conditions of the site making it complex to redevelop. |
|      | 2. As the laneway is a public lane, it is considered that future redevelopment within the centre boundary may be able to access the lane for access, however this will need to be subject to a detailed consideration when development is proposed. |
### Item 10.1 – Reports by the Organisation

#### Nepean Highway and Centre Road Shopping Centre
1. Strongly object to any proposal to widen or allowing any extra traffic to use the 5.03m wide Luxe Lane.
2. Cars illegally park along the laneway which makes access difficult for residents trying to enter and exit their properties. Good Guys customers constantly parking in the laneway. Leave the laneway as it is, and ensure no parking areas are monitored and kept to the areas already marked. Provide speed humps (there is only one towards Centre Rd) to discourage speeding. Limit the laneway to 5-10km/hr.
3. Any buildings over 2 storeys will overshadow their property.
4. Make another exit from the service road onto Nepean Highway.

#### Bluff Road and Hightett Road Centre
1. Submitter does not support the proposed DDO14 that would apply a maximum 3 storey height limit. The submitter wishes to develop the site in the future and does not wish to be restricted by a maximum height control. The existing DDO25, which does not specify a maximum height, should be retained.

#### New Street and Bay Street Centre
1. Wants their property (which has recently been approved for a Child Care Centre redevelopment) to be included in C12.
2. Property abutting their site is already occupied by a Chinese Restaurant and is split between 2 zones (NR2 and C12).
3. Increasing the extent of the activity centre to include all of No. 300 and No. 298 New Street will improve the long-term sustainability and viability of the SNAC. At a time when child care centres are increasingly in demand and becoming more embedded within commercial, office and activity centres as part of modern family lifestyles, it is appropriate to include No. 298 New Street, Brighton in the SNAC and C12.

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<th>Nepean Highway and Centre Road Shopping Centre</th>
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<tr>
<td>1.</td>
<td>Strongly object to any proposal to widen or...</td>
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<tr>
<td>2.</td>
<td>Cars illegally park along the laneway which m...</td>
</tr>
<tr>
<td>3.</td>
<td>Leave the laneway as it is, and ensure no p...</td>
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<tr>
<td>4.</td>
<td>Make another exit from the service road onto...</td>
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<tr>
<th>Item 121</th>
<th>Bluff Road and Hightett Road Centre</th>
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<tbody>
<tr>
<td>1.</td>
<td>Submitter does not support the p...</td>
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<th>Item 122</th>
<th>New Street and Bay Street Centre</th>
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<tbody>
<tr>
<td>1.</td>
<td>Wants their property (which has...</td>
</tr>
<tr>
<td>2.</td>
<td>Property abutting their site is...</td>
</tr>
</tbody>
</table>

1. It is noted that Luxe Lane is a public laneway and any future application to provide access from the laneway will need to be considered at the appropriate time. Whilst C126 encourages access from laneways, the appropriateness of this in the specific circumstance will need to be considered in detail when an application is made.
2. Following a site visit, Council officers are currently investigating the conditions of the laneway and whether there are options to improve conditions of Luxe Lane. Council will engage separately with the submitters on this matter outside the C126 process.
3. There are existing buildings on the nearby commercial properties which are two storeys in form. The detailed design of future development will need to consider its shadow impacts on nearby residential properties. The DDO provides guidance to consider that an appropriate transition to nearby residential land is provided.
4. Council will need to undertake traffic modelling in order to determine whether an additional exit point to the Nepean Highway from the service road is required. If required, Council could request VicRoads consider this. There is no obligation from VicRoads to do so; however, this has been referred to Council’s Traffic department for consideration.

1. Council considers that the preparation of local planning policies for the centre to achieve the broader objectives for small activity centres outweighs the land owners wishes to develop the site unencumbered by planning controls. Council considers it has strong justification to apply the proposed three storey height control to the centre.

1. Given the approved development at the site, it is considered reasonable to add 298 New Street into the centre boundary. This would involve rezoning the site to C17 and applying the DDO15 to the site.
2. The zone of 300 New Street will be corrected to reflect that the site is entirely within the C12 rather than the split zone which currently exists.
3. Comment noted. It is considered that the proposed use is consistent with the anticipated economic role of the centre.

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Item 10.1 – Reports by the Organisation
Bayside Planning Scheme Amendment C126 – Draft Council response to submissions received

123 South Road and Esplanade Centre

1. There is no justification for reducing the allowable building height on the site.
2. Existing (residential developments) and approved buildings exceed the proposed preferred and mandatory building heights.
3. Both Council Officers and Councillors supported the most recent amendment application which sought to increase the approval building height at the front of the site to four storeys.

In response to this submission, it is recommended that a new DDO schedule be created to accommodate this centre. This will allow for the increased height which is realistic for the western portion of the centre whilst managing the lower scale development in the eastern half of the centre. Given the unique characteristics of this centre, a new DDO schedule which replicates (largely) the existing controls proposed within the D0017, however it will be amended to provide for the increased height controls and limits within the centre.

124 General submission

1. Supports C126 to the extent that this increases the areas where gaming machines are prohibited.
2. However, concerned that the proposed removal of the existing gaming-related restriction in place at the corner of New Street and Martin Street, (which would result from the transition to a Small Commercial Activity Centre – Mixed from a Small Neighbourhood Activity Centre), would serve to increase convenience gaming in the area.

Removal of the gaming restriction may place unintended pressure on the “Appropriate Sites” (22.09-3) and “Decision Guidelines” (22.09-5) elements of Council’s Gaming Policy as mechanisms to prevent inappropriate development in the area. There are four other gaming venues within two kilometres of this location, providing ready access to gaming for residents who wish to participate.

1. Support for the amendment is noted.
2. It is considered reasonable to retain the centre within the schedule to Clause 52.28-4 as the centre will be retained within the Commercial 1 Zone.

125 Bluff Road and Arranmore Avenue Centre

1. Opposes the rezoning of their property from MUZ to C12. This area is appropriate for residential, commercial, industrial and other uses as encouraged by the MUZ. The type of businesses that occupy this area are service providers, not retailers. Note that even the Hahndorf Chocolate Café across the road from this centre has closed their lease due to poor business

1. Comment noted. In order to ensure the commercial objectives for the centre is realised, Council considers that the application of the Commercial 1 Zone is the appropriate zone to facilitate the objectives for the centre as encouraging a more local convenience role.
2. Comment noted. Council considers that the design controls proposed will allow for any redevelopment in the centre to take advantage of opportunities at the site whilst ensuring the built form reflects the anticipated role of the centre.
3. The purpose of implementing centre specific controls is to ensure that future development in the area reflects the vision for the small activity centre. A planning permit is likely to be required for works for many commercial in the centre under existing conditions so the focus is on ensuring the design controls reflect the community’s
Bayside Planning Scheme Amendment C126 – Draft Council response to submissions received

sustainability. There is no reason to remove opportunities for a diverse range of businesses to occupy this area. Their concern is that unlike the Black Rock / Balcombe Rd Centre this Bluff Road / Arranmore Ave area is inappropriate for retail.

2. The proposal to add a new Schedule 13 to the design and development overlay will result in fewer upgrade and redevelopment projects and require greater investment by land owners before plans and permits are considered worthwhile.

3. The changes proposed in the C126 amendment will impose new layers of compliance before improvements to buildings can be carried out, resulting in fewer people wanting to own properties within zones carrying major property restrictions.

Property prices will fall.

4. Insurance companies perceive commercially zoned property as higher risk, therefore impose significantly higher premiums. Currently there are some insurers that will apply residential risk assessments to the MU2 zoned properties. That will end if this area becomes re-zoned to Commercial.

126 East Brighton Shopping Centre

1. Supports the Centre’s allocation to low capacity for change, as was agreed in 2014.

2. Supports the fact that this centre has previously identified problems with parking and traffic congestion. Any future development needs to be made to mitigate for these issues.

3. Requests that additional wording is inserted into all references of 758-768 Hawthorn Road to clarify that this refers only to the even numbers on the western side of Hawthorn Road.

4. Support a mandatory height limit of 3 storeys to the even numbers 758-768 Hawthorn Road. Please insert the wording ‘A planning permit may not be granted to vary this requirement.’

land use aspirations rather than whether land owners are inconvenienced by being required to apply for a planning permit. It is considered that increasing the height control to three storeys to align with the predominant built form is a reasonable change in response to submissions. This can be achieved by altering the DDO to be applied to the centre from the DDO13 to the DDO14.

4. Comment noted.

1. Comment noted.

2. Comment noted.

3. Wording will be inserted into the DDO16 to confirm that the increased height control relates only to the even numbers.

4. This wording will be added to confirm Council’s intentions that this will be a mandatory control.

5. Whilst this is standard wording taken from the residential zones, as no land within the centre boundary is subject to a Special Building Overlay, it is agreed that the wording can be revised to its original form of 9 metres.

6. Council has strengthened the wording within the DDO to provide greater protection for the Olney property in particular and considers that the application of mandatory setback controls should not be provided for the interface.

7. Car parking and traffic impacts can be considered as a result of individual development applications. Amendment C126 does not directly alter the parking conditions and this can be looked at in more detail following the completion of Amendment C126.

8. Council has not undertaken traffic modelling to determine a specific proposed width for existing lane ways where widening may be required. This was removed as there are other measures for Council to require land to be set aside for public purposes which sit outside of the Design and Development Overlay. As part of the Major Activity Centre Structure Plan Reviews in 2015, Council identified a need to implement an appropriate measure.
### Bayside Planning Scheme Amendment C126 – Draft Council response to submissions received

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<td><strong>Bayside City Council</strong></td>
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<tr>
<td><strong>Ordinary Council Meeting</strong> – 21 August 2018</td>
</tr>
<tr>
<td><strong>Attachment 1</strong></td>
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<thead>
<tr>
<th><strong>Number</strong></th>
<th><strong>Description</strong></th>
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<tbody>
<tr>
<td>5.</td>
<td>Supports a mandatory 2 storey height limit to the rest of the centre. Asks that the 2 storey height limit can remain as 9 metres.</td>
</tr>
<tr>
<td>6.</td>
<td>Supports mandatory setbacks of 3.5 and 5.5 metres on the eastern side of Hawthorn Road and ask for the wording to be strengthened around this.</td>
</tr>
<tr>
<td>7.</td>
<td>Asks for the reinstatement of wording: “consider the provision of appropriate access as part of any development proposal.”</td>
</tr>
<tr>
<td>8.</td>
<td>Asks for the reinstatement of the wording for the western side of Hawthorn Road: “The construction of a new building on a lot at 758-778 Hawthorn Road must provide for the creation of an easement of a carriageway to facilitate the widening of the laneway along the rear boundary of the lot to a width of 5.5 metres.”</td>
</tr>
<tr>
<td>9.</td>
<td>Supports the protection of the heritage building Otley - both in terms of minimising any impact from future development and also protecting the remaining surrounding views to the building.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>Location</strong></th>
<th><strong>Brighton Beach (Weere St) Centre</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Considers a mandatory 2 storey height limit is inappropriate as it is inconsistent with key objectives of State Planning Policy. Mandatory provisions are not justified based on the requirements of Planning Practice Note N0’s 59 and 60 (DELWP). It clearly states that mandatory height and setback controls will only be considered in exceptional circumstances and that performance based provisions are preferred over mandatory provisions.</td>
</tr>
<tr>
<td>2.</td>
<td>Submitter raises also has some specific concerns with the proposed wording of DD013 (headings below reflect those set out in schedule). Opposes that short façades and main entrances should be designed to face the primary street frontage.</td>
</tr>
<tr>
<td>3.</td>
<td>Requests that the wording be altered to also include “or a rear laneway where appropriate”, Most properties within the</td>
</tr>
</tbody>
</table>

for the widening of a number of laneways, as it is recognised that the DDD is not the appropriate place for such a requirement. Council can consider the laneway widths as part of a separate piece of work. |

<table>
<thead>
<tr>
<th><strong>Number</strong></th>
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<tbody>
<tr>
<td>9.</td>
<td>Council has strengthened the wording within the DDD to provide greater protection for the Otley property in particular and considers that the application of mandatory setback controls should not be provided for the interface.</td>
</tr>
</tbody>
</table>

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<tr>
<th><strong>Location</strong></th>
<th><strong>Brighton Beach (Weere St) Centre</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Council considers that the imposition of a two storey mandatory height control is justified for the centre based on its future role and the character of the surrounding precinct. Council considers that mandatory controls have been justified for the centre.</td>
</tr>
<tr>
<td>2.</td>
<td>It is considered appropriate to retain the existing wording as discretion exists to consider alternative design treatments if the main access is not proposed from the primary street frontage. This will need to be considered as to how the development affects the activation of Weere Street and provided the objectives are able to be achieved, alternative design treatments could be considered.</td>
</tr>
<tr>
<td>3.</td>
<td>It is considered appropriate to retain the existing wording as it is sufficient discretion to provide for an alternative design response. Council’s primary objectives relate to activation of the primary road frontage, which forms part of the activity centre rather than activating small laneways servicing development.</td>
</tr>
<tr>
<td>4.</td>
<td>Comment noted. It is considered that Council can encourage this through the DD013 however whether individual sites are able to accommodate the provisions may be considered as redevelopment is proposed. Car parking is encouraged from laneways and the rear of buildings which is to be facilitated through the proposed controls.</td>
</tr>
<tr>
<td>5.</td>
<td>It is not proposed to introduce transitional provisions as Council is undertaking a standard planning scheme amendment process and transitional provisions are not typically applied to Council initiated planning scheme amendments of this nature.</td>
</tr>
</tbody>
</table>
**Bayside Planning Scheme Amendment C126 – Draft Council response to submissions received**

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<thead>
<tr>
<th>Item 10.1 – Reports by the Organisation</th>
<th>Bayside City Council</th>
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</thead>
<tbody>
<tr>
<td><strong>northern part of the Were Street activity centre have a rear abutment to a named laneway (Davie Lane).</strong></td>
<td><strong>1.</strong> The requirement that “car parking should be located within a basement level at the rear of the building, or otherwise screened from view” does not appear to be practical or necessary.</td>
</tr>
<tr>
<td><strong>4.</strong> The requirement that “car parking should be located within a basement level at the rear of the building, or otherwise screened from view” does not appear to be practical or necessary.</td>
<td><strong>5.</strong> Transitional provisions should be included as a matter of fairness.</td>
</tr>
<tr>
<td><strong>128 General Submission</strong></td>
<td><strong>1.</strong> Council will update the proposed wording throughout the Municipal Strategic Statement to have regard to subsequent Council decision’s in relation to the Southland-Pennylode activity centre.</td>
</tr>
<tr>
<td><strong>1.</strong> The statement in 21.02-4 that “The main focus for future medium and high density residential development will be the Southland and Hampton East (Moonabbin) Major Activity Centres which provide the greatest access to shops, public transport and other services, with minimal constraints.” needs to be removed or edited. It has been established (through the Panel hearing for C150) that no part of Bayside is in the Southland MAC.</td>
<td><strong>2.</strong> Comment noted.</td>
</tr>
<tr>
<td><strong>2.</strong> Pennylode is also zoned GR2, which has a mandatory height limit of 3 storeys. “High density” is defined in the 2022 Housing Strategy as 4 or more storeys, and is clearly inappropriate in Bayside residential areas near the Southland MAC. These things have been pointed out to planning staff but continue to appear in documents such as this, where they are both factually and procedurally incorrect.</td>
<td></td>
</tr>
<tr>
<td><strong>129 New Street and Bay Street</strong></td>
<td><strong>1.</strong> Given there are existing 4 storey built form within the centre, it is considered that a four storey discretionary height control can be justified for the centre. The controls are considered to reflect the preferred built form in the centre and if development is proposing to be four storeys or greater, the applicant will need to demonstrate that the site and surrounds are able to adequately accommodate the development.</td>
</tr>
<tr>
<td><strong>1.</strong> Concerns with the discretionary 4 storey height limit. Believes that the height limit should be kept in line with existing provision and that is no more than two storeys. Higher buildings will totally alter the general tone and ambiance of the area making it less attractive for residential occupation.</td>
<td><strong>2.</strong> Any proposal for development will need to demonstrate its impact in relation to overlooking and overshadowing, and whether any impacts are reasonable.</td>
</tr>
<tr>
<td><strong>2.</strong> Buildings higher than two storeys would directly affect the lights, temperature control and privacy their premises which faces the proposed area for potential redevelopment.</td>
<td><strong>3.</strong> Following submissions, it is considered appropriate to remove 66-68 Bay Street and 307 New Street from the amendment. The site will be retained in the current controls affecting the land. This is considered reasonable given the conditions of the site making it complex to redevelop. The built form outcomes sought from the urban design concept plan could be delivered whilst the site is retained in the NRZ. The laneway is a public accessway and if new development proposes to utilise the laneway for access, the traffic implications will need to be considered in detail at that time.</td>
</tr>
<tr>
<td><strong>3.</strong> Opposes the rezoning of 307 and 311 to a commercial zone. Their building front is directly on the lane. The laneway is</td>
<td></td>
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</table>
**Bayside Planning Scheme Amendment C126 – Draft Council response to submissions received**

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<tbody>
<tr>
<td>quite small and any increase in traffic will be a danger to residents, children and ages who share this lane.</td>
<td></td>
</tr>
<tr>
<td><strong>130</strong> General Submission</td>
<td></td>
</tr>
<tr>
<td>1. States future medium and high density development will be directed to Southland and Hampton East Major Activity Centres.</td>
<td></td>
</tr>
<tr>
<td>2. Clause 21.07-1 Objective 3 states “To ensure residential development within Housing Growth Areas contribute to and do not compromise the economic viability and vibrancy of activity centres.” The simple point that it is talking about residential growth areas shows that the clause is talking about increased residential growth in those areas. As such, the second part of the statement is incompatible with the first part of the statement as it is talking about the viability of Activity Centres. You cannot in the same sentence increase residential development in a residential area and complain that that same residential growth could be detrimental to the viability of the commercial part of an Activity Centre.</td>
<td></td>
</tr>
<tr>
<td>3. Clause 21.11. Map 3 to Clause 21.11.9 on page 36 is out of date as it shows both the MIRVAC estate off Jack Road and the Laminex Buffer Zone land as being a part of the Bayside Business District. They are concerned that whilst these purely residential areas (MUZ and GRZI) are linked to the Bayside Business District then at some stage in the future Bayside could begin to accept utilisation of these residential areas for commercial purposes. This map needs to be amended before this amendment is approved.</td>
<td></td>
</tr>
<tr>
<td>4. DDO14. Section 2 buildings and works contains 2 different settings. Paragraph 1 states “building should not exceed 9 metres above natural ground level and should be no more than 2 storeys (excluding basement). Paragraph 2 is a follow-on paragraph to Paragraph 1 and allows for a proposal to go over height of paragraph 1 Paragraph 3 states “A building must not exceed 11 metres above natural ground level and must be no more than 3 storeys (excluding basement).” These</td>
<td></td>
</tr>
<tr>
<td>5. Council will update the proposed wording throughout the Municipal Strategic Statement to have regard to subsequent Council decisions in relation to the Southland-Pennylee activity centre.</td>
<td></td>
</tr>
<tr>
<td>6. Encouraging residential growth in locations close to shops and services, such as activity centres, is a fundamental component of planning policy. Whilst the Bayside Housing Strategy designates the housing growth areas in the municipality, the Small Activity Centres Strategy and supporting work identifies the particular conditions under which small activity centre locations throughout Bayside should contribute to this growth. The wording is to ensure that this residential growth is complementary to commercial uses and that residential development does not occur at the expense of commercial uses.</td>
<td></td>
</tr>
<tr>
<td>7. This map is not proposed to be altered through Amendment C126 and is to be addressed through other amendments to the Bayside Planning Scheme. Any final versions submitted to DELWP will need to be consistent with current ordinance at the time.</td>
<td></td>
</tr>
<tr>
<td>8. The wording is to facilitate a discretionary control of two storeys with a mandatory control of three storeys. The wording within the provision facilitates this and is considered to be clear within the control.</td>
<td></td>
</tr>
<tr>
<td>9. Council has considered the conditions of the centre and considers that a three storey street wall height is justified.</td>
<td></td>
</tr>
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</table>
Bayside Planning Scheme Amendment C126 – Draft Council response to submissions received

1. Council considers that a four storey building height can be justified for this centre. There are a number of existing three storey buildings in the northern portion of the centre, and opportunity exists for this height to be increased to four storeys if, for example, land was consolidated.
2. Any new development to the centre will be required to provide car parking on site in accordance with the requirements of the Planning Scheme. Any changes to this will need to be considered as part of the individual development applications.
3. Council considers that the four storey building height proposed is reasonable. Further changes to this may be put to the Panel by submitter and can be considered by the Panel.
4. The existing requirements of Clause 52.06 require development to meet its car parking requirements on site where possible. If land use changes are proposed, there are provisions to manage car parking which can be considered through those processes. Council does not presently have any car parking plans or mandatory controls which would indicate that under no circumstance could a car parking waiver be granted.

131 Nepean Highway and Centre Road Centre

1. Believes that a 4 storey discretionary height limit is too high for the site, particularly on the North side of Centre Road.
2. There is limited off street parking available and Hornby Street and Clive Street are already at capacity. In terms of dealing with overflow parking from the existing retail and residences alongside the Nepean Highway.
3. Requests a mandatory height limit of 4 storeys. However, believes that the North side of this centre should be 3 storeys with mandatory underground parking.
4. Requests that any amendment ensures that future planning permits are required to provide comprehensive parking for the additional residential and commercial needs and that any future planning permit will not be granted parking waivers.

132 East Brighton Shopping Centre

1. Submitter opposes the proposed height change, allowing an increase to three storeys would significantly impact their privacy. A three storey dwelling would be to see into their backyard and bedroom, and become an eyesore from their backyard.
2. At time of purchasing their property in 2015, their privacy and quality of life were supported by a two-storey height restriction in the area.
3. They would also like to object to changes due the volume of cars that already park in their street, most of them working in
4. Comment noted. As there is an existing three storey building in this location, it is unlikely Council will be able to justify a mandatory height control of two storeys for this building. Amenity Impacts arising from the detailed design can be considered as part of the planning permit application process. Some design elements are to be informed by the draft DDO.
5. The existing DDO2 affecting the centre does not provide for a mandatory 2 storey height control, but rather requires the need for a planning permit to be obtained if development is to exceed the preferred two storey character. This common misconception is a challenge with the DDO2 as it does not specify a maximum height control, unlike what is proposed through the DDO16.
6. Comment noted. Amendment C126 does not directly alter the parking conditions and this can be looked at in more detail following the completion of Amendment C126. Car parking and traffic impacts can be considered as a result of individual development applications. This has been referred to Council’s Traffic Department to investigate whether there is something that can be done to improve traffic condition in the centre.
### Bayside Planning Scheme Amendment C126 – Draft Council response to submissions received

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#### 133 East Brighton Shopping Centre

1. Existing parking issues on Clive Street and Hornby Street due to inadequate parking spots for all the shop staff, client, customers etc.
2. They would like the major parking issues mandated that any future planning permits were required to provide comprehensive parking provisions with no parking waivers allowed.
3. Supports any measures in the amendment that protect the heritage home at 1 Clive Street from development on its boundary.

#### 134 Nepean Highway and Centre Road Centre

1. Believes that a 4 storey discretionary height limit is too high for the site, particularly on the North side of Centro Road.
2. Hornby Street and Clive Street are already at capacity in terms of dealing with overflow parking from the existing retail and residences alongside the Nepean Highway.
3. Suggest that the North side of this centre should be 3 storeys with mandatory underground parking.

---

4. Comment noted. As the laneway is a public road, Council does not intend to restrict access or hours for the laneway at this time.
5. Impacts on property values are not generally relevant when preparing planning scheme amendments as property values are influenced by a variety of factors, including market conditions.

---

1. Car parking and traffic impacts can be considered as a result of individual development applications. Amendment C126 does not directly alter the parking conditions and this can be looked at in more detail following the completion of Amendment C126.
2. The existing requirements of Clause 52.06 require development to meet its car parking requirements on site where possible. If land use changes are proposed, there are provisions to manage car parking which can be considered through those processes. Council does not presently have any car parking plans or mandatory controls which would indicate that under no circumstance could a car parking waiver be granted.
3. Comment noted. There are a range of provisions in the DDO16 which provide consideration for impacts on the Otley property.

---

1. Council considers that a four storey building height can be justified for this centre. There are a number of existing three storey buildings in the northern portion of the centre, and opportunity exists for this height to be increased to four storeys if, for example, land was consolidated.
2. Any new development which occurs within the centre will be required to demonstrate its compliance with Clause 52.06 of the Planning Scheme. Council has been made aware of the concerns of residents around this centre and will investigate the conditions to determine if changes to parking conditions are warranted. This has been referred to Council’s Traffic department for consideration.
3. Council considers that the four storey building height proposed is reasonable. Further changes to this may be put to the Panel by submitters and can be considered by the Panel.
4. The existing requirements of Clause 52.06 require development to meet its car parking requirements on site where possible. If land use changes are proposed, there are provisions to manage car parking which can be considered through those processes.
Bayside Planning Scheme Amendment C126 – Draft Council response to submissions received

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<tr>
<td>4. Requests that any amendment ensures that future planning permits are required to provide comprehensive parking for the additional residential and commercial needs.</td>
</tr>
<tr>
<td>5. Requests that any future planning permit will not be granted parking waivers.</td>
</tr>
<tr>
<td>135 Bluff Road and Arranmore Avenue Centre</td>
</tr>
<tr>
<td>1. The concerns raised within this submission relate to a development proposed adjacent to the submitters property.</td>
</tr>
<tr>
<td>136 New Street and Bay Street</td>
</tr>
<tr>
<td>1. Can you confirm whether the Mitre 10 Hardware Store &amp; Lafayette Food Store @ 353 &amp; 355 New Street respectively are regarded as part of this centre or separate?</td>
</tr>
<tr>
<td>2. Can you clarify the reasons for including 307 - 309 - 311 &amp; 313 New Street in this commercial rezoning when they are relatively new 100% residential developments? The site for 69 Bay Street?</td>
</tr>
<tr>
<td>137 Bluff Road and Arranmore Avenue Centre</td>
</tr>
<tr>
<td>1. Objects to having their property rezone to C12 for a range of reasons including the centre is not designed to support a convenience role, with the built form, traffic conditions and proximity to Black Rock major factors, as well as detrimental impacts on residential amenity.</td>
</tr>
<tr>
<td>2. Objects to the mandatory 2 storey height restriction. The submitters property is presently 2 stories and is adjacent to an existing 3 storey apartment block within the centre.</td>
</tr>
<tr>
<td>3. If the Council proceeds with the rezoning they request that their property only be exempted from DDO13 and be classified under DDO14 which would allow a third floor extension in the future.</td>
</tr>
<tr>
<td>1. Council does not presently have any car parking plans or mandatory controls which would indicate that under no circumstance could a car parking waiver be granted.</td>
</tr>
<tr>
<td>1. The matters raised within this submission will be considered by VCAT as part of the current appeal for this site. The relationship to C126 is that the amendment will provide design guidance for land within this centre, however the amendment is unlikely to have progressed to a decision before the application is heard by VCAT.</td>
</tr>
<tr>
<td>1. The properties referred to are outside the proposed activity centre boundaries.</td>
</tr>
<tr>
<td>2. Following submissions, it is considered appropriate to remove 66-68 Bay Street from the amendment. The site will be retained in the current controls affecting the land. This is considered reasonable given the conditions of the site making it complex to redevelop. The built form outcomes sought from the urban design concept plan could be delivered whilst the site is retained in the NRZ.</td>
</tr>
<tr>
<td>3. The submitter is correct. This property is proposed to be rezoned to C12 as it is within the activity centre boundary and provides a higher density outcome, similar to the outcomes sought across the centre. Whilst the site may not be rezoned commercial, it is considered part of the centre.</td>
</tr>
<tr>
<td>1. In order to ensure the commercial objectives for the centre is realised, Council considers that the application of the Commercial 1 Zone is the appropriate zone to facilitate the objectives for the centre as encouraging a more local convenience role. Whilst there are conditions which present challenges for the centre, it is considered that the C12 will allow the role of the centre to grow.</td>
</tr>
<tr>
<td>2. It is considered that increasing the height control to three storeys to align with the predominant built form is a reasonable change in response to submissions. This can be achieved by altering the DDO to be applied to the corner from the DDO13 to the DDO14.</td>
</tr>
<tr>
<td>3. Comment noted. It is considered that applying the DDO14 in response to submissions is a reasonable outcome given the predominant built form of the centre.</td>
</tr>
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</table>
### Bayside Planning Scheme Amendment C126 – Draft Council response to submissions received

#### Item 10.1 – Reports by the Organisation

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<thead>
<tr>
<th>138</th>
<th>New Street and Bay Street</th>
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</thead>
<tbody>
<tr>
<td>1.</td>
<td>Strong objections to the proposed Planning Amendment C126 directed at the New Street/Bay Street area particularly the discretionary four storey height limit aimed at increasing commercial development on the proposed amendment site. It is important that the Council impose a mandatory four level development limit in the new zone which would exclude the residential properties 307 and 311 New Street.</td>
</tr>
<tr>
<td>2.</td>
<td>As a resident owner at 5/303-305 New Street they raise these objections because the rezoning of 307 and 311 New Street for potential commercial use will increase traffic, particularly on the lane to the North of their property. The lane way does not have the capacity to handle extra traffic resulting from a four level commercial building. High vehicle volumes turning in and out of the lane will increase what are already hazardous traffic conditions in that very congested part of New Street. The lane does not have the capacity to safely service existing, as well as extra traffic resulting from the development of a four storey commercial development.</td>
</tr>
<tr>
<td>3.</td>
<td>The commercial rezoning of those properties without the current two storey mandatory height levels would significantly impact the 303 New Street apartments which are constructed, respected the rich history of the Victorian houses which still share part of the site.</td>
</tr>
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<table>
<thead>
<tr>
<th>139</th>
<th>New Street and Bay Street</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>The discretionary four storey limit is inappropriate as the height limit should be kept in line with existing premises at 2 storeys. This area is mainly a residential area with a few commercial low height buildings dispersed among the residences. Higher buildings will alter the tone and ambience of the area making it less attractive for residential occupation.</td>
</tr>
<tr>
<td>2.</td>
<td>Buildings higher than 2 storeys would directly affect the light, sunshine, temperature control and privacy of their premises, which is north facing and faces the proposed area for potential redevelopment. This would be contrary to Planning Practice Note 27 on the basis of the following Standards:</td>
</tr>
</tbody>
</table>

| 1.   | Council considers that the discretionary four storey height control proposed for the centre is justified having regard to the existing conditions of the centre and the approved developments. Following submissions, it is considered appropriate to remove 66-68 Bay Street and 307 New Street from the amendment. The site will be retained in the current controls affecting the land. This is considered reasonable given the conditions of the site making it complex to redevelop. The built form outcomes sought from the urban design concept plan could be delivered whilst the site is retained in the NRZ. |
| 2.   | The laneway is a public accessway and if new development proposes to utilise the laneway for access, the traffic implications will need to be considered in detail at that time. |
| 3.   | Following submissions, it is considered appropriate to remove 66-68 Bay Street and 307 New Street from the amendment. The site will be retained in the current controls affecting the land. This is considered reasonable given the conditions of the site making it complex to redevelop. The built form outcomes sought from the urban design concept plan could be delivered whilst the site is retained in the NRZ. |
Bayside Planning Scheme Amendment C126 – Draft Council response to submissions received

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<table>
<thead>
<tr>
<th>B21 relating to overshadowing of open space iii Standards A14 and B22 relating to overlooking.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Against rezoning 307 and 311 New Street to a commercial zone (noting this rezoning excludes the laneway between 301 and 307 New St) would have a significant impact on their property. Their building entrance/front is directly on the lane. Access to their premises by foot or vehicle is via the laneway and any change to the adjoining properties in 307 and 311 would have a major impact on them. The laneway is small and any increase in traffic would be a danger to residents, children and the elderly who share this lane. Currently the access to 307 car park and services is via the laneway. It is busy enough right now, but seems to be working. Any increase in traffic usage of the laneway would pose a dangerous situation and create a NOISE problem. Many pedestrians also use this laneway.</td>
</tr>
</tbody>
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<table>
<thead>
<tr>
<th>140 Bay Road and Jack Road Centre</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Pennylane, Cheltenham is not part of Southland MAC. That area is in Kingston Council. The proposed Clause 21.02-4 “Strategic Vision Statement” should be amended to remove the wording that states that Southland (Pennylane) is to be a Future High Density Development Area. No high rise for Pennylane. The approval for the number of apartments being built on the corner of Bay Road and Munro Ave are a disgrace and will cause untold chaos.</td>
</tr>
<tr>
<td>2. The map at Page 6 of Clause 21.02 titled “Existing Land Use” dated 23 March 2016 clearly shows that Southland MAC is outside of the Bayside Municipality and Pennylane area is residential. Bayside have made no attempt to change this map with this Amendment.</td>
</tr>
<tr>
<td>3. Further, the map at Page 8 of Clause 21.02 titled “Residential Strategic Framework Plan” dated 18 Mar 2016 clearly shows that the Pennylane area is located in a moderate residential growth area as befits GRZ zoning. Further, as the panel for Amendment C150 confirmed and Bayside has agreed to, Southland MAC is located entirely in the city of Kingston. As such the map itself is out of date as it suggests that Bayside and Kingston share the Southland MAC which is not correct.</td>
</tr>
</tbody>
</table>

<p>| Council will update the proposed wording throughout the Municipal Strategic Statement to have regard to subsequent Council decisions in relation to the Southland-Pennylane activity centre. |
| Council will update the existing map in response to the submitter’s position. |
| Council will update any of the proposed maps throughout the Municipal Strategic Statement to have regard to subsequent Council decisions in relation to the Southland-Pennylane activity centre. |</p>
<table>
<thead>
<tr>
<th>141</th>
<th>Nepean Highway and Centre Road</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Believes the residential nature of Hornby Street and Cambridge Street is very similar and that the same 11metre/3 storey height controls should apply to that part of the SCOC which abuts Hornby Street. That is, any building that shares a boundary with Hornby Street should be limited to 3 storeys for the same reasons as the overlay has recognised Cambridge Street as a special case.</td>
</tr>
<tr>
<td>2.</td>
<td>In the Municipal Strategic Statement - Clause 21.11 the strategy promises to ensure that new development provides its car parking requirements. The submitters have been involved in public consultation for at least five developments over the past 18 years in their neighbourhood and every one of the permit applicants has requested a parking waiver and has been successful. Believes that there should be an increased requirement to provide car parking in new developments and that this should be recognised in this Planning Scheme Amendment.</td>
</tr>
<tr>
<td>3.</td>
<td>The descriptions given in the Amendment C126 for the types of businesses that can operate in Small Commercial Activity Centres - Highway Oriented are not sufficient to rule out restaurants, cafes and reception centres. I believe that businesses offering food/drink should not be allowed to operate under the definition of a Small Commercial Activity Centre when it abuts a residential street like Hornby Street.</td>
</tr>
<tr>
<td>4.</td>
<td>Regarding the future planning of the City of Bayside as a whole, I do not believe that ratepayers are obliged to fund any tourism infrastructure, particularly on the foreshore.</td>
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<thead>
<tr>
<th>142</th>
<th>Keys Street Shopping Centre</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>The use of the property changed from commercial to residential 15 years ago. This aligns with all the dwellings running from Keys Street to Reserve Road. As with other change in the area, the area is now predominantly residential.</td>
</tr>
<tr>
<td>2.</td>
<td>The subject site should be rezoned from C12 to the NR2.</td>
</tr>
</tbody>
</table>

1. Council considers that the four storey height control is justified for the northern portion of the centre. However, in response to submissions, a minimum lot size of 900 square metres could be applied to the northern portion of the centre to ensure that development reaching four storeys provides a minimum area to ensure that the site is sufficient to accommodate the height. Otherwise, a three storey discretionary height should be applied. The DDO15 will be amended to reflect this. |
2. Council does not have an ability to increase the State standard car parking requirements specified at Clause S2.06. Through the development process, Council will need to make a determination as to whether the car parking requirements can reasonably be accommodated on site or whether a parking waiver should be granted. |
3. The existing Commercial 1 Zone, which currently applies to the site, allows a range of uses both as of right and subject to a planning permit. Where a planning permit is required, an assessment will be undertaken as to the suitability of the proposed use and its potential impact on nearby residential property. An objective within the DDO15 is to ensure that new development provides an appropriate transition and interface to adjoining and nearby residential development. This will be considered with any works application proposed. |
4. Comment noted. |
Bayside Planning Scheme Amendment C126 – Draft Council response to submissions received

143
Bay Road and Jack Road centre

1. Clause 21.02-4 states future medium and high density development will be directed to Southland and Hampton east Major Activity Centres. Amendment C150 confirmed and Bayside Council have accepted that Penneyle is not a part of the Southland MAC and that the Southland MAC existed entirely in Kingston. As such, Bayside cannot direct any housing to the Southland MAC.

2. Clause 21.07-1 Objective 3 states “To ensure residential development within Housing Growth Areas contribute to and do not compromise the economic viability and vibrancy of activity centres.” The simple point that it is talking about residential growth areas shows that the clause is talking about increased residential growth in those areas. As such, the second part of the statement is incompatible with the first part of the statement as it is talking about the viability of Activity Centres. You cannot in the same sentence increase residential development in a residential area and complain that that same residential growth could be detrimental to the viability of the commercial part of an Activity Centre. Activity Centre are defined as areas of commercial and residential growth. Since the planning scheme including the Strategic Vision states clearly that residential growth is to be directed to the Activity Centres, then council is creating this issue for themselves. This Objective needs to be either removed or re-written to remove this obvious incompatibility.

3. Clause 21.11 Map 1 to Clause 21.11:9 on page 26 is out of date as it shows both the MIRVAC estate off Jack Road and the Laminex Buffer Zone land as being a part of the Bayside Business district. They are concerned that whilst these purely residential areas (MUZ and GRZ1) are linked to the Bayside business District then at some stage in the future Bayside could begin to accept utilisation of these residential areas for commercial purposes. This map needs to be amended before this amendment is approved.

1. Council will update the proposed wording throughout the Municipal Strategic Statement to have regard to subsequent Council decision’s in relation to the Southland-Penneyle activity centre.

2. Encouraging residential growth in locations close to shops and services, such as activity centres, is a fundamental component of planning policy. Whilst the Bayside Housing Strategy designates the housing growth areas in the municipality, the Small Activity Centre Strategy and supporting work identifies the particular conditions under which small activity centre locations throughout Bayside should contribute to this growth. The wording is to ensure that this residential growth is complementary to commercial uses and that residential development does not occur at the expense of commercial uses.

3. This map is not proposed to be altered through Amendment C126 and is to be addressed through other amendments to the Bayside Planning Scheme. Any final versions submitted to DELWP will need to be consistent with current ordinance at the time.

4. The wording is to facilitate a discretionary control of two storeys with a mandatory control of three storeys. The wording within the provision facilitates this and is considered to be clear within the control.

5. Council has considered the conditions of the centre and considers that a three storey street wall height is justified.
### Bayside Planning Scheme Amendment C126 – Draft Council response to submissions received

4. **DOO14. Section 2 Buildings and works contains 2 different settings.** Paragraph 1 states “Building should not exceed 9 metres above natural ground level and should be no more than 2 storeys (excluding basement). Paragraph 2 is a follow-on paragraph to Paragraph 1 and allows for a proposal to go over height of paragraph 1 Paragraph 3 states “A building must not exceed 11 metres above natural ground level and must be no more than 3 storeys (excluding basement).” These paragraphs are incompatible with each other and need to be rectified prior to this amendment being approved.

5. **DOO14 Section 2 Setbacks states 3 storey street wall.** This is incompatible with existing and future preferred Neighbourhood Character settings. Existing 3 storey developments have a two storey street wall with a recessed 3rd storey setting. There is no reason to change this existing setback setting.

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<tr>
<th>Item</th>
<th>Nepean Highway and Centre Road Centre</th>
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<tbody>
<tr>
<td>144</td>
<td></td>
</tr>
<tr>
<td>1.</td>
<td>The proposed changes permit 4 story buildings on sites which currently are single or two story - extensions beyond this are inappropriate.</td>
</tr>
<tr>
<td>2.</td>
<td>There is not enough clarity on car parking and waivers. Council should create a register of waivers so these can be referred to for future development. Waivers are casually granted by planning authorities without reference to existing waivers. No developments should be permitted to proceed without adequate onsite parking.</td>
</tr>
<tr>
<td>3.</td>
<td>Other than the above clarifications they are supportive of providing a more solid basis for future development.</td>
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<tr>
<th>Item</th>
<th>New Street and Bay Street Centre</th>
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</thead>
<tbody>
<tr>
<td>145</td>
<td></td>
</tr>
<tr>
<td>1.</td>
<td>Objects to the rezoning based on the above is the clear risk of allowing a commercial business to operate out of purpose built residential units that are totally unsuitable for a commercial business and would affect the value, peaceful occupation and amenity for other owners.</td>
</tr>
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<tr>
<th>Item</th>
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<tbody>
<tr>
<td>1.</td>
<td>Council considers that a four storey building height can be justified for this centre. There are a number of existing three storey buildings in the northern portion of the centre, and opportunity exists for this height to be increased to four storeys if, for example, land was consolidated.</td>
</tr>
<tr>
<td>2.</td>
<td>When planning permit applications seek a waiver or reduction in the car parking requirements, Council makes a determination as to whether the existing area can accommodate this. Through the submissions received to C126, Council has been granted a better understanding of residents concerns in relation to car parking and traffic management within this area. This will be subject to further investigations from Council’s Traffic department separate to Amendment C126.</td>
</tr>
<tr>
<td>3.</td>
<td>Comment noted.</td>
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<tr>
<th>Item</th>
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<tbody>
<tr>
<td>1.</td>
<td>Following submissions, it is considered appropriate to remove 60-68 Bay Street and 307 New Street from the amendment. The site will be retained in the current controls affecting the land. This is considered reasonable given the conditions of the site making it complex to redevelop. The built form outcomes sought from the urban design concept plan could be delivered whilst the site is retained in the NRZ.</td>
</tr>
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</table>
Bayside Planning Scheme Amendment C126 – Draft Council response to submissions received

Nepean Highway and Centre Road Centre

1. Does not support the application of a four storey discretionary height control.
2. Recommending rear access via the 5 metre wide laneway for the properties facing Nepean Highway will severely adversely affect access to current residential properties. Properties facing Nepean Highway should ONLY have access from Nepean Highway service lane. Properties at 110 and 112 Centre Road have a right of carriage way via the laneway marked on their titles. The proposal to provide laneway access to properties facing Nepean Highway will further impinge on access to these properties, and further increase the currently existing difficulties experienced by residents with unfettered and unregulated parking in the laneway in addition to the delivery vehicles which park in the ‘No Standing’ zones, across roller door and garage access or blocking the end of the laneway access to Centre Road and Charlotte Street.
3. The photograph sent with the documentation is over 12 months out of date and indicates that there have been no site visits by Bayside City Council representatives until requested on 12th July; and Planning Officers are ignorant of the current situation.
4. A four storey development with windows “encouraged to be north facing” and “passive surveillance” will directly oversee residential properties resulting in complete lack of privacy despite the proposed “setbacks”. The current 2 storey car parks already oversee properties.
5. Car parking may be “considered”, but Bayside has proven time and again over the last 25 years to be utterly reluctant to apply restrictions or reign in commercial business’ appropriation of public land (ie laneways) to extend their business to the detriment of residents.
6. Concerns that facilitating basement parking will result in flooding of those areas, given the poor drainage and maintenance of Luxe Lane.

New Street and Bay Street Centre

1. Oppose the conversion of the current zoning of DDO13 to that of DDO15 which will permit a discretionary four storey height.

1. Council considers that a four storey building height can be justified for this centre. There are a number of existing three storey buildings in the northern portion of the centre, and opportunity exists for this height to be increased to four storeys if, for example, land was consolidated.
2. As a result of the concerns raised by residents in relation to the traffic, parking and drainage issues relating to Luxe Lane, separately to C126 Council will investigate the opportunities for Improving conditions of the Lane.
3. The aerial imagery shown within the flyers posted to potentially affected properties nominate the centre boundary.Whilst the aerial image used in the flyers is now over 12 months old, Council has undertaken a more recent audit of the centre to assess the existing conditions of each centre and this has been used to inform the proposed controls for each centre rather than an aerial image.
4. Any redevelopment proposed will need to ensure it responds to the conditions of the site, ensuring that overlooking and overshadowing are minimised. Council will need to consider at the time an application is made whether a design response is appropriate and whether a permit should be granted, noting the objectives relating to minimising impact on surrounding R2Z land.
5. As a result of the concerns raised by residents in relation to the traffic, parking and drainage issues relating to Luxe Lane, separately to C126 Council will investigate the opportunities for Improving conditions of the Lane.
6. As development is proposed, Council can require measures to ensure that basements are protected from heavy rainfall. A site drainage plan would be imposed as a condition of permit to ensure that drainage is considered in relation to all aspects of a development.
## Bayside Planning Scheme Amendment C126 – Draft Council response to submissions received

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### An increase in the permissible height will potentially create overshadowing, specifically in winter as the building is south of the proposed redevelopment.

2. Oppose the proposed rezoning of 307 New Street and 311 New Street from the Neighbourhood Residential Zone to the Commercial 1 Zone. Their building is on the edge of the proposed redevelopment area and is residential. By rezoning 307 and 311 from residential to commercial, this will result in a fundamental change in the nature of the area contiguous with their property and which will potentially be disadvantageous to them as property owners.

3. Oppose the amendment of BB035 to allow the side and rear setback measurement provisions to be taken from the far side of an intervening laneway (i.e., from the boundary between the laneway and the residential property).

4. The amendment will likely result in significant increase in the laneway traffic which will impact their access to their property and increase risks.

### 148 New Street and Bay Street Centre

1. Opposes the rezoning of 307 New Street or 311 New Street rezoned to commercial zone as they are relatively new properties with purely residential dwellings on them.

2. Concerned that rates will increase, height limit for residential zone is 2 storeys, height limit for commercial is 4 storeys, the value of the units will not appreciate the same as if they were residential zoned, if the front units are sold they can become commercial use and that the laneway is busy enough, more so if the uses change to commercial uses.

### 149 New Street and Bay Street Centre

1. Opposes the rezoning of 307 New Street or 311 New Street rezoned to commercial zone as they are relatively new properties with purely residential dwellings on them.

2. Concerned that rates will increase, height limit for residential zone is 2 storeys, height limit for commercial is 4 storeys, the value of the units will not appreciate the same as if they were residential zoned, if the front units are sold they can become commercial use and that the laneway is busy enough, more so if the uses change to commercial uses.

---

2. Following submissions, it is considered appropriate to remove 66-68 Bay Street and 307 New Street from the amendment. The site will be retained in the current controls affecting the land. This is considered reasonable given the conditions of the site making it complex to redevelop. The built form outcomes sought from the urban design concept plan could be delivered whilst the site is retained in the NRZ.

3. Comment noted. Council considers that it is reasonable to allow the laneway widths to be used when considering appropriate side and rear setbacks for new development.

4. The laneway is a public accessway and if new development proposes to utilise the laneway for access, the traffic implications will need to be considered in detail at that time.

Following submissions, it is considered appropriate to remove 66-68 Bay Street and 307 New Street from the amendment. The site will be retained in the current controls affecting the land. This is considered reasonable given the conditions of the site making it complex to redevelop. The built form outcomes sought from the urban design concept plan could be delivered whilst the site is retained in the NRZ.
### Item 10.1 – Reports by the Organisation

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<th>Report</th>
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</table>
| 50/316 | Nepean Highway and Centre Road Centre | 1. Lives on a property behind Good Guys the Prestige Auto Haus car yard. Expresses concern that this area may undergo substantial development at some time in the future.  
2. Expresses concern that Luxe Lane may be designed a roadway and/or an entrance to an undercover car park, which will present hazards to pedestrians including children/students. Should this development go ahead, it might be preferable to have a Nepean Highway entrance to car parks. Their neighbours also have their garages opening onto Luxe Lane, making reversing potentially hazardous.  
3. Also concerned that construction of multi-storey dwellings on this site will lead to occupants of those dwellings having oversight of their property, with a consequent loss of privacy for them and other neighbours. |
| | Weatherall Road and Morey Road Centre | 1. Believes that the approval of Amendment C126 will unfairly restrict the commercial uses available for their property at 66 Weatherall Road Cheltenham.  
2. Under the new Neighbourhood Residential Zone Schedule 3, the current use of an office will be prohibited and the site will benefit from existing use rights, this will unfairly impede commercial opportunities and therefore diminish the property’s commercial appeal and interest from potential tenants into the future. Many other commercial uses (which are currently available to the site) will also be prohibited under Amendment C126. Our client believes this is an unjust situation, and detrimental to their potential rental income.  
3. Furthermore, under Amendment C126, a variety of commercial uses will now need a permit (Section 2 use) before they begin trading. This situation will also impact on the leasing process for their client, as the majority of tenants will propose leasing of the property, subject to approval from Council’s planning department. This is an unnecessary cost and delay for both their client and potential tenants and will subsequently impact on the viability of this commercial hub.  
4. Their client believes this pocket of commercial use should be retained as a small neighbourhood activity centre as it |

1. The purpose of Amendment C126 is to ensure that if land within the centre is proposed to be developed, there is a strategic planning framework in place to ensure that the development meets community expectations.  
2. Whilst access from laneways is encouraged in the proposed controls, individual access will need to be considered to determine whether capacity exists for this to occur. This will need to be considered in detail at the planning permit application stage to determine whether access is suitable.  
3. Any redevelopment proposed will need to ensure it responds to the conditions of the site, ensuring that overlooking and overshadowing are minimised. Council will need to consider at the time an application is made whether a design response is appropriate and whether a permit should be granted, noting the objectives relating to minimising impact on surrounding R1/2 land.  

It is proposed to declassify the centre from the activity centre hierarchy and rezone the centre to the Neighbourhood Residential Zone. In response to submissions, it is considered reasonable that the centre can be retained within the C12 as currently exists and the DDO13 applied which provides the two storey mandatory height control.
### Bayside Planning Scheme Amendment C126 – Draft Council response to submissions received

**Item 10.1 – Reports by the Organisation**

| No. | Attachment 1
|-----|------------------
| 152 | **New Street and Bay Street Centre**
|     | 1. The block (307 to 309 New Street Brighton) is residential living and any commercial zoning change make no sense as this block will remain residential.
|     | 2. The lane way a siding the block would become a traffic access area for commercial activities thus a danger to current traffic both walking and motorists. The lane way a siding the block is used to access respective car park access and walking traffic access for both adults and children.
|     | **1.** Following submissions, it is considered appropriate to remove 66-68 Bay Street and 307 New Street from the amendment. The site will be retained in the current controls affecting the land. This is considered reasonable given the conditions of the site making it complex to redevelop. The built form outcomes sought from the urban design concept plan could be delivered whilst the site is retained in the NR2.
|     | **2.** The laneway is a public accessway and if new development proposes to utilise the laneway for access, the traffic implications will need to be considered in detail at that time.
| 153 | **Bluff Road and Armadale Avenue Centre**
|     | 4. Objects to having their property rezoned to C12 for a range of reasons including the centre is not designed to support a convenience role, with the built form, traffic conditions and proximity to Black Rock major factors, as well as detrimental impacts on residential amenity;
|     | 5. Objects to the mandatory 2 storey height restriction. The submitters property is presently 2 stories and is adjacent to an existing 3 storey apartment block within the centre.
|     | 6. If the Council proceeds with the rezoning they request that their property only be exempted from DDO13 and be classified under DDO14 which would allow a third floor extension in the future.
|     | **1.** In order to ensure the commercial objectives for the centre is realised. Council considers that the application of the Commercial 1 Zone is the appropriate zone to facilitate the objectives for the centre as encouraging a more local convenience role. Whilst there are conditions which present challenges for the centre, it is considered that the C12 will allow the role of the centre to grow.
|     | **2.** Comment noted.
|     | **3.** It is considered that increasing the height control to 3 storeys to align with the predominant built form is a reasonable change in response to submissions. This can be achieved by altering the DDO to be applied to the centre from the DDO13 to the DDO14.
| 154 | **Bay Road and Jack Road Centre**
|     | 1. Doesn’t support the changes proposed by the Amendment. No reasons provided.
|     | **1.** Comment noted.
| 155 | **General Submission**
|     | 1. Objects to the following proposed statement 21.02-4 contained within amendment C126:
|     | “The main focus for future medium and high density residential development will be the Southland and Hampton East (Moorabbin) Major Activity Centres”.
|     | Council will update the proposed wording throughout the Municipal Strategic Statement to have regard to subsequent Council decisions in relation to the Southland-Pennydale activity centre.
### Bayside Planning Scheme Amendment C126 – Draft Council response to submissions received

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<tbody>
<tr>
<td>2. The C150 Planning Panel Report concludes that the Southland Activity Centre does not extend into the City of Bayside, (p 32 – 34).</td>
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<tr>
<td>3. Documents presented at the meeting of council dated 19th June 2018, including the latest iteration of the draft Southland-Pennendale Structure Plan, accept that the Pennendale area is not part of the Southland Major Activity Centre.</td>
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<tr>
<td>156 Balcombe Park Centre</td>
<td></td>
</tr>
<tr>
<td>1. Not fully comfortable with being rezoned from MUZ to C1Z.</td>
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<tr>
<td>2. Supports mandatory 2 storey height limit.</td>
<td></td>
</tr>
<tr>
<td>157 Bay Road and Jack Road Centre</td>
<td></td>
</tr>
<tr>
<td>1. Clause 21.02-4 states future medium and high density development will be directed to Southland and Hampton east Major Activity Centres. Amendment C150 confirmed and Bayside Council have accepted that Pennendale is not a part of the Southland MAC and that the Southland MAC existed entirely in Kingston. This clause should be altered to remove the wording that states Southland (PENNDALE) is to be a future high density development area.</td>
<td></td>
</tr>
<tr>
<td>2. Clause 21.11 the Map on page 36 is out of date as it shows both the MRVAC estate off Jack Road and the Larnaca Buffer Zone band as being a part of the Bayside Business district. This is no longer the case as it is now a residential area.</td>
<td></td>
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<tr>
<td>3. DDO14 Section 2 Setbacks states 3 storey street wall. Existing 3 storey developments have a two storey street wall with a recessed 3rd storey. There is no reason to change this existing setback setting. It is important that the current neighbourhood character is protected.</td>
<td></td>
</tr>
<tr>
<td>158 Bluff Road and Love Street Centre</td>
<td></td>
</tr>
<tr>
<td>1. Concerns raised regarding a number of ongoing issues regarding the operation of two restaurants operating in the centre, and the detailed submissions made in relation to the history and ongoing issues in this matter.</td>
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</tr>
<tr>
<td>1. The matters outlined are beyond the scope of Amendment C126 and will be addressed separately. There is little that C126 can do in response to this historical issues with the uses at the site. Council’s compliance officers can investigate and seek compliance for any new issues identified.</td>
<td></td>
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</table>

1. Comment noted.
2. Support for the mandatory height control is noted.
### Bayside Planning Scheme Amendment C126 – Draft Council response to submissions received

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<tr>
<td><strong>2. Noise and amenity from existing businesses causes amenity issues.</strong></td>
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<td><strong>3.</strong></td>
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<tr>
<td><strong>159 New Street and Bay Street Centre</strong></td>
<td><strong>1.</strong> Comment noted. Bayside’s small activity centres play a vital role in providing commercial floor space in locations accessible to residents and support the MACs to play a more broad role.</td>
</tr>
<tr>
<td><strong>1.</strong> Believes that Small Activity Centres are past history: ‘bigger is better’.</td>
<td><strong>2.</strong> Following submissions, it is considered appropriate to remove 66-68 Bay Street and 307 New Street from the amendment. The site will be retained in the current controls affecting the land. This is considered reasonable given the conditions of the site making it complex to redevelop. The built form outcomes sought from the urban design concept plan could be delivered whilst the site is retained in the NRZ.</td>
</tr>
<tr>
<td><strong>2.</strong> The tenants and owners from 307 to 331 all believe in their comfortable accommodation and do not envisage the need for busy commercial activity.</td>
<td><strong>3.</strong> The laneway is a public access way and if new development proposes to utilise the laneway for access, the traffic implications will need to be considered in detail at that time.</td>
</tr>
<tr>
<td><strong>3.</strong> Any change in boundary will bring traffic problems and make their life untenable.</td>
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<tr>
<td><strong>160 New Street and Bay Street Centre</strong></td>
<td><strong>1.</strong> Following submissions, it is considered appropriate to remove 66-68 Bay Street and 307 New Street from the amendment. The site will be retained in the current controls affecting the land. This is considered reasonable given the conditions of the site making it complex to redevelop. The built form outcomes sought from the urban design concept plan could be delivered whilst the site is retained in the NRZ.</td>
</tr>
<tr>
<td><strong>1.</strong> 307 to 309 New Street Brighton is residential living and any commercial zoning change make no sense as this block will remain residential. It has been like that for many years and everyone that lives has no idea why it has to be made commercial. The commercial activity would increase parking which would affect residential living and visitors who come to visit find difficult enough as it is.</td>
<td><strong>2.</strong> The laneway is a public access way and if new development proposes to utilise the laneway for access, the traffic implications will need to be considered in detail at that time.</td>
</tr>
<tr>
<td><strong>2.</strong> The laneway which runs along block would become a traffic access area for larger trucks using it commercial activities and in so creating a danger for old and young alike. This will create a danger zone for current traffic users and I’m sure Council would be well aware that it could lead to major problems.</td>
<td></td>
</tr>
<tr>
<td><strong>161 New Street and Bay Street centre</strong></td>
<td><strong>1.</strong> Does not wish to see 307 New Street or 311 New Street rezoned from residential to commercial as these are relatively new properties with purely residential dwellings. It would not make sense to do this. Following submissions, it is considered appropriate to remove 66-68 Bay Street and 307 New Street from the amendment. The site will be retained in the current controls affecting the land. This is considered reasonable given the conditions of the site making it complex to redevelop. The built form outcomes sought from the urban design concept plan could be delivered whilst the site is retained in the NRZ.</td>
</tr>
<tr>
<td><strong>1.</strong> Issues that they believe will occur: Increased rates, the value of the individual units will not appreciate the same as if they were Residential zoned, the restriction on height with Residential Zoned is 2 storeys high, Commercial 1 Zone is storeys 4 high. If sold, the front unit could become commercial use, the side alleyway is busy enough as it is.</td>
<td><strong>2.</strong></td>
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<td><strong>2.</strong></td>
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</table>
162 East Brighton Shopping Centre

1. Supports the Centre’s allocation to low capacity for change, as agreed in 2014.
2. Supports the fact that this centre has previously identified problems with parking and traffic congestion. Any future development needs to be made to mitigate for these factors.
3. Requests that additional wording be inserted into all references of 758-768 Hawthorn Road to clarify that this refers only to the even numbers on the western side of Hawthorn Road.
4. Supports a mandatory height limit of 3 storeys to the even numbers 758-768 Hawthorn Road. Please insert the wording ‘A planning permit may not be granted to vary this requirement.’
5. Supports a mandatory 2 storey height limit to the rest of the Centre. We ask that the 2 storey height limit can remain as 9 metres.
6. Supports mandatory setbacks of 3.5 and 5.5 metres on the eastern side of Hawthorn Road and asks for the wording to be strengthened around this.
7. Asks for the reinstatement of wording ‘consider the provision of appropriate access as part of any development proposal.’
8. Ask for the reinstatement of wording for the western side of Hawthorn Road:
   ‘The construction of a new building on a lot at 758-778 Hawthorn Road must provide for the creation of an easement of a carriageway to facilitate the widening of the lane way along the rear boundary of the lot to a width of 5.5 metres.’
9. We support the protection of the heritage building Olley - both in terms of minimising any impact from future development and also protecting the remaining surrounding views to the building.

163 New Street and Bay Street Centre

1. Does not wish to see 307 New Street or 311 New Street rezoned from residential to commercial as these are relatively new properties with purely residential dwellings. It would not make sense to do this.
2. Issues that they believe will occur: Increased rates, the value of the individual units will not appreciate the same as if they were Residential Zoned, the restriction on height with Residential

1. Comment noted.
2. Comment noted. Amendment C126 does not directly alter the parking conditions and this can be looked at in more detail following the completion of Amendment C126. Car parking and traffic impacts can be considered as a result of individual development applications. This has been referred to Council’s Traffic Department to investigate whether there is something that can be done to improve traffic condition in the centre.
3. This change will be incorporated into the DDO drafting.
4. This change will be incorporated into the DDO drafting.
5. Whilst this is standard wording taken from the residential zones, as no land within the Centre boundary is subject to a Special Building Overlay, it is agreed that the wording can be revised to its original form of 9 metres.
6. Council has strengthened the wording within the DDO to provide greater protection for the Olley property in particular and considers that the application of mandatory setback controls should not be provided for the Interface.
7. There are requirements in the design detail part of the DDO16 which encourages vehicles to enter sites from lane ways to minimise the disruption to the commercial streetscapes. Any limitations to providing access from lane ways will need to be considered at the design stage and a determination made at that time.
8. Council has undertaken traffic modelling to determine a specific proposed width for existing lane ways where widening may be required. This was removed as there are other measures for Council to require land to be set aside for public purposes which sit outside of the Design and Development Overlay. As part of the Major Activity Centre Structure Plan Reviews in 2015, Council identified a need to implement an appropriate measure for the widening of a number of lane ways as it is recognised that the DDO is not the appropriate place for such a requirement. Council can consider the lane way widths as part of a separate piece of work.
9. Comment noted. There are references throughout the DDO16 to the protection of Olley and it is considered that sufficient consideration exists within the control without requiring further reference at this time.

Following submissions, it is considered appropriate to remove 66-68 Bay Street and 307 New Street from the amendment. The site will be retained in the controls affecting the land. This is considered reasonable given the conditions of the site making it complex to redevelop. The built form outcomes sought from the urban design concept plan could be delivered whilst the site is retained in the NRZ.
## Bayside Planning Scheme Amendment C126 – Draft Council response to submissions received

**164 Thomas Street and Egan Street Centre**

1. The permissible three storey height should be more clearly articulated, given the number of three storey buildings in this centre. The two storey discretionary and three storey mandatory height control does not easily allow for development of up to three storeys in this centre. The 2 level 9m height restriction should be completely deleted. The existing building on the site is 9.45m high and already exceeds the proposed 2 storey discretionary height limit.
2. A planning permit for a three level development has previously been issued for this site.

1. It is noted that the two storey discretionary height in this centre may result in all development reaching three storeys, given the number of existing three storey properties in the centre. Council considers that was an application to be made for three storeys in this centre and the site is capable of accommodating the development. It can be permitted within the DDO14 without requiring any substantial changes to the drafting of the control.

2. Comment noted.

**165 New Street and Bay Street Centre**

1. Does not support rezoning 307 and 311 New Street from NRZ.
2. Does not support applying the DDO15 and the discretionary 4 storey height limit. Building controls should maintain the mandatory 9m / 2 storey height limit and set back requirements.
3. The solution is no rezoning of 307 New Street and 311 New Street from the Neighbourhood Residential Zone to the Commercial 1 Zone. It is imperative that there remains no public access to the laneway.

Following submissions, it is considered appropriate to remove 66-68 Bay Street and 307 New Street from the amendment. The site will be retained in the current controls affecting the land. This is considered reasonable given the conditions of the site making it complex to redevelop. The built form outcomes sought from the urban design concept plan could be delivered whilst the site is retained in the NRZ.

**166 East Brighton Shopping Centre**

1. Writing in support of the proposed changes for East Brighton Shopping centre.
2. Centre should be designated low capacity for change as agreed in 2014.
3. They support the mandatory 2 storey height limits for the entire centre with the exception of 758-768.
4. Requests the 3 storey height limit for 758, 760, 762, 764, 766. And 768 was mandatory rather than discretionary. There are already significant parking issues on Clive Street and beyond. They therefore submit that any future planning permits were required to provide comprehensive parking provisions with no parking waivers allowed. For every bedroom there should be

4. Writing will be added to confirm Council’s intentions that this will be a mandatory control.
5. Comment noted. Council has strengthened the wording within the DDO to provide greater protection for the Olley property in particular and considers that the application of mandatory setback controls should not be provided for the interface.

3. Comment noted.

2. Comment noted. This has been incorporated into the revised documentation for the second exhibition process.
### Bayside Planning Scheme Amendment C126 – Draft Council response to submissions received

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<td>167</td>
<td><strong>New Street and Bay Street Centre</strong></td>
<td></td>
</tr>
<tr>
<td>1.</td>
<td>Submitter attended the Ordinary meeting of Council (in February) and was satisfied that the submissions and recommendations to Councillors by Council Officers (in their report to Council) were NOT based on existing or planned and approved development of the centre but on out dated surveys. Submitter was pleased that the Councillors unanimously recommended a design overlay that permitted development/s of 4 storey plus for the New Street Small Activity Centre and agreed to extend to the Bay Street/New Street intersection (currently has multi storey developments) and is considered by locals and the broader community to be the entry point to the Bay Street Major Activity Centre, particularly as the developments and uses along the entire length of Bay Street and along the Bay Street and New Street intersection are predominantly commercial uses.</td>
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<tr>
<td>2.</td>
<td>Their submission seeks Council endorsement of the decision by Councillors to include the sites along the four corners of the New Street Bay Street intersection in the proposed rezoned four storey plus height controls.</td>
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<tr>
<td>3.</td>
<td>This proposal will encourage a livelier, safer intersection; encourage jobs and meet the housing demand by providing a variety of dwellings in a very convenient location.</td>
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<tr>
<td>1.</td>
<td>Comment noted.</td>
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<tr>
<td>2.</td>
<td>Following submissions, it is considered appropriate to remove 66-68 Bay Street and 307 New Street from the amendment. The site will be retained in the current controls affecting the land. This is considered reasonable given the conditions of the site making it complex to redevelop. The built form outcomes sought from the urban design concept plan could be delivered whilst the site is retained in the NRZ. The laneway is a public accessway and if new development proposes to utilise the laneway for access, the traffic implications will need to be considered in detail at that time.</td>
<td></td>
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<tr>
<td>3.</td>
<td>Comment noted.</td>
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<table>
<thead>
<tr>
<th>Item</th>
<th>168 New Street and Bay Street Centre</th>
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<tbody>
<tr>
<td>1.</td>
<td>Wishes to object to the proposed C126 namely:</td>
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<td>- Rezoning 307-309 and 311 New Street from Neighbourhood Residential Zone to Commercial 1 Zone</td>
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<td>- Deleting current DDO2 with 2 level/9m mandatory height</td>
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<td></td>
<td>- Applying DDO15 with a discretionary 4 level height limit and new setback requirements</td>
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<td></td>
<td>- Incorporating lane between 301 &amp; 307 New Street into proposed Commercial 1 Zone</td>
</tr>
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Following submissions, it is considered appropriate to remove 66-68 Bay Street and 307 New Street from the amendment. The site will be retained in the current controls affecting the land. This is considered reasonable given the conditions of the site making it complex to redevelop. The built form outcomes sought from the urban design concept plan could be delivered whilst the site is retained in the NRZ. The laneway is a public accessway and if new development proposes to utilise the laneway for access, the traffic implications will need to be considered in detail at that time.
### Bayside Planning Scheme Amendment C126 – Draft Council response to submissions received

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</table>

#### 2. The immediate proximity to proposed SNAC and C12 with discretionary 4 level height would have detrimental impact on my property through overshadowing, general amenity and loss of character.

3. Solution to minimise negative impact of proposed C126 on their property:
   - Introduce mix of discretionary and mandatory height controls, of which 307 & 311 New St remain as DDS13 (currently DDS12) with mandatory 3m/2 levels Height (excluding basement).
   - No rezoning of 307 & 311 New St.
   - Mandatory 2 storey building heights of 307 & 311 New St to provide an appropriate residential interface to the surrounding residential environment.
   - Lanes separating 301 & 307 New St to be excluded from rezoning to Commercial 1 Zone.
   - No public access to the lanes. Any increase in traffic will create real danger to 301, 305, 309, 307 New St residents currently sharing the laneway plus pedestrians traffic between Newbay Cres & New St.
   - Mandate setbacks to be maintained: 3m ground, 3m 1st level, 10m 2nd level.
   - Do not delete the reference to the Clause 55 overshadowing objectives from the decision guidelines.

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<thead>
<tr>
<th>169 New Street and Bay Street Centre</th>
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<tbody>
<tr>
<td>1. Objects to the change at 307-309 New Street from the NRZ to the C12 as this will raise uncertainty about the future role of the site.</td>
</tr>
<tr>
<td>2. The change will detrimentally affect property values and Council rates.</td>
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<tr>
<th>170 New Street and Bay Street Centre</th>
</tr>
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<tbody>
<tr>
<td>1. It is submitted that the north-eastern corner of the subject site should be rezoned to Commercial 1. This north-eastern corner of the site has always been used commercially as car parking in association with the reception centre and is in common ownership with the remainder of the site.</td>
</tr>
</tbody>
</table>

| 1. Following submissions, it is considered appropriate to remove 66-68 Bay Street and 307 New Street from the amendment. The site will be retained in the current controls affecting the land. This is considered reasonable given the conditions of the site making it complex to redevelop. The built form outcomes sought from the urban design concept plan could be delivered whilst the site is retained in the NRZ. |
| 2. Impacts on property values are not generally relevant when preparing planning scheme amendments as property values are influenced by a variety of factors, including market conditions. |

1. Comment noted. Council does not have sufficient evidence before it to suggest that this is an anomaly and further justification will need to be provided for Council to consider any change to the zone boundary. It is not proposed to rezone this portion of the site at this time.

2. It is considered that at face value, the subject site is likely to be able to meet several of the criteria and therefore allow a potential increase to the 13.5 metre height control. It is not proposed to add more specific wording at this time to clarify the interpretation of the height controls. Council considers that the criteria has
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<tr>
<td><strong>Bayside Planning Scheme Amendment C126 – Draft Council response to submissions received</strong></td>
<td></td>
</tr>
<tr>
<td><strong>2.</strong> The submitter considers that the redevelopment of their property satisfies the criteria to exceed the preferred 13 metre height limit. Nonetheless, this clause remains very open to interpretation. It is their view that the wording of this provision should be clarified such that clear criteria are provided which allow for greater building height. In particular, it is submitted that site size should be given strong weight in consideration of the ability to provide greater height, particularly given a larger site allows for additional setbacks.</td>
<td></td>
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<tr>
<td><strong>3.</strong> At over 4,000m² and being by some margin the largest site available for redevelopment in the New and Bay Street centre, it is submitted that the DDO should be altered in a way which clearly identifies that 81-89 Bay Street meets the criteria as a “large site”.</td>
<td></td>
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<tr>
<td><strong>Beach Road and Georgiana Street Centre</strong></td>
<td></td>
</tr>
<tr>
<td><strong>1.</strong> The Beach Road and Georgiana Street SNAC is not a retail centre and there is little prospect of it becoming a true and viable centre due to its small size, poor parking opportunities and proximity to the Hampton Street and Sandringham MAX.</td>
<td></td>
</tr>
<tr>
<td><strong>2.</strong> Active commercial frontages, as compelled under the DDO17, are not an appropriate planning outcome in the context of the existing interface conditions with Beach Road, with the likelihood of poor pedestrian amenity due to main road frontage and direct proximity of the traffic lane along a Category 1 Road. The ability to ‘activate’ the commercial frontage is fundamentally compromised by the existing constraints of the centre, namely the inability to park along the road frontage of the centre.</td>
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<tr>
<td><strong>3.</strong> There is no strategic basis for requiring more retail and/or office space in this location.</td>
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<td><strong>4.</strong> Beach Road is a main traffic route under the administration of VicRoads and encouraging retail uses and a conventional approach to active commercial frontages would reduce efficient traffic flows, cause confusion amongst road users and would subsequently be a safety hazard to all road users including pedestrians.</td>
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<tr>
<td><strong>5.</strong> The absence of any street front parking will invariably encourage traffic to enter and subsequently utilise the local residential road network to the overall detriment of the adjacent residential hinterland.</td>
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<tr>
<td><strong>1.</strong> Council considers that whilst the current conditions of the centre may not be optimum to encourage retailing uses or activities, opportunity exists to revitalise the centre and ensure the centre can contribute to the Bayside economy. This is what is to be achieved through Amendment C126 which seeks to ensure that conditions are improved for the centre.</td>
<td></td>
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<tr>
<td><strong>2.</strong> Whilst the current built form outcomes do not provide an optimum outcome, there is considerable justification to transition the site to solely residential uses given the site being on an arterial road with limited on-street parking. Depending on the nature of the use and what is proposed, car parking may be required to be provided on site to address the shortage of on-street spaces. The interface with the public realm will need to be considered as new development is proposed. There are numerous examples of commercial uses in other locations which provide commercial uses on Beach Road with active frontages which contribute to a positive built form and public realm. It is considered that the objectives of the DDO17 are reasonable to be applied to the site.</td>
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<tr>
<td><strong>3.</strong> The site currently comprises commercial uses and functions as an activity centre, albeit with a non-convenience retail role. Council is not provided adequate justification as to why this cannot continue despite the challenges of the site being located close to two major activity centres.</td>
<td></td>
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<tr>
<td><strong>4.</strong> Council considers that continuing the commercial role of the centre is unlikely to significantly disrupt traffic flow or decrease safety of the area. The site is currently within the Commercial 1 Zone where a range of commercial uses are encouraged at the ground floor, and this is not proposed to be altered by Amendment C126.</td>
<td></td>
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<tr>
<td><strong>5.</strong> The traffic impacts of any new development or change of use will need to be considered at the time development is proposed. In accordance with the requirements of Clause 52.06, new development will be required to provide its car parking requirements onsite unless a waiver or exemption is granted. Given the existing zone of the centre, this can be considered in detail when new development is proposed.</td>
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10.2 BAYSIDE PLANNING SCHEME AMENDMENT C144 AND PLANNING APPLICATION FOR DEVELOPMENT AT 10 HARSTON STREET SANDRINGHAM

City Planning & Community Services - Urban Strategy
File No: FOL/15/1534 – Doc No: DOC/18/184890

Executive summary

Purpose and background
To present Council with an application made under Section 96A of the Planning and Environment Act 1987 for a combined planning scheme amendment and planning permit application at 10 Harston Street Sandringham, to:

- Redevelop the former Black Rock tram depot for residential purposes;
- Rezone land from a Public Use Zone Schedule 4 (PUZ4), to a Residential Growth Zone Schedule 1 (RGZ1);
- Develop 30 dwellings within two new four storey apartment buildings and refurbishment of the old tram depot as a three storey building of attached townhouses;
- Undertake works, including partial demolition, of the old tram depot building covered by Heritage Overlay 328 (HO328); and
- Relocate part of easement E2 to directly align with the northern boundary and associated relocation of existing electrical cables.

The process for considering a Section 96A application is the same as a planning scheme amendment process rather than a standard planning permit process. This process involves:

- Seeking authorisation from the Minister for Planning;
- Public exhibition of the proposed changes;
- Submissions are considered by Council and an independent Planning Panel appointed by the Minister for Planning; and
- Council considers the recommendations of the Planning Panel report and makes a final decision.

Council approval is sought to seek authorisation from the Minister for Planning to commence the planning scheme amendment process, including public notification and exhibition of the amendment and planning application for permit.

Key issues

Site Description (Existing Conditions)

The redevelopment site is approximately 3,320 square metres in area and is directly adjacent to the Sandringham Railway Station, within the Sandringham Village Major Activity Centre (MAC).

The land has most recently been used as a bus depot. It is rectangular in shape and heavily constricted by 3m-6m wide easements along most of the eastern boundary, all of the southern and western boundaries and diagonally adjacent to the northern boundary.
The site has limited frontage to Harston Street with a number of non-residential abutts to the west, north and south. Adjoining residential properties to the east consisting of single storey units (ie: 2 Sandringham Road) and a three storey apartment building (ie: 9-13 Bay Road) are most directly affected by the proposal.

Amendment Assessment

The proponent has requested the subject site be rezoned from a PUZ4(transport) to the RGZ1(future moderate residential growth area) to facilitate the development of the site for residential purposes. As the site is currently within the Public Use Zone but is privately owned, the zoning of the land needs to be corrected. At Council’s request, this is to be addressed through the combined rezoning and planning permit application currently before Council.

Application of the RGZ1 to facilitate higher density residential development at the subject site is appropriate as it sits within the core of the Sandringham Village MAC, close to shops and public transport. The development can be accommodated by the local road network and the land is largely surrounded by non-residential land uses to the north, west and south.

The intended rezoning and associated use and development of the site is consistent with the following state planning policies of Clause 11 of the Bayside Planning Scheme:

- Direct new housing to areas with appropriate infrastructure;
- Encourage a diversity of housing types at higher densities in and around activity centres; and
- Deliver more housing closer to jobs and public transport.

A transport and traffic assessment of the development proposed under the RGZ1 indicates:

- On site car parking provision exceeds planning scheme requirement;
- The local road network has capacity to incorporate the proposed development;
- A private garbage contractor with a smaller truck can access and egress the site for garbage collection; and
- On-site bike parking provision exceeds the planning scheme requirement.

Following recent State government changes made to the Bayside Planning Scheme through Amendment VC148, visitor parking spaces are not required for new development located within the Principle Public Transport Network (PPTN). As the development site is located within the PPTN, there is no requirement for visitor car parking to be provided, however, the proponent is providing four spaces.

Use of the site for a higher density residential development also meets local planning policies specified in the Municipal Strategic Statement, as follows:

- Enabling increasing diversity and density of dwellings in activity centres to provide for future housing needs; and
- Encourage redevelopment of larger sites for higher density residential dwellings.

Furthermore, Action 26 of the Sandringham Village Structure Plan 2006 supports redevelopment of the bus depot site for housing, as is proposed.

Given the site’s optimal location, application of the RGZ1 will achieve state and local planning policy objectives for housing.
Whilst the RGZ1 encourages higher dwelling densities it allows only minor variations to the building height and the front boundary setback allowed under the existing Design and Development Overlay 8 (DDO8) controls that cover the subject site and the adjoining residential area. Under the RGZ1:

- A maximum residential building height of 13.5m comprising four storeys is allowable in lieu of the 11m, 3 storey preferred height for the subject site allowed under DDO8 (ie: precinct C) and the 11m 3 storey maximum height allowed within the adjoining residential area (ie: precinct E);

- A front setback of 4m for a corner site is allowed which is the same as the front setback of DDO8 at ground floor level. However, the DDO8 requires the second storey to be recessed a further 4m from the front; and

- The requirements for side and rear boundary setbacks, site coverage, open space, site permeability, solar access to dwellings and open space, privacy, parking and infrastructure are identical to the standards for dwellings in the adjoining residential area which is zoned GRZ2 and DDO8.

The proposed RGZ1 is considered an appropriate planning response to the site’s optimal location within the core of the Sandringham Village MAC, provided appropriate measures are implemented by the development to manage the only residential interface to the east.

**Planning Application**

Relevant Planning Overlays covering the site which may affect the development proposal include:

- Heritage Overlay 328 (HO328) relating to the heritage significance of the former tram depot;
- DDO8, which outlines the future role and character of the Sandringham Village MAC;
- Environmental Audit Overlay (EAO) which acknowledges the potential risk of land contamination;
- Special Building Overlay (SBO), designating that the land may be subject to flooding from major storm events; and
- Development Contributions Plan Overlay 1 (DCPO1) which requires the payment of a levy from new development toward upgrading the municipal drainage network.

**Heritage**

The former Black Rock tram depot on the site is of State significance as the most imposing remaining fixed asset of the Victorian Tramways which operated from 1906 to 1959, however, it is only protected under the Planning Scheme for its local significance.

The proposed development requires the removal of the roof and demolition of the northern part of the tram depot building and removal of the other ancillary buildings on the site. The side walls forming the longest part of the tram depot are to be retained and refurbished and the roof is to be replaced with a third storey and covered roof terrace.

The applicant has provided an expert Heritage Assessment indicating that the extent of demolition and retention of the facade of the existing tram depot building, as proposed, is acceptable. It is noted that the northern part of the building needs to be demolished to allow removal of contaminants.

The proposal has been revised to include changes to the facade of the tram depot building to retain more of its period features and to reduce the prominence of the third floor. Council’s heritage advice confirms the proposal is generally suitable subject to conditions.
The proposal achieves a good heritage outcome that enables the refurbishment and ongoing use of the original building whilst preserving its period features.

**Design and Development Overlay 8 (DDO8)**

The subject site is located within Precinct C under DDO8 with a preferred building height of 11m (3 storey). The following building heights above natural ground level are proposed:

- Building 1 (northern building), 4 storey, height is 13.5m;
- Building 2 (old tram depot, in central building), 3 storey, height is 11.7 m to the top of the covered roof terrace; and
- Building 3 (southern building), 4 storey, height is 12.7m to building parapet & 13.3m to top of lift overrun.

All buildings are above the preferred heights specified under DDO8. If the site is rezoned to RGZ, the building height should not exceed a height of 13.5m and the proposal is compliant.

However, the proposal does not comply with the upper level front street setback and the roof deck setback standards of DDO8. These standards can be varied by Council if the planning outcome warrants it.

**Other Overlays**

With regard to the EAO, a preliminary site investigation indicated the soil contains contaminants from a previous use and that the ground water also contains contaminants. The application has been referred to the Environment Protection Authority (EPA) for assessment to ensure site remediation is undertaken to enable future residential use.

The application has been referred to Melbourne Water to ensure that the development takes into account flooding from large storm events as required under the SBO.

The development will be required to pay the levy toward the upgrade of Bayside’s drainage network in the amount required under the DCPO1.

**Other Site Characteristics**

The site is located within an area of Aboriginal Cultural Heritage Sensitivity. The applicant has submitted an Aboriginal Cultural Heritage Management Plan (CHMP) which specifies that it is not reasonably possible that the land contains Aboriginal Cultural Heritage. The CHMP has been submitted to Aboriginal Affairs Victoria for assessment and comment.

The site is encumbered by a number of easements, E1-E5. Relocation of E2 is required to facilitate the development. The applicant has received in principle agreement from the relevant authority regarding relocation of the easement and it is expected that this will be confirmed during exhibition of the proposal. All servicing authorities affected by the proposed development will be notified.

The site directly abuts Sandringham Railway Station to the west which is potentially a significant source of noise from compressors associated with station railway carriages. The applicant has provided an acoustic report specifying noise attenuation measures which can be included in the building design by permit conditions.

The site contains 10 trees and large shrubs which are proposed to be removed. Consultant and Council Arborist evaluation indicates there is no vegetation on the site that has a high level of retention value.

A landscape plan has been provided proposing replacement planting of 9 native trees and 11 large shrubs and additional small shrubs within garden areas at ground floor level. Planter...
boxes are provided within all upper floor balconies and terraces to incorporate a combination of small shrubs and ground covers.

**Planning Assessment of the Application**

The development delivers an appropriate response in relation to:

- maximum building height;
- ground floor front setback;
- side and rear boundary setback of Buildings 2 and 3;
- site cover;
- site permeability;
- open space provision;
- daylight provision to habitable room windows; and
- allowable overlooking.

Whilst there are variations to ResCode sought in relation to upper level side and rear setbacks of Building 1 and access to sunlight of neighbouring open space, the height and scale of the proposed development is considered appropriate for its location. It is considered that these minor non-conformances can be supported, given the benefits of the development, including the provision of a suitable buffer and transition between the train station and residential areas to the east, retention of an important heritage asset and the delivery of new housing within a Major Activity Centre where growth is encouraged.

A detailed planning assessment of the development proposal is provided in Attachment 2.

It is expected that Council requirements for stormwater management, waste disposal, vehicular and pedestrian access, payment of drainage levies under DCPO1 and protection of the site’s heritage values under HO328 can be effectively dealt with by permit conditions. Similarly it is also expected that the requirements of all external determining agencies relevant to the EAO, SBO, CHMP, existing easements and the proposed relocation of E2 can be effectively dealt with by permit conditions. In the event that any requirements cannot be dealt with by permit conditions they will be resolved following public exhibition of the application.

**Conclusion**

The proposal is consistent with the broader policy objectives for the site and its surrounds as being suitable for higher density development.

The application displays sufficient consistency with planning policy and planning standards for new residential development to proceed with authorisation and exhibition of the amendment and the planning permit application.
Recommendation

That Council:

1. Seeks authorisation for Amendment C144 to the Bayside Planning Scheme in accordance with Section 96A of the Planning and Environment Act 1988;

2. Exhibits Amendment C144 and the Planning Permit Application for 10 Harston Street Sandringham, following authorisation from the Minister for Planning;

3. Authorises the Manager of Urban Strategy to make any changes required by the authorisation on behalf of the Minister for Planning and any other minor editorial changes prior to commencing the exhibition process.

Support Attachments

1. Explanatory Report ↓
2. Zone Map ↓
3. Schedule 1 to Residential Growth Zone ↓
4. Development Proposal Plans ↓
5. Planning Report ↓
6. Assessment of Planning Application ↓
7. Draft Planning Permit Conditions ↓
Considerations and implications of recommendation

Liveable community

Social

Amendment C144 and the associated planning application will benefit Bayside socially by delivering housing to meet future community needs in close proximity to transport and services.

Natural Environment

The amendment and planning application will have no impact on the natural environment.

Built Environment

The proposal represents an opportunity to convert an obsolete industrial built form to a residential built form.

Customer Service and Community Engagement

Following authorisation of the amendment from the Minister for Planning, the amendment and planning application will be publicly exhibited and referred to authorities in accordance with sections 19, 52 and 66 of the Planning and Environment Act 1987.

Human Rights

The impact of the amendment and the planning application have been assessed and are not considered likely to breach or infringe upon the human rights contained in the Victorian Charter for Human Rights and Responsibilities Act 2006.

Legal

Amendment C144 and an application for a planning permit for development at 10 Harston Street Sandringham has been made in accordance with section 96A (1) of the Planning and Environment Act 1987 which specifies that a person who requests a planning authority to prepare an amendment may also apply to the planning authority for a planning permit for any purpose for which the proposed amendment would require a permit to be obtained.

Finance

The applicant has paid the amendment request fee and planning application lodgement fee. The applicant has also agreed to pay the following amendment costs:

- Any Panel appointed by the Minister for Planning to consider submissions received about the amendment;

- Publication of the amendment notice in the required publications; and

- Any legal fees incurred by Council in preparing an agreement under section 173 of the Act in relation to the requested amendment.
The applicant will also be required to pay the costs of public notification associated with the planning application for permit and costs associated with consideration of submissions and adoption of the amendment.

**Links to Council policy and strategy**

**Bayside Community Plan 2025**

The proposal meets the following community aspiration in relation to Housing and Neighbourhoods:

- By 2025 members of our community will live close to public transport, in a home that suits their stage of life and is close to the services and facilities needed.

**Bayside Housing Strategy**

Amendment C144 and the associated planning application is consistent with the Bayside Housing Strategy 2012 vision of directing urban growth to major activity centres, including the Sandringham Village Major Activity Centre.
Options considered

Option 1

<table>
<thead>
<tr>
<th>Summary</th>
<th>Proceed with the combined planning scheme amendment and planning permit process in accordance with Section 96A of the Act.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Benefits</td>
<td>If the rezoning and development proposal are considered together Council and the community will be better informed in determining both issues and they will have a greater say in the overall outcome through the process rather than through the process for a standard planning permit application. The development achieves a high level of compliance with the Bayside Planning Scheme and Council’s strategic objectives and proceeding to the next stage will implement Council’s adopted strategic vision for housing and the Sandringham MAC. Rezoning from PUZ4 to RGZ1 will impose a maximum four storey building height limit replacing the current preferred building height of 3 storeys which could be disregarded by planning decision making bodies given the optimal location of the site for higher density housing. Consideration of the heritage impact of the proposal under the planning scheme amendment process has achieved an excellent heritage outcome that facilitates the retention and reuse of a significant heritage building.</td>
</tr>
<tr>
<td>Issues</td>
<td>There are no issues associated with this approach.</td>
</tr>
</tbody>
</table>

Option 2

<table>
<thead>
<tr>
<th>Summary</th>
<th>Refuse the amendment request to rezone the land to the Residential Growth Zone.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Benefits</td>
<td>There are no benefits associated with this action.</td>
</tr>
<tr>
<td>Issues</td>
<td>Given the general suitability of the design, if Council does not proceed with the amendment, the outcome for the site could be poor. The proponent could seek a planning permit for the development proposal without the rezoning which would allow VCAT to make a final determination of the matter through the statutory planning process. This would not require ResCode to be considered and Council would reduce the amount of applicable policy to consider the application against.</td>
</tr>
</tbody>
</table>
Who is the planning authority?

Bayside City Council is the planning authority for this amendment.

The Amendment has been prepared by Tract Consultants Pty. Ltd. at the request of Real Estate Concepts

Land affected by the amendment

The Amendment applies to land at 10 Harston Street, Sandringham, as shown in the map below. The land is bordered by the Sandringham Train Station to the west, commercial premises to the south and residential development to the east. The site has access via Harston Street and Sandringham Road in the North East corner of the site.
What the amendment does

The amendment seeks to rezone the land from Public Use Zone Schedule 4 to the Residential Growth Zone – Schedule 1.

Strategic assessment of the amendment

Why is the amendment required?

The site has been sold by VicTrack (State owned Enterprise) to a private developer (Real Estate Concepts) as the land has been identified as surplus to the needs of VicTrack.

Due to the site’s previous owner (VicTrack), the Site remains zoned for Public Use (PUZ4-Transport) which is no longer appropriate given the non-government owner of the site.

It is proposed to rezone the site to the Residential Growth Zone, which will facilitate development of the site for residential purposes in a medium density arrangement. The proposed zone will also allow the site to be developed and used in accordance with the purpose envisaged by the Sandringham Village Structure Plan.

How does the amendment implement the objectives of planning in Victoria?

The amendment implements the objectives of planning in Victoria, contained in Section 4 of the Planning and Environment Act 1987, in the following ways:

- Objective A: the amendment provides for the fair, orderly, economic and sustainable use and development of land as it facilitates a coordinated development in a strategically identified location and in a responsible manner through the implementation of an appropriate zone.
- Objective B: the amendment facilitates an efficient use of resources within an activity centre. This naturally reduces pressure on fringe development.
- Objective C: the amendment will secure and provide a pleasant and safe living environment.
- Objective D: the amendment does not modify the existing heritage controls affecting the site.
- Objective F: the amendment will enable appropriate consolidation of the site in accordance with state planning policy for activity centre development.
- Objective G: the amendment seeks to balance the present and future interests of all Victorians by facilitating capital investment in the Sandringham region and facilitating a high quality residential development.

How does the amendment address the environmental effects and any relevant social and economic effects?

The amendment will generate positive social and economic benefits through significant job creation in the construction industry and better meet community needs and demands for housing and associated uses. The focus on development of land near activity centres helps to make the best use of state and local infrastructure, and to improve access and equity to services. The amendment will facilitate the provision of housing in close proximity to employment opportunities and the Principal Public Transport Network which will reduce the reliance on personal motor vehicle trips.

Does the amendment address relevant bushfire risk?
The site is not subject to a Bushfire Management Overlay and is not located on land designated as a 'Bushfire Prone Area' under the Victorian Planning Provisions. A local policy for bushfire risk management is not required to support this amendment.

**Does the amendment comply with the requirements of any Minister's Direction applicable to the amendment?**

The amendment is consistent with the Ministerial Direction on the Form and Content of Planning Schemes under Section 7(5) of the Planning and Environment Act 1987. It also meets the requirements of the following relevant Ministerial Directions, in the following ways:

- Ministerial Direction No.1 – Potentially Contaminated Land by resolving the resolution of remediation through a planning permit condition. The Planning Scheme Amendment is accompanied by a Planning Permit Application and supporting material on contamination and remediation.
- Ministerial Direction No.9 – Metropolitan Strategy by rezoning the land to enable infill development consistent with the activity centre initiatives contained within Plan Melbourne.

**How does the amendment support or implement the State Planning Policy Framework and any adopted State policy?**

The amendment upholds the principles and objectives of the State Planning Policy Framework. It has the potential to contribute to the state economy and enhance the offering of residential facilities within Bayside without affecting the valued visual attributes that underpin the significance of Sandringham and its foreshore.

In particular, the amendment implements key policy directions of the SPPF by:

- Facilitating higher density residential development within an activity centre to maximise the significant investment that has already been made in existing infrastructure and services.
- Facilitating urban renewal on under-utilised land directly adjacent to a railway station.
- Supporting the role and function of the centre by increasing its catchment population.
- Reducing the number of private motorised trips by concentrating activities that generate high numbers of (non-freight) trips in highly accessible activity centres.
- Improving the social, economic and environmental performance and amenity of the activity centre by remediating and activating the site.
- Providing serviced land for urban growth.
- Reducing the cost of living by increasing housing supply near services and public transport.
- Facilitating the supply of housing that is affordable.
- Enhancing the noise and air quality of the neighbourhood by converting a commercial site into a residential site.
- Enabling new development that can contribute to community and cultural life by improving safety, diversity and choice, the quality of living and working environments, accessibility and inclusiveness and environmental sustainability.
- Facilitating development within an existing urban area rather than on the fringe.
- Not impacting places of Aboriginal cultural heritage significance.
- Promoting new housing in or close to activity centres and employment corridors, to meet the community’s needs in terms of housing.
- Identifying a strategic redevelopment site.
- Coordinating improvements to public transport, walking and cycling networks with the ongoing development and redevelopment of the urban area.
- Concentrating key trip generators such as higher density residential development in and around activity centres.
• Providing safe, convenient and direct pedestrian and cycling access to activity centres, public transport interchanges and other strategic redevelopment sites.

How does the amendment support or implement the Local Planning Policy Framework, and specifically the Municipal Strategic Statement?

The amendment upholds the objectives and strategies of the Local Planning Policy Framework. No changes are required to the LPPF to facilitate the redevelopment of the Site for residential purposes.

In particular, the amendment implements key policy directions of the LPPF by:

• Managing population growth by ‘unlocking’ under utilised land within an activity centre that is fit and ready for residential development.

• Enabling smaller and denser dwellings to be constructed to meet the changing needs of the community.

• Protecting environmentally significant areas of the municipality by directing population growth to a site that is relatively unconstrained and ripe for redevelopment.

• Supporting and strengthening the local economy through future construction and the ultimate population spending in the area.

• Protecting the quality and character of the urban environment through the retention of the existing overlay controls that manage heritage and built form.

• Enabling residential development within an area identified on Map 2 - Residential Strategic Framework Plan as 'Key Focus Residential Growth Area'.

• Enabling new medium density housing to occur in Major Activity Centres, residential opportunity areas, particularly those with good access to public transport routes as identified in the Residential Strategic Framework Plan.

• Enabling a range of suitable accommodation options, including for older people and affordable housing at the site.

• Delivering increased housing densities and diversity of dwellings within activity centres.

• Enabling redevelopment of larger sites for higher density residential dwellings.

• Enabling the conservation and restoration of the existing Victorian-era building that is of architectural and heritage significance.

• Enabling transit oriented development in accordance with the Sandringham Village Structure Plan.

Does the amendment make proper use of the Victoria Planning Provisions?

The Amendment makes proper use of the VPPs. It includes amendments to the Bayside Planning Scheme which seek to implement transit oriented development as entrenched within Plan Melbourne and the Sandringham Village Structure Plan.

The application of the Residential Growth Zone on the Site will allow for moderate residential development of the land.

How does the amendment address the views of any relevant agency?

The views of relevant agencies have been sought and considered through the preparation of the planning scheme amendment. Of most importance have been the views of VicTrack and PTV with respect to the status of the existing easements and their future intentions with the Site. PTV and VicTrack have advised that:

• They support the rezoning and future redevelopment of the Site for residential purposes.
There is no intention to acquire part or all of the land in the future for train stabling or duplicating existing platforms at the Sandringham Railway Station.

The retention of Easements areas E-1, E-2 and E-5 that run parallel with the western boundary is required.

Alteration of the alignment of Easement E-2 is supported.

The proposed development has sought to address these matters by ensuring that no part of the proposed buildings are constructed over Easement E1, E2 and E5, while an appropriate realignment of Easement E-2 is proposed.

The exhibition of this amendment will provide a formal opportunity for all relevant stakeholders to provide comment on the proposal.

Does the amendment address relevant requirements of the Transport Integration Act 2010?

The amendment complies with the relevant requirements of the Transport Integration Act, specifically Part 2, Division 2, 11 – Integration of transport and land use.

Resource and administrative costs

What impact will the new planning provisions have on the resource and administrative costs of the responsible authority?

The consideration and implementation of the amendment and the future development and use is not anticipated to give rise to any unreasonable resource or administrative costs for Bayside City Council.

Where you may inspect this Amendment

The Amendment is available for public inspection, free of charge, during office hours at the following places:

- At the office of the planning authority, Bayside City Council Corporate Centre 76 Royal Avenue, SANDRINGHAM VIC 3191
- During opening hours at the following Bayside Library: (opening hours are available on Council’s website)

Sandringham Library 2-8 Waltham Street SANDRINGHAM 3191

The Amendment can also be inspected free of charge at the Department of Environment, Land, Water and Planning website at www.delwp.vic.gov.au/public-inspection.

Submissions

Any person who may be affected by the Amendment may make a submission to the planning authority. Submissions about the Amendment must be received by 14 October 2018.
A submission must be sent to:

Bayside City Council  
Planning Scheme Amendment C144  
PO Box 27  
SANDRINGHAM VIC 3191  

Or  

A submission may be emailed to:  
enquiries@bayside.vic.gov.au (please include ‘Amendment C144’ in the email title/subject line)  

Panel hearing dates  

In accordance with clause 4(2) of Ministerial Direction No.15 the following panel hearing dates have been set for this amendment:  

- directions hearing: 15 January 2019  
- panel hearing: 31 January 2019
Bayside City Council

Ordinary Council Meeting - 21 August 2018

Attachment 2

Item 10.2 – Reports by the Organisation

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Placeholder for Attachment 3

10.2. Bayside Planning Scheme Amendment C144 and Planning Application for Development at 10 Harston Street Sandringham

Schedule 1 to Residential Growth Zone
Item 10.2 – Reports by the Organisation
<table>
<thead>
<tr>
<th>Item 10.2 – Reports by the Organisation</th>
<th></th>
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</thead>
<tbody>
<tr>
<td><strong>Project Development and Management</strong></td>
<td><strong>Architect</strong></td>
</tr>
<tr>
<td><strong>Real Estate Concepts</strong></td>
<td><strong>Moull Murray Architects</strong></td>
</tr>
<tr>
<td><strong>Town Planners</strong></td>
<td><strong>Tract Consultants</strong></td>
</tr>
<tr>
<td><strong>Heritage Consultant</strong></td>
<td><strong>Bryce Raworth</strong></td>
</tr>
<tr>
<td><strong>Traffic Engineer</strong></td>
<td><strong>GTA Consultants</strong></td>
</tr>
<tr>
<td><strong>Cultural Heritage Management Planners.</strong></td>
<td><strong>ESD Consultant</strong></td>
</tr>
<tr>
<td><strong>ACHM</strong></td>
<td><strong>Waste Engineer</strong></td>
</tr>
<tr>
<td><strong>GiW Environmental Solutions</strong></td>
<td><strong>Landscape Architect</strong></td>
</tr>
<tr>
<td><strong>EcoResults</strong></td>
<td><strong>Acoustic Engineer</strong></td>
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<td><strong>John Patrick Landscape Architects</strong></td>
<td><strong>Marshall Day</strong></td>
</tr>
<tr>
<td><strong>Arborist</strong></td>
<td><strong>Environmental Auditor</strong></td>
</tr>
<tr>
<td><strong>Tree Logic</strong></td>
<td><strong>Environmental Engineers</strong></td>
</tr>
<tr>
<td><strong>ERM (Environmental Resources Management)</strong></td>
<td><strong>Land Surveyor</strong></td>
</tr>
<tr>
<td><strong>ESA (Environmental Site Assessments)</strong></td>
<td><strong>Goodison &amp; Associates</strong></td>
</tr>
</tbody>
</table>
Item 10.2 – Reports by the Organisation
Item 10.2 – Reports by the Organisation
Item 10.2 – Reports by the Organisation
Item 10.2 – Reports by the Organisation

Existing 6 Storey apartments at Hampton Station

7 Storey apartments at Hampton Station (Under Construction)

7 Storey apartments at Hampton Station (Under Construction)
Item 10.2 – Reports by the Organisation
Item 10.2 – Reports by the Organisation
Item 10.2 – Reports by the Organisation

1. GROUND PLANE OPEN SPACE AND BUILDING FOOTPRINTS

2. INTERNAL PEDESTRIAN CIRCULATION

3. PAVED OUTDOOR SPACES + TERRACES
Bayside City Council

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Attachment 4

Item 10.2 – Reports by the Organisation

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AREA SUMMARY - With 5m Easement | 4 Levels

NET SALEABLE AREA (NSA) SUMMARY
(EXCL. BALCONIES AND TERRACES)

<table>
<thead>
<tr>
<th>BUILDING 1 - 4 Levels</th>
<th>CAR PARKING No.</th>
</tr>
</thead>
<tbody>
<tr>
<td>LEVEL</td>
<td>2 Bed.</td>
</tr>
<tr>
<td>GF</td>
<td>0</td>
</tr>
<tr>
<td>1F</td>
<td>4</td>
</tr>
<tr>
<td>2F</td>
<td>4</td>
</tr>
<tr>
<td>3F</td>
<td>2</td>
</tr>
<tr>
<td>TOTAL</td>
<td>10</td>
</tr>
<tr>
<td>TOTAL</td>
<td>22</td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>BUILDING 2 - 5 Townhouses</th>
<th></th>
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<tbody>
<tr>
<td>LEVEL</td>
<td>NO. OF TOWNHOUSE</td>
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<tr>
<td>GF</td>
<td>5</td>
</tr>
<tr>
<td>1F</td>
<td>400</td>
</tr>
<tr>
<td>2F</td>
<td>60</td>
</tr>
<tr>
<td>TOTAL</td>
<td>5</td>
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<tr>
<td></td>
<td></td>
</tr>
<tr>
<td>BUILDING 3 - 4 Levels</td>
<td></td>
</tr>
<tr>
<td>LEVEL</td>
<td>2 Bed.</td>
</tr>
<tr>
<td>GF</td>
<td>0</td>
</tr>
<tr>
<td>1F</td>
<td>3</td>
</tr>
<tr>
<td>2F</td>
<td>3</td>
</tr>
<tr>
<td>3F</td>
<td>1</td>
</tr>
<tr>
<td>TOTAL</td>
<td>7</td>
</tr>
<tr>
<td>TOTAL</td>
<td>11</td>
</tr>
</tbody>
</table>

TOTAL

| NSA (Net) | 3,843 m² |
| Balconies (Net) | 611 m² |
| GBA (TCA)* | 4,495 m² |
| Basement (Net) | 247 m² |
| Shared Amenity (Inc in GBA) | 265 m² |
| Building 2 Driveway (Net) | 260 m² |

* TCA - Area includes basement, car park, driveway and balconies/ terraces.
<table>
<thead>
<tr>
<th>Better Apartments Design Standards</th>
<th>Area (sq.m.)</th>
<th>Unit Type (Qty)</th>
<th>Percentage</th>
<th>Remark</th>
<th>Compliance</th>
</tr>
</thead>
<tbody>
<tr>
<td>Functional Layout (Bedroom &amp; Living Room Size)</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
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<tr>
<td>Room Depth</td>
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<td>✓</td>
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</tr>
<tr>
<td>Windows</td>
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<td>Storage</td>
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<tr>
<td>Natural Ventilation (Cross Ventilation)</td>
<td>✓</td>
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<td>✓</td>
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</tr>
<tr>
<td>Private Open Space</td>
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<td>✓</td>
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<tr>
<td>Accessibility</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
</tr>
</tbody>
</table>
**SUSTAINABILITY INITIATIVES**

- **WATER EFFICIENCY**
  Water will be used efficiently in the proposed development through efficient fixtures and fittings, and use of rainwater in toilets onsite - largely reducing mains water requirements.

- **URBAN ECOLOGY**
  Re-use of Land & Change of Ecological Value. Provide Communal Facilities available for the residents.

- **EMISSIONS**
  The emissions that affect the environment will be minimised.

- **BUILDING MATERIALS & WASTE MANAGEMENT**
  Help to reduce the use of virgin materials, reduce waste, and promote the use of materials with lower embodied energy.

- **BUILDING MANAGEMENT**
  Promote adoption of environmental initiatives at different stages of the project - not just in the project’s design stage.

- **INDOOR ENVIRONMENTAL QUALITY**
  Help to create a healthy indoor environment free from toxins with ample supply of light and outside air.

- **ENERGY**
  Different measures to be implemented to reduce energy consumption.

- **TRANSPORT**
  The development site has access to a number of sustainable transportation methods.
SKY GARDENS

A fundamental component of the design for this building is to treat the architecture as a series of elevated terraces all with generous, integrated planting boxes that will allow the entire building to be covered with planting, providing every apartment with the opportunity to have a small piece of nature as part of the living experience.

- Elevated gardens, orientated to receive available sunlight, can be used as air purifying winter gardens.
- Sky Gardens soften the harsh external appearance of the structural elements of a building.
- Sky Gardens and elevated landscaping will be self-sustaining, irrigated by rainwater and will function as an integral part of the buildings recycling and energy saving program, with photovoltaic panels powering the watering and lighting systems.
- Buildings as gardens can replace buildings as mass.
- The scale of multi storey buildings should be humanised with the provision of sky terraces and Sky Gardens.
- The use of landscaping to alleviate the harshness of the constructed built form not only makes people feel more relaxed and comfortable, but also keeps one in touch with nature, whilst living in a more dense urban environment.
Attachment 4

Item 10.2 – Reports by the Organisation

Demolition Plan

Key
- Existing structure to be demolished
- Existing easements to be abolished
- Existing tree to be removed
- Existing tree to be retained
Item 10.2 – Reports by the Organisation
Item 10.2 – Reports by the Organisation

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Attachment 4

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Item 10.2 – Reports by the Organisation

Type I
Building 3

Unit Area: 121 m²
Balcony Area: 10 m²
Bedroom: 2
Bathroom: 2
Internal Storage: 22 m³
Quantity: 2
Item 10.2 – Reports by the Organisation
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GROUNDFLOOR
Scale: 1:500

BUILDING 1
4 STOREYS
WITH SETBACKS TO TOP LEVEL APARTMENTS
B - STORAGE
GF - COMMON AMENITIES + CAR PARKING
L1-L2 - 2 LEVELS OF APARTMENTS
L3 - PENTHOUSES

BUILDING 2
5 LUXURY TOWNHOUSES
WITH DOUBLE GARAGES, ROOF CONSERVATORIES AND INDIVIDUAL LIFTS

BUILDING 3
4 STOREYS
WITH SETBACKS TO TOP LEVEL APARTMENTS
B - STORAGE
GF - CAR PARKING AND 1 APARTMENT
L1-L2 - 2 LEVELS OF APARTMENTS
L3 - PENTHOUSES

EXISTING RED BRICK HERITAGE BUILDING
Item 10.2 – Reports by the Organisation
Item 10.2 – Reports by the Organisation
Item 10.2 – Reports by the Organisation
SECTION B
1:200

TP09.03
Proposed Sections
SECTION B

11/07/2016
E. Concept Amendments to Building No. 1.
modified slope area on defined spine plus 1.5 of 1.5 percent.

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Item 10.2 – Reports by the Organisation
Item 10.2 – Reports by the Organisation
SECTION 3A
scale A3 : 1:100
Item 10.2 – Reports by the Organisation

Shadow Diagram, 22 September: 3 pm
Item 10.2 – Reports by the Organisation
West Elevation

East Elevation
Elevated View from Station Street
Item 10.2 – Reports by the Organisation
Montage of Street View down Harston Street
Item 10.2 – Reports by the Organisation
Item 10.2 – Reports by the Organisation
West View towards Building 1 and 2
Item 10.2 – Reports by the Organisation
Eastern walkway
West View towards Buildings 1 and 2
Item 10.2 – Reports by the Organisation

Plan - Existing Conditions: Easements & Electrolysis Cables
Scale 1:1100

Easements Table

- **E1**: VICTRACK - Transmission of electricity + maintenance thereof & gas supply
- **E2**: VICTRACK - Transmission of electricity + maintenance thereof
- **E3**: MUNICIPAL - Drainage
- **E4**: Water Supply
- **E5**: VICTRACK - Transmission of electricity + drainage & water supply
- **E6**: MUNICIPAL - Drainage

Key

- Existing Buildings
- Existing Electrolysis cables
- Proposed relocation of Electrolysis cables

Site diagram indicates current location of electrolysis cables which connect to underground services in Bay Road. (Subject to confirmation)

Proposed relocation of cables from diagonal easement to along the Northern boundary.
Plan - Development Proposal: amended easement E2 (diagonal easement moved to run parallel to northern boundary)
scale @ A3 : 1:500

Key

- Existing Easement to be abolished
- Proposed Easement
- Proposed Building - Ground Floor
- Proposed Building - First Floor

Proposed relocation of Electrolysis cables
(See proposed detail) (incorporated into new barrier wall)

Diagram indicates the position of developable portions of the site and retention of easements and moving of diagonal easement to northern boundary
Planning Report

Combined Planning Permit Application and Amendment Request under Section 96A of the Planning and Environment Act 1987

Harston Street, Sandringham

Prepared by Tract Consultants
for Real Estate Concepts

0313-0187 R01_03  Date: 27-07-2018
Quality Assurance - Report Record

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<td>Prepared By</td>
<td>Jess Noonan &amp; Joseph Indomenico</td>
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<td>Luke Chamberlain</td>
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Appendix 1 – Clause 55 Assessment
INTRODUCTION

This report has been prepared on behalf of Real Estate Concepts to support a combined planning permit application and planning scheme amendment request made under Section 96a of the Planning and Environment Act 1987.

This request applies to the former Sandringham Bus Depot, also known as Allotment 22c Parish of Moorabbin Site, and it seeks in particular:
- to zone the Site from Public Use Zone – Schedule 4 to Residential Growth Zone – Schedule 2; and,
- a planning permit to construct two or more dwellings on a lot, partial demolition of a building, and removal of easements.

The Site is located within the core of the Sandringham Village Major Activity Centre, on the door step of the Sandringham Train Station. It is a single lot of approximately 3,320m² and rectangular in shape. The Site is surplus to Public Transport Victoria’s needs and thus has been released for development.

The Site is one of the largest landholdings within the Sandringham Village Major Activity Centre and presents a significant opportunity for more intensive development.

The project team assembled by Real Estate Concepts for this request consists of:
- Tract Consultants – Town Planner
- Moull Murray Architects – Architect
- Bryce Raworth – Heritage Consultant
- GTA Consultants – Traffic Engineer
- ACHM – Cultural Heritage Advisor
- EcoResults – Waste Consultant
- John Patrick Landscape Architect – Landscape Architect
- GIW Environmental Solutions – ESD Consultant
- ESA – Environmental Engineer
- ERM – Environmental Auditor
- Tree Logic – Arborist
- Marshall Day – Acoustic Engineer

1.1 Background

The planning process for this matter commenced in December 2013 through concept design and on-site investigations into heritage significance, contamination and validity of easements. Since that time, there have been a number of meetings held with Council to discuss planning controls and Council’s expectations for development within the Site.
Coda Property Group was the original proponent for this matter. On 3 March 2015, an application under Section 96a of the Planning and Environment Act 1987 was lodged with Bayside City Council to rezone the Site and construct 31 townhouses.

On 13 May 2015, Bayside City Council issued a Request for Further Information. Amongst the items raised, Council requested that the Site be zoned Residential Growth rather than General Residential.

On 8 August 2016, Real Estate Concepts became the proponent for this matter. As part of this, Moull Murray Architects was appointed the project architect.

On 12 December 2016, a meeting was held with Bayside City Council to discuss a new development approach for the Site consisting of residential apartments and five townhouses.

On 22 December 2016, Bayside City Council provided in principle support to the new development approach, subject to some variations on building heights and design.

On 6 April 2018, an amended concept was submitted to Council, together with updated expert analysis submissions. The revised design avoids the construction of buildings within the easement areas adjacent the western boundary of the Site.

Real Estate Concepts (current proponent), together with the project team, is confident that the amended proposal meets the expectations of Council and other key stakeholders.

1.2 Report Structure

This report describes the Site and its context, analyses its opportunities and constraints and details the planning scheme amendment and the planning permit application.

It also identifies the relevant provisions of the Bayside Planning Scheme and how the planning scheme amendment and planning permit application complies with it.
2 URBAN CONTEXT REVIEW

2.1 The Site

2.1.1 Locality and Features
The Site is formally recognised on Certificate of Title as Allotment 22C within the Parish of Moorabbin.

As shown in Figure 1, the Site is located within Sandringham with direct abutment to the Sandringham Railway Station. It forms a part of the Sandringham Village Major Activity Centre which is generally focused around the transport interchange of Waltham Street, Bay Road, Melrose Street and Beach Road.

The Site is a single lot of approximately 3,320m² and rectangular in shape. It currently accommodates a former red brick building which is dilapidated and in need of repair. The Site was recently utilised as a bus depot for PTIV, with the red brick building being used for storage and bus parking.

Access to the Site is currently provided via Sandringham Road to the east. A narrow laneway also exists towards the south, providing access to the Site from Trentham Street (to the east).

2.1.2 Interfaces
The Site is nestled between the Sandringham Railway Station and medium density dwellings accessed off Sandringham Road. It is not readily visible from the public realm nor does it have a prominent street frontage.

The Site’s immediate surrounds can be summarised as follows:

- **North** – existing car park owned by VicTrack for commuters utilising the Sandringham Railway Station. Vehicle access to the car park is achieved from Harston Street.

- **East (north of Kellys Lane)** – a well-established residential neighbourhood comprising dwellings in the order of one- and two-storeys. Land immediately abutting the eastern boundary of the Site comprises a 12-lot single storey detached unit development. To the north of this is a three-storey apartment building which presents to both Harston Street and Sandringham Street.

- **East (south of Kellys Lane)** – recently approved three storey apartment building on land known as 9-13 Bay Road.

- **South** – a group of single storey commercial uses which wrap around the corner of Bay Road and Station Street and include a real estate agent, packaged liquor outlets and other speciality uses. To the south east, are a row of double storey commercial uses generally consisting of specialty shops with shop-top housing.

- **West** – the Sandringham Railway Station. Pedestrian access to the station is achieved from the west of the station. A row of single storey shops also abuts this railway line to the south west, along Station Street.

Refer to Figure 2.
2.1.3 Landscape and Vegetation
The Site contains a number of planted trees along its eastern boundary. These trees vary in height and canopy spread. There is an established eucalyptus tree on the north-west corner of the Site.

2.1.4 Topography and Views
The Site is relatively flat in topographical profile; however, it sits approximately 1-2 metres lower than land directly east of the Site.

The Site does not currently enjoy views. However, future buildings above one-storey and oriented south, west and south-east will enjoy views to Port Phillip Bay.

2.1.5 Easements and Encumbrances
The Site is affected by a mortgage in favour of the Director of Public Transport registered on 19 August 2008 under instrument number AG034603E.

The Site is also affected by a number of easements as summarised below:

Table 1 – Summary of Existing Easements

<table>
<thead>
<tr>
<th>Label</th>
<th>Area of Site Affected</th>
<th>Width / Area</th>
<th>In Favour of</th>
<th>Purpose</th>
</tr>
</thead>
<tbody>
<tr>
<td>E-1</td>
<td>Western periphery</td>
<td>5 metres</td>
<td>VicTrack</td>
<td>Accessing and carrying out works to electricity, sewerage and drainage infrastructure</td>
</tr>
<tr>
<td>E-2</td>
<td>Northern portion</td>
<td>46 metres</td>
<td>VicTrack</td>
<td>Accessing and carrying out works to electricity infrastructure</td>
</tr>
<tr>
<td>E-3</td>
<td>Eastern periphery</td>
<td>2.6 to 4 metres</td>
<td>Bayside City Council</td>
<td>Accessing and carrying out works to drainage infrastructure</td>
</tr>
<tr>
<td>E-4</td>
<td>Southern periphery</td>
<td>3 metres</td>
<td>Not noted on Title Plan</td>
<td>Water supply</td>
</tr>
<tr>
<td>E-5</td>
<td>South-west corner</td>
<td>3 x 5 metres, 15m²</td>
<td>VicTrack</td>
<td>Accessing and carrying out works to electricity, sewerage and drainage infrastructure</td>
</tr>
<tr>
<td>E-6</td>
<td>Eastern periphery</td>
<td>6 x 4 metres, 24m²</td>
<td>VicTrack and Bayside City Council</td>
<td>Accessing and carrying out works to electricity infrastructure.</td>
</tr>
</tbody>
</table>

2.2 Local Context
The Sandringham Village Activity Centre is a low-scaled centre, with most buildings of 1-2 storeys in height and several recent buildings that are 3-4 storeys. The residential hinterland surrounding the activity centre is predominately characterised by Edwardian or Californian Bungalow style dwellings. Elsewhere, dwelling styles are generally mixed with some original dwellings remaining amongst more recently developed units and apartment blocks.

During the preparation of the Sandringham Village Activity Centre Structure Plan, Council and its project team undertook a site analysis survey and neighbourhood character analysis. The results of this work are shown below through Figures 2-4.
Figure 2 – Site Analysis Plan (source: MMA Architects)
Figure 3: Activity Centre Land Use and Development Analysis (source: Sandringham Structure Plan Background Report)
2.6 Neighbourhood Character Analysis

The study team undertook additional neighbourhood character analysis in August 2016. The additional work included a field survey of all residential areas within the Structure Plan boundary collecting information about neighbourhood character elements including building styles, heights, setbacks and street trees. The results of this work are detailed in the following pages.

Neighbourhood Character Analysis Map

Figure 4 - Neighbourhood Character Analysis Plan (source: Sandringham Structure Plan Background Report)
3 THE PROPOSAL

3.1 Planning Scheme Amendment

3.1.1 Summary
The proposed residential development of the land will be facilitated through the rezoning of the Site from the PU24 to the Residential Growth Zone – Schedule 1 (RGZ1).

3.1.2 Rezoning
The Site is proposed to be rezoned to the RGZ1. The Residential Growth Zone was introduced into the Victoria Planning Provisions on 1 July 2014 as part of the former State Government’s residential zones reform.

The Residential Growth Zone seeks to:
- “To provide housing at increased densities in buildings up to and including four storey buildings.”
- “To encourage a diversity of housing types in locations offering good access to services and transport including activities areas.”
- “To encourage a scale of development that provides a transition between areas of more intensive use and development and areas of restricted housing growth.”
- “To allow educational, recreational, religious, community and a limited range of other non-residential uses to serve local community needs in appropriate locations.”

Under the provisions of the Residential Growth Zone, use of the Site for residential purposes (dwelling) is as of right, meaning a planning permit is not required. A planning permit is however required for the construction of two or more dwellings on a lot, dwellings on common property and residential buildings.

As RGZ1 is specific to ‘Hampton East (Moorabbin) Major Activity Centre and Hampton Street Major Activity Centre (Willis Street Precinct) only, an amendment to the Schedule is required to include reference to the Site. The amendment will mean that RGZ1 will be applicable to:

FUTURE MODERATE RESIDENTIAL GROWTH AREA IN HAMPTON EAST (MORRABBIN) MAJOR ACTIVITY CENTRE AND MODERATE RESIDENTIAL GROWTH AREA IN HAMPTON STREET MAJOR ACTIVITY CENTRE (WILLIS STREET PRECINCT) AND SANDRINGHAM MAJOR ACTIVITY CENTRE (SANDRINGHAM DEPOT SITE).

RGZ1 does not vary any of the Clause 54 and Clause 55 requirements. It also does not specify a maximum building height or any application requirements or decision guidelines.

3.1.3 Overlay Changes
There are no Overlay changes proposed as part of this Planning Scheme Amendment.
3.2 Planning Permit Application

3.2.1 Overview
A planning permit is sought for:
- Construction of two or more dwellings on a lot;
- Partial demolition of an existing building; and,
- Alteration of an existing easement.

3.2.2 Design Response
The design response has been influenced by a comprehensive site analysis, relevant policies and provisions of the Bayside Planning Scheme and comments and suggestions provided by Bayside City Council.

The development features three apartment buildings which exhibit a high architectural quality. In particular, the design:

- Adaptively reuses and restores the former tram depot building;
- Includes sufficient and meaningful visual breaks to reduce bulk, form and visual bulk;
- Incorporates generous boundary setbacks at ground and upper floors to ensure the buildings are visually recessive and articulated;
- Provides an overall maximum building height of 4 storeys (northern and southern buildings) which is sympathetic to adjoining built form and Council’s expectations for a low-scale activity centre;
- Provides a modern architectural response that can interact with the Sandringham Railway Station through signage or urban artwork;
- Provides a mix of protruding and recessive elements to reduce building mass and bulk and further articulate built form,
- Positions balconies on all interfaces to soften built form, provide further articulation, and exploit views to Port Phillip Bay;
- Provides sufficient areas for landscaping to soften and enhance the landscape character of the streetscape;
- Incorporates a variety of colours and materials to complement the contemporary architectural design.

3.2.3 Demolition
In order to prepare the former tram depot building for redevelopment, the following minor demolition works are required:
- Removal of the roof;
- Removal of one ‘bay’ at the northern end of the building due to subsurface contamination below the building;
- Removal of an office space along the northern interface of the building. This is not part of the original fabric of the building.

Other demolition works are proposed within the Site, however, these do not require planning approval. Refer to Figure 5 – Proposed Demolition Plan.
3.2.4 Residential Buildings

The proposal includes three buildings, all linked through a common driveway. Each building is summarised below.

**Building 1 (northern most building)**

- Overall height of four storeys (12.4 metres to 13.5 metres in height – depending on where the measurement is taken from)
- Boundary setbacks (approximate):

<table>
<thead>
<tr>
<th>Level</th>
<th>North</th>
<th>East</th>
<th>South</th>
<th>West</th>
</tr>
</thead>
<tbody>
<tr>
<td>Basement</td>
<td>&gt;20m</td>
<td>4m</td>
<td>&gt;80m</td>
<td>9.5m</td>
</tr>
<tr>
<td>Ground</td>
<td>7m (to column)</td>
<td>&gt;2.9m</td>
<td>&gt;100m</td>
<td>7.5m (to column)</td>
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<tr>
<td>Level 1</td>
<td>3.6m</td>
<td>2.6m – 4.1m</td>
<td>&gt;90m</td>
<td>5m</td>
</tr>
<tr>
<td>Level 2</td>
<td>3.6m</td>
<td>2.6m – 4.1m</td>
<td>&gt;90m</td>
<td>5m</td>
</tr>
<tr>
<td>Level 3</td>
<td>3.4m</td>
<td>3.6m (balcony) 6.2 (wall, excluding stairwell)</td>
<td>&gt;90m</td>
<td>5.2m (wall)</td>
</tr>
</tbody>
</table>

- 10 x two bedroom apartments ranging from 78m² to 85m² in size. These apartments comprise:
  - Two bedrooms with in-built or walk-in robes;
  - Open planned living, kitchen and dining area with direct access to a balcony;
  - Eurostyle laundry facilities; and,
  - Balcony with in-built landscape planter to improve outlook and amenity of the space.

- 6 x three bedroom apartments ranging from 128m² to 129m² in size. These apartments comprise:
  - Three bedrooms with in-built or walk-in robes;
  - Open planned living, kitchen and dining area with direct access to a balcony;
  - Eurostyle laundry facilities; and,
  - Balcony with in-built landscape planter to improve outlook and amenity of the space.

  - Ground Floor dedicated entirely for communal services and facilities, including a gymnasium, lounge, lap pool, waste rooms with waste shuts and post room;
  - At-grade car parking at ground comprising 22 car spaces;
  - Basement (pedestrian access only) comprising 17 external storage units (minimum 6 cubic metres in size), rainwater storage and pool service equipment;

**Building 2 (former Tram Depot building)**

- Retention of significant heritage fabric.
- Overall height of three storeys (10.7m)
- Boundary setbacks (approximate):

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<tbody>
<tr>
<td>Ground</td>
<td>71m</td>
<td>2.8m</td>
<td>41m</td>
<td>6m</td>
</tr>
<tr>
<td>Level 1</td>
<td>71m</td>
<td>2.8m</td>
<td>41m</td>
<td>6m</td>
</tr>
<tr>
<td>Level 2</td>
<td>71m</td>
<td>2.8m</td>
<td>41m</td>
<td>6m</td>
</tr>
</tbody>
</table>

- 5 x three bedroom townhouses of approximately 240m² in size. Each townhouse comprises:
  - Three bedrooms with in-built or walk-in robes on Level 1;
  - Open planned living, kitchen and dining area with powder room and laundry on Level 2 with direct access to two balconies;
  - Rooftop deck in the order of 12m²;
  - Double car garage and external storage (6 cubic metres in size) provided at-grade.
Building 3 (southern most building)

- Overall height of four storeys (approximately 13.2 metres)
- Boundary setbacks (approximate):

<table>
<thead>
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<th>North</th>
<th>East</th>
<th>South</th>
<th>West</th>
</tr>
</thead>
<tbody>
<tr>
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<td>1.20m</td>
<td>3.8m</td>
<td>&gt;20m</td>
<td>11.8m</td>
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<tr>
<td>Ground</td>
<td>1.19m</td>
<td>2.8m</td>
<td>4.5m</td>
<td>7m (to column)</td>
</tr>
<tr>
<td>Level 1</td>
<td>1.20m</td>
<td>&gt;3.6m</td>
<td>4.5m</td>
<td>5m</td>
</tr>
<tr>
<td>Level 2</td>
<td>1.20m</td>
<td>&gt;3.6m</td>
<td>4.5m</td>
<td>5m</td>
</tr>
<tr>
<td>Level 3</td>
<td>1.20m</td>
<td>5m</td>
<td>4.5m</td>
<td>5 - 7.1m</td>
</tr>
</tbody>
</table>

- 7 x two bedroom apartments ranging from 90m² to 121m² in size. These apartments comprise:
  - Two bedrooms with in-built or walk-in robes;
  - Open planned living, kitchen and dining area with direct access to a balcony;
  - Euro-style laundry facilities; and,
  - Balcony with in-built landscape planter to improve outlook and amenity of the space.
- 2 x three bedroom apartment ranging from 125m² to 136m² in size. These apartment comprise:
  - Three bedrooms with in-built or walk-in robes;
  - Open planned living, kitchen and dining area with direct access to a balcony;
  - Euro-style laundry facilities; and,
  - Balcony with in-built landscape planter to improve outlook and amenity of the space.
- At grade car parking comprising car spaces.
- Basement (pedestrian access only) comprising 9 external storage units (minimum 6 cubic metres in size) and a rainwater collection area;

All dwellings within the development demonstrate an excellent level of internal amenity with generous size bedrooms and private open space areas accessed from living areas.

3.2.5 Access and Car Parking Arrangements

Pedestrian Access

Pedestrian access to the Site will be achieved from Harston Street. Once on site, pedestrians will then be directed to the lobby of Building 1 or the pedestrian walkway along the eastern boundary for access to Buildings 2 and 3.

Residents and visitors parking within the Site will be able to gain access to Buildings 1-3 via internal pathways and lifts if utilising basements (Buildings 1 and 3 only).

Vehicle Access

Vehicular access to the Site is facilitated via Harston Street. Once on site, a driveway that runs along the western boundary will provide quick and convenient access to at-grade resident and visitor car spaces. The dimensions have been designed in accordance with Clause 52.06-8 of the Bayside Planning Scheme.

Visitor Car Parking

The application includes the provision of 5 car spaces for residential visitors. These spaces are located near the Harston Street vehicular entrance.

Resident Car Parking

The application includes the provision of 48 car spaces for residents. All spaces are provided at-grade for Buildings 1 and 3 and in individual garages for Building 2. All car spaces and aisles accord with Clause 52.06-8 requirements.

Please refer to the accompanying Traffic Impact Assessment.
3.2.6 Waste Collection
All waste generated by the Site will be collected by a private contractor. Waste will be collected periodically from on-site. Please refer to the accompanying Waste Management Plan. A Waste Management Plan is being prepared to accompany the proposal.

3.2.7 Landscaping
Indicative landscape treatments are shown on the architectural plans and 3D Perspectives. As they show, there are substantial landscaping opportunities in the Site. Landscaping treatments will be provided at each interface and within the Site to soften the proposed built form and improve the landscape character of the neighbourhood.

A formal landscape plan can be handled through a condition on the permit.

3.2.8 Alteration of easement E-2
As part of this development of the Site, the realignment of the diagonal section of easement ‘E-2’ is proposed. This is required to enable the redevelopment of the site in an efficient and equitable manner.

Refer to Figure 6 – Proposed Ground Floor Plan.

Figure 5 – Proposed Demolition Plan (source: MHA Architects)
Figure 6 – Development Proposal: Alteration of Easement E-2 (source: MMA Architects)
4 PLANNING FRAMEWORK

4.1 Ministerial Directions
A Planning Scheme Amendment must respond to any relevant Ministerial Direction. The following Ministerial Directions are relevant to this amendment:

- Ministerial Direction No.1 – Potentially Contaminated Land
- Ministerial Direction No.9 – Metropolitan Strategy
- Ministerial Direction No. 11 – Strategic Assessment of Amendments

4.1.1 Ministerial Direction No.1 Potentially Contaminated Land
Ministerial Direction No.1 requires that during the preparation of an amendment which would have the effect of allowing potentially contaminated land for a sensitive use, a planning authority must satisfy itself that the environmental conditions of the land are or will be suitable for that use.

4.1.2 Ministerial Direction No. 9—Metropolitan Strategy
Ministerial Direction No. 9 seeks to ensure that all planning scheme amendments have regard to the Metropolitan Strategy, which in this direction refers to Plan Melbourne: Metropolitan Planning Strategy.

It is acknowledged that a revised Metropolitan Strategy (Plan Melbourne) is currently being finalised by the State Government and will replace Melbourne 2030 once implemented.

4.1.3 Ministerial Direction No. 11 – Strategic Assessment of Amendments
The purpose of this direction is to ensure a comprehensive strategic evaluation of a planning scheme amendment and the outcomes it produces is undertaken.

A range of strategic considerations are outlined as forming a part of the evaluation criteria. An assessment of the proposal against the requirements of this direction is provided within Section 5.1 of this report.

4.2 State Planning Policy Framework
To ensure planning schemes further the objectives of planning in Victoria, planning authorities must take into account and give effect to the general principles and specific policies contained in the State Planning Policy Framework (SPPF).

The SPPF clauses that are most relevant to this proposed amendment are detailed below with responses indented:

- **Clause 9** (Plan Melbourne) specifies that “where relevant, planning and responsible authorities must consider and apply the strategy Plan Melbourne: Metropolitan Planning Strategy.

- **Clause 10** (Operation of the State Planning Policy Framework) encourages land use and development planning policies and practices which "integrate relevant environmental, social and economic factors in the interests of net community benefit and sustainable development”


4.3 Local Planning Policy Framework

Those Clauses of the Bayside Planning Scheme which are most relevant to this proposal, have been summarised in the following sections.

4.3.1 Municipal Strategic Statement

- **Clause 21.02** (Bayside Key Issues and Strategic Vision) identifies that development within Bayside has historically been centred around villages or activity centres which are a focus for retail, entertainment and employment, accessible by public transport. It acknowledges that the municipality is experiencing increased development pressure for higher density housing due to urban consolidation policies, location and attractiveness as a coastal location. It suggests that increasing density is having the effect of smaller lot sizes, loss of mature gardens and impact on character. Further to this, the site is identified within an area for ‘residential opportunity’ on the Strategic Framework Land Use Plan.

- **Clause 21.03** (Settlement and Housing) acknowledges the trend towards smaller household sizes and an ageing population which is demanding a greater variety of housing types to meet the needs of the existing and future populations throughout the various life stages. In particular, it identifies activity centres as playing an important role in accommodating future housing needs, particularly as opportunities diminish elsewhere due to neighbourhood character, heritage and environmental constraints.

- **Clause 21.03-1** (Activity Centres) identifies Sandringham as a Major Activity Centre and encourages that new medium density housing (incorporating a range of densities and diversity of dwellings) be directed to these locations, particularly those with good access to public transport. In order to achieve...
this, it "encourage[s] the redevelopment of larger sites for higher density residential dwellings" and "the more efficient use of built form through the consolidation of sites and construction of basement car parks".

- Clause 21.06 (Built Environment and Heritage) seeks to achieve high quality design outcomes which improve the image of land use and development, contribute to a sense of place and maintain, strengthen and enhance the local character. Clause 21.06-1.2 relates to "Activity Centres" and aims to achieve high quality built form and public realm design, provide vibrant and attractive pedestrian environments that are safe and accessible for people with all levels of mobility, protect the amenity of dwellings within and adjacent to activity centres. Clause 21.06-2 "Sustainability" seeks to reduce greenhouse gas emissions and car dependence and encourages incorporation of integrated water management principles. Clause 21.06-3 'Heritage' aims to protect and enhance those buildings of cultural significance.

- Clause 21.09 (Transport and Access) notes that Bayside is largely car dependent and aims to maximise use of public transport to improve access and reduce the environmental impacts associated with private vehicle travel. Clause 21.09-1.1 seeks to improve the cycling network in activity centres and Clause 21.09-1.2 aims to improve access, movement and car parking within and around activity centres.

- Clause 21.11-1 (Sandringham Village) sets out the 'vision' which states that "activity will be focused around the transport interchange, Waltham Street, Bay Road, Melrose Street and Beach Road". Further the Map contained within this Clause identifies the site as forming part of 'Precinct 1: Retail Core' whereby the development of the Station car park in Harston Street and the adjacent bus depot for housing is encouraged. Further to this, this clause seeks to "design new development of the bus depot and railway station car park to provide for the duplication of rail platforms; the replacement of public car parking; and the creation of pedestrian links between the station and Sandringham and Bay Roads" and "Design new development adjacent to Sandringham Railway Station to include windows at ground and upper floor levels that overlook the station".

4.3.2 Local Planning Policies

- Clause 22.05 (Heritage Policy) recognises the city's heritage places and the constant pressures that exist to adapt and develop heritage places to suit contemporary lifestyles. It seeks to ensure that new development in heritage areas is respectful to the architectural, social and/or historic character of the precinct and makes a positive contribution to its built form and amenity. In terms of demolition, the policy allows the demolition of non-contributory buildings in heritage precincts.

- Clause 22.06 (Neighbourhood Character Policy) applies to development within the Residential 1 Zone and seeks to provide design guidance to ensure that development responds to the preferred future character of residential areas.

- Clause 22.08 (Water Sensitive Urban Design) applies to applications for 'accommodation' (which includes 'dwellings') and seeks to promote the use of water sensitive urban design, including stormwater re-use, integrate stormwater treatment measures into the landscape, reduce the entry of pollutants into stormwater run-off.

4.4 Zone

- Clause 36.01 (Public Use Zone) seeks to recognise land used for public utility and community services and facilities and to provide uses that are consistent with the intent of the public land reservation or purpose. Land shown as PUZ4 has the specific public land use purpose of 'transport'.

4.5 Overlay

- Clause 43.01 (Heritage Overlay - Schedule 3/28) relates to the existing tram depot buildings on Site and seeks to conserve and enhance those elements which contribute to the significance of heritage places and ensure that development does not adversely affect the significance of heritage places.

A planning permit is required under the Heritage Overlay to demolish or remove a building and to construct a building or construct or carry out works.
- Clause 43.02 (Design and Development Overlay - Schedule B) implements the Sandringham Village Structure Plan into the Bayside Planning Scheme. It seeks:
  - "To ensure that the height of new development is compatible with the preferred future role and character of Sandringham Village Major Activity Centre.
  - To develop the centre in a way that conserves and enhances its valued urban character and heritage places.
  - To ensure that new development contributes to safe and active streets.
  - To maintain a strong landscape character with residential buildings set within vegetated front gardens and streetscapes in the residential precincts.
  - To recognise the significance of the Sandringham Hotel site as a potential local landmark as a result of its gateway, foreshore location."

In addition to the above, the DDO8 sets discretionary height controls. The Site forms a part of ‘Precinct 3’ as set out in the Map in the Schedule, which has a preferred 11.0 metre (3 storey) height control and identifies that “transitional” building heights should be incorporated along Harston Street.

- Clause 44.05 (Special Building Overlay) affects a small area of the northern portion of the Site. It aims to identify urban areas liable to inundation by overland flows, ensure that development maintains free passage of floodwaters and to protect water quality.

The provisions of Clause 44.05 state that a planning permit is required to construct a building or carry out works. An application made under this overlay must be referred to Melbourne Water under Section 55 of the Planning and Environment Act 1987.

4.6 Particular Provisions

- Clause 52.01 (Public Open Space Contribution and Subdivision) requires a public open space contribution be made to Bayside City Council. The amount specified in the schedule to this clause is 5% (being a percentage of the land intended to be used for residential, industrial or commercial purposes, or a percentage of the site value of such land, or a combination of both).

- Clause 52.02 (Easements, Restrictions and Reserves) enables the removal and variation of an easement to enable a use or development that complies with the planning scheme after the interests of affected people are considered.

- Clause 52.06 (Car parking) seeks to ensure the provision of an appropriate number of car spaces having regard to the activities on the land and the nature of the locality. For dwellings, the Table requires one space to each one or two-bedroom unit and two spaces to each three or more bedroom unit. In addition, one visitor car space is required for every five dwellings.

- Clause 52.34 (Bicycle Facilities) seeks to encourage cycling as an alternative form of transport. In particular the Table states that for ‘dwellings’ one resident bicycle space is required for every 5 dwellings and for visitors, one space is required to each 10 dwellings (in a development of four or more storeys).

- Clause 52.36 (Integrated Public Transport Planning) seeks to ensure that development supports public transport usage and that the new development can easily access a safe, attractive network and that new development does not adversely affect the efficiency of the existing network.

- Clause 55 (Two or More dwellings on a lot and residential buildings) applies to an application to construct a residential building. These provisions do not apply to an application to construct a development of five or more storeys.

4.7 Other Key Planning Considerations

4.7.1 Sandringham Village Structure Plan

The Structure Plan identifies the site as forming a part of ‘Precinct 2- Bay Road and Station Street’ which in relation to the subject site seeks to “encourage a mixed use development on VicTrack land/Bus Depot adjacent to the station with basement car parking” and “encourage housing opportunities on the existing railway car park and adjacent bus depot with replacement car parking located underneath future buildings”. In terms of ‘actions’ it outlines:

"Work with VicTrack and the Department of Infrastructure to investigate options for the redevelopment of the Station car park in Harston Street and the adjacent bus depot for housing with the public car parking lost to..."
development provided underneath future housing. New buildings could look onto the existing platforms to increase the perception of safety*. More generally the Structure Plan seeks to provide increased housing densities and diversity of dwelling types within the centre.

4.8 Practice Notes

4.8.1 PPN30 - Potentially Contaminated Land General Practice Note, June 2005
This practice note provides guidance on managing land that is contaminated. It defines contaminated land and how it is considered in the planning scheme. The practice note also examines how potentially contaminated land is identified, what land uses or activities might indicate potential contamination, and what level of assessment is required.

Environmental Site Assessments has identified that there is potential for contamination at the Site, particularly underneath the former Tram Depot building. A Preliminary Site Investigation and Remediation Management Plan have been prepared in consultation with an Independent Environmental Auditor from ERM. The resolution of the remediation matter can be handled prior to the commencement of any sensitive uses thorough a condition on planning permit.

4.8.2 PPN46 - Strategic Assessment Guidelines, October 2013
Minister’s Direction No. 11 Strategic Assessment Guidelines requires a planning authority to evaluate and discuss how an amendment addresses a number of strategic considerations. This planning practice note explains what should be considered as part of the direction. A full assessment of the Planning Scheme Amendment against Ministerial Direction No. 11 is contained within Section 5.1 below.

4.8.3 PPN78 - Applying the Residential Zones, December 2013
This planning practice note provides information and guidance to councils about the purposes and features of the residential zones, how to apply the residential zones and the schedules to the residential zones.

The practice note specifies that applying the residential zones should be underpinned by clearly expressed planning policies in the planning scheme. The State Planning Policy Framework (SPPF) and Local Planning Policy Framework (LPPF) in the planning scheme should be the starting point for deciding whether the council’s strategic objectives are still valid and sound, or whether new strategic work is required. Alternatively, a council may have undertaken relevant strategic planning for their residential areas.

Table 1 of PN78 has been prepared to assist Council’s implementation of new residential zones when preparing a planning scheme amendment. Excerpts from Table 1 – those parts relevant to the Residential Growth Zone – are reproduced below.

<table>
<thead>
<tr>
<th>Residential Zone</th>
<th>Principles in Applying Zones</th>
</tr>
</thead>
<tbody>
<tr>
<td>RGZ</td>
<td>Enables new housing growth and diversity in appropriate locations</td>
</tr>
<tr>
<td></td>
<td>Likely Application: In appropriate locations near activity centres, town centres, train stations and other areas suitable for increased housing activity such as smaller strategic redevelopment sites</td>
</tr>
<tr>
<td></td>
<td>Principles can be deduced from the purposes of Zones (and should be considered together):</td>
</tr>
<tr>
<td></td>
<td>■ Locations offering good access to services, transport and other infrastructure</td>
</tr>
<tr>
<td></td>
<td>■ Areas which provide a transition between areas of more intensive use and development and areas of restricted housing growth</td>
</tr>
<tr>
<td></td>
<td>■ Areas where there is mature market demand for higher density outcomes</td>
</tr>
</tbody>
</table>

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PLANNING ASSESSMENT

5.1 Planning Scheme Amendment
This section of the planning report has been prepared in response to Section 3.1 of Ministerial Direction No. 11 under Section 12 (2)(a) of the Planning and Environment Act 1987. The purpose of the Strategic Assessment Guidelines is to provide a consistent framework for the evaluation of a proposed planning scheme amendment and the outcomes it produces. An assessment of the Planning Scheme Amendment against the Strategic Assessment Guidelines is provided below.

5.1.1 Why is an amendment required?
The Site has been sold by VicTrack (State owned Enterprise) to a private developer (Real Estate Concepts) as the land has been identified as surplus to the needs of VicTrack. On 8 August 2016, the land was sold to Real Estate Concepts, who is the proponent of this matter.

On account of the Site’s previous owner (VicTrack), the Site remains zoned for Public Use (PUZ4: Transport) which is no longer appropriate given the non-government owner of the Site.

It is proposed to rezone the Site to the Residential Zone, which will facilitate development of the Site for residential purposes in a medium density arrangement. The proposed zone will also allow the Site to be developed and used consistent with the purposes envisaged by the Sandringham Village Structure Plan.

5.1.2 How does the amendment implement the objectives of planning in Victoria?
The amendment implements the objectives of planning in Victoria, contained in Section 4 of the Planning and Environment Act 1987, in the following ways:

- Objective A: the amendment provides for the fair, orderly, economic and sustainable use and development of land as it facilitates a coordinated development in a strategically identified location and in a responsible manner through the implementation of an appropriate zone.
- Objective B: the amendment facilitates an efficient use of resources within an activity centre. This naturally reduces pressure on urban fringe development.
- Objective C: the amendment will secure and provide a pleasant and safe living environment.
- Objective D: the amendment does not modify the existing heritage controls affecting the Site.
- Objective E: the amendment will enable appropriate consolidation of the Site in accordance with state planning policy for activity centre development.
- Objective G: the amendment seeks to balance the present and future interests of all Victorians by facilitating capital investment in the Sandringham region and facilitating a high quality residential development.
5.1.3 How does the amendment address the environmental effects and any relevant social and economic effects?

The amendment will generate positive social and economic benefits through significant job creation in the construction industry and better meet community needs and demands for housing and associated uses. The focus on development of land near activity centres helps to make the best use of state and local infrastructure, and to improve access and equity to services. The amendment will facilitate the provision of housing in close proximity to employment opportunities and the Principal Public Transport Network which will reduce the reliance on personal motor vehicle trips.

The amendment ensures the environmental condition of the land is properly investigated and managed in accordance with the Environmental Protection Act 1970.

5.1.4 Does the amendment comply with the requirements of any other Minister’s Direction applicable to the amendment?

The amendment is consistent with the Ministerial Direction on the Form and Content of Planning Schemes under Section 7(5) of the Planning and Environment Act 1987. It also meets the requirements of the following relevant Ministerial Directions, in the following ways:

- **Ministerial Direction No.1 – Potentially Contaminated Land** by seeking to have this matter resolved through a condition on permit given the remediation strategy currently being pursued.
- **Ministerial Direction No.9 – Metropolitan Strategy** by rezoning the land to enable infill development consistent with the activity centre initiatives contained within Plan Melbourne.

5.1.5 How does the amendment support or implement the State Planning Policy Framework?

The amendment upholds the principles and objectives of the State Planning Policy Framework. It has the potential to contribute to the state economy and enhance the offering of residential facilities within Bayside without affecting the valued visual attributes that underpin the significance of Sandringham and its foreshore.

In particular, the amendment implements key policy directions of the SPPF by:

- Facilitating higher density residential development within an activity centre to maximise the significant investment that has already been made in existing infrastructure and services.
- Facilitating urban renewal on underutilised land directly adjacent to a railway station.
- Supporting the role and function of the centre by increasing its catchment size.
- Reducing the number of private motorised trips by concentrating activities that generate high numbers of (non-freight) trips in highly accessible activity centres.
- Improving the social, economic and environmental performance and amenity of the activity centre by remediating and activating the Site.
- Providing serviced land for urban growth.
- Reducing the cost of living by increasing housing supply near services and public transport.
- Facilitating the supply of housing that is affordable.
- Enhancing the noise and air quality of the neighbourhood by converting a commercial site into a residential site.
- Enabling new development that can contribute to community and cultural life by improving safety, diversity and choice; the quality of living and working environments, accessibility and inclusiveness and environmental sustainability.
- Facilitating development within an existing urban area rather than on the fringe.
- Not impacting upon places of Aboriginal cultural heritage significance.
- Promoting new housing in or close to activity centres and employment corridors, to meet the community’s needs in terms of housing.
- Identifying a strategic redevelopment site.
- Coordinating improvements to public transport, walking and cycling networks with the ongoing development and redevelopment of the urban area.
- Concentrating key trip generators such as higher density residential development in and around Central Activities Districts, Principal, Major and Specialised Activity Centres on the Principal Public Transport Network.
- Providing safe, convenient and direct pedestrian and cycling access to activity centres, public transport interchanges and other strategic redevelopment sites.
5.1.6 Does the amendment support or implement the LPPF? If not, how is the LPPF proposed to change?

The amendment supports the objectives and strategies of the Local Planning Policy Framework. No changes are required to the LPPF to facilitate the redevelopment of the site for residential purposes.

In particular, the amendment implements key policy directions of the LPPF by:

- Managing population growth by ‘unlocking’ underutilised land within an activity centre that is fit and ready for residential development.
- Enabling smaller and denser dwellings to be constructed to meet the changing needs of the community.
- Protecting environmentally significant areas of the municipality by directing population growth to a site that is relatively unconstrained and ripe for redevelopment.
- Supporting and strengthening the local economy through future construction and the ultimate population spending in the area.
- Protecting the quality and character of the urban environment through the retention of the existing overlay controls that manage heritage and built form.
- Enabling residential development within an area identified on Map 2: Residential Strategic Framework Plan as ‘Key Focus Residential Growth Area’.
- Enabling new medium density housing to occur in Major Activity Centres, residential opportunity areas, particularly those with good access to public transport routes as identified in the Residential Strategic Framework Plan.
- Enabling a range of suitable accommodation options, including for older people.
- Delivering increased housing densities and diversity of dwellings within activity centres.
- Enabling redevelopment of larger sites for higher density residential dwellings.
- Enabling the conservation and restoration of the existing Victorian-era building that is of architectural and heritage significance.
- Enabling transit oriented development in accordance with the Sandringham Village Structure Plan.

5.1.7 Does the amendment make proper use of the Victoria Planning Provisions?

The Amendment makes proper use of the VPPs. It includes amendments to the Bayside Planning Scheme which seek to implement transit oriented development as entrenched within Plan Melbourne and the Sandringham Village Structure Plan.

The application of the Residential Growth Zone on the Site will allow for housing at increased densities.

5.1.8 How does the amendment address the views of any relevant agency?

The views of relevant agencies have been sought and considered through the preparation of the planning scheme amendment. Of most importance have been the views of VicTrack and PTY with respect to the status of the existing easements and their future intentions with the Site. PTY and VicTrack have previously advised that:

- They support the rezoning and future redevelopment of the Site for residential purposes.
- There are no intentions to acquire part or all of the land in the future for train stabling or duplicating existing platforms at the Sandringham Railway Station.
- The retention of Easements areas E-1, E-2 and E-5 that run parallel with the western boundary may be required.

The proposed development has sought to address these matters by ensuring that no part of the proposed buildings are constructed over Easement E1, E2 and E5, while an realignment of Easement E-2 is also proposed.

The exhibition of this amendment will provide a formal opportunity for all relevant stakeholders to provide comment on the proposal.

5.1.9 Does the amendment address the requirements of the Transport Integration Act 2010?

The amendment complies with the relevant requirements of the Transport Integration Act, specifically Part 2, Division 2, 11 – Integration of transport and land use.
5.1.10 What impact will the new planning provisions have on the resource and administrative costs of the responsible authority?

The rezoning of the Site to a residential zone will enable the consideration of planning permit applications for residential use and development. This will place some additional demand on resourcing. Importantly, and as articulated earlier in this report, the proponent is seeking a planning permit as part of this process.

The consolidation of both the planning scheme amendment and the planning permit application will reduce long term resource and administrative burden on the Responsible Authority.

5.2 Planning Permit Application

The merits of the planning permit application are assessed below.

5.2.1 Is the planning permit application consistent with planning policy?

Plan Melbourne reinforces the importance of encouraging higher density residential development within activity centres to maximise the significant investment that has already been made in existing infrastructure and services, and to facilitate housing affordability and control the cost of living. This has been an historic state government planning principle that has underpinned an array of past metropolitan planning strategies.

The planning permit application is supported by Plan Melbourne by unlocking an underutilised development site within an activity centre that is fit and ready for residential development. Essentially, the planning permit application will increase the supply and variety of housing at this strategic location, supporting the state’s progress towards increased affordability, inclusiveness, sustainability of housing, and integration between land use and transport planning.

The locational characteristics of the Site, coupled with its size and configuration, determine that it is a strategic redevelopment site under the SPPF. The planning permit application realises its obvious opportunity for more intensive development by providing a more compact and denser residential outcome.

At a local level, the planning permit application is supported by the Sandringham Village Structure Plan which seeks to encourage development of the Site. The LPPF recognises that the city has a relatively high proportion of elderly individuals, and is experiencing a declining trend in household size. This places pressure on housing supply and emphasises the need for accessible services. The planning permit application will help the city respond to these trends, by contributing to housing diversity and intensification within a major activity centre. By providing increased housing in an activity centre, the planning permit application also supports the city's environmental aspirations, providing residents with the opportunity to access quality public transport and amenities without use of a private vehicle. Care has also been taken to ensure the neighbourhood character values of the adjoining residential hinterland is respected by adopting a quality design that responds to the existing unique housing stock in the area by being compact and not unreasonably high or bulky.

The RGZ1 is a residential zone that, amongst other things, seeks “to provide housing at increased densities in buildings up to and including four storey buildings”. Under this zone, the proposed use of the land for a “dwelling” as-of-right, meaning no permit is required for its use.

5.2.2 Does the planning permit application provide a satisfactory site-responsive design?

The planning permit application seeks approval for three separate buildings (joined by a shared driveway) that comprise a total of 30 apartments. The appropriateness of the design response must be assessed against Clause 55 given the residential nature of the proposal and the height of each building being less than five storeys. An assessment matrix against the various objectives and design standards of this provision is provided at Appendix 1.

In summary, it is submitted that each building and the overall design response is an appropriately site-responsive design as:

- It is respectful to neighborhood character through the provision of a height and scale that is not going to dominate or affect the way in which Harston Street or the balance of the activity centre is experienced, particularly in the context of its immediate abutments.
- Provides a range of housing options that will appeal to different demographics and sectors of the housing market.
Adopts appropriate boundary setbacks that would contribute positively to the preferred future character of the activity centre, in particular DDO8 (discussed further below).

Provides opportunities for sufficient and meaningful planting to occur throughout the site.

Satisfies private open space requirements through the provision of balconies and roof top decks.

Consolidates access to an existing crossover.

Provides side setbacks that are sympathetic to the existing context.

Adaptively reuses and seeks to retain existing heritage fabric as part of the design response.

Incorporates screening and architectural measures to reduce off-site amenity impacts.

The façades include vertical, horizontal, and materiality articulation providing for an attractive piece of architecture.

5.2.3 Is the planning permit application consistent with the intent of DDO8?

DDO8 sets a series of design objectives that apply across the Sandringham Village Major Activity Centre. It also sets some preferred built form outcomes for specific areas.

The site is located within Precinct C, which sets a preferred maximum building height of 11 metres (3 storeys).

The DDO suggests that all buildings and works requiring a permit should meet the design objectives and design requirements of the schedule, and further suggest that an application to exceed the preferred maximum building height should demonstrate achievement of the relevant design objectives and built form outcomes of the schedule. The assessment below focuses on the specific design objectives and design requirements of the DDO and outlines the proposals positive response to these provisions.

Design Objectives

The proposal delivers an overall building height of 3-4 storeys, which is consistent with objective “to ensure that the height of new development is compatible with the preferred future role and character of Sandringham Village Major Activity Centre”.

The proposal retains and adaptively reuses significant heritage fabric, which is consistent with the objective “to develop the centre in a way that conserves and enhances its valued urban character and heritage places”.

The proposal provides areas for sufficient and meaningful landscaping, which is consistent with the objective “to maintain a strong landscape character with residential buildings set within vegetated front gardens and streetscapes in the residential precincts”.

Building Height

The proposal comprises three buildings which range from 3-4 storeys in height. The appropriateness of each is discussed below.

Building 1 (northern most building)

This building is 12.8 metres to 13.5 metres in height (depending on where the measurement is taken from). This exceeds the preferred building height specified in DDO8 by 1.8 metres to 2.5 metres and the number of storeys by one (refer to Figure 7).

![Figure 7 - Overall building height of Building 1.](image-url)
A building height variation is acceptable in this instance for the following reasons:

- Apart from a portion of the eastern interface that contains an adjoining dwelling, Building 1 does not have any sensitive interfaces that warrant a moderated built form outcome.

To the north is a car park, to the west is the Sandringham Train Station and to the south lies the former Tram Depot, which is proposed to be adaptively reused as part of this application.

With respect to the adjoining dwelling to the east (2 Sandringham Road), it is set back in the order of 7.8 metres from the shared boundary and in the order of 11.5 metres to 13 metres to Building 1 (measured from the edge of the existing windows).

In the 7.8 metre setback to the shared boundary lies a common driveway that services the existing dwelling, as well as a number of other dwellings at the rear. The common driveway, which is lined with established trees and shrubs on both sides, provides a natural visual and physical buffer to the Site. This, together with the proposed boundary setbacks and the provision of landscaping within the Site, reduces the sensitivity of the interface and any potential for visual impact. It is important to note that the urban design advice from Cr Hanssen Partnership (included with the application) and Council's independent urban design prepared by David Lock & Associates support the proposed Building 1 height and its eastern boundary setbacks.

- The height and scale of Building 1 does not cause adverse impacts on Harston Street / Sandringham Road. The Site has a frontage to Harston Street / Sandringham Road of 35 metres and of this frontage, only 14 metres is opposite a residential lot (1-3 Sandringham Road). The three-storey building on 1-3 Sandringham Road presents to both Harston Street and Sandringham Road, however, it is set back in the order of 7 metres from Sandringham Road.

Building 1 is set back in the order of 19 metres to 20 metres to the western boundary of 1-3 Sandringham Road and in the order of 22 metres to 23 metres to the existing three-storey building on that land. The separation distances between the existing three-storey building and the proposed Building 1 are significant and mitigate any potential for visual impact.

- The height and scale of Building 1 does not unreasonably overshadow the adjoining existing dwelling or the private open space of 2 Sandringham Road. Given the orientation of the Site and it being located to the west of 2 Sandringham Road, the potential for overshadowing is limited to afternoon hours only.

The accompanying overshadowing diagrams show the shadow cast by Building 1 is limited to the common driveway (2pm at the equinox) and partly on the existing house (3pm at the equinox). The private open space of the existing dwelling will not be impacted by Building 1.

With respect to daylight to the dwelling's existing windows, it is noted that the setbacks comply with Standard S19, which calls for new walls more than 3 metres in height to be set back from an existing window by at least 50 per cent of the height of the new wall.

- The Site is an isolated parcel of land within the Activity Centre that has a clear ability to handle a four storey form without compromising the amenity of and visual quality of the activity centre.

The issue of building heights within the Sandringham Village Major Activity Centre was tested and comprehensively considered through Amendment C100. In this amendment, a Planning Panel chaired by Ms Kathy Mitchell held:

**Bayside MACs, like all MACs, are intended to provide for more intensive (and taller) development than currently exists, and that the preservation of existing character is not a key consideration.**

In a general sense, it is clear that the four MACs are intended to provide for change and that the Amendments, particularly the DDO schedules, should facilitate that change. Preserving existing character is not a primary consideration and should not be used as a reason to constrain development. While this might be unpalatable to Council and some members of the community, this is what is required by the Bayside Planning Scheme.

It makes no sense to apply a three-storey maximum height to areas of existing or approved development that are higher than three storeys and which by their location, configuration, or site have been deemed suitable for such development. In addition to these sites, there are other sites that have potential for redevelopment at heights greater than three storeys.
In this context, it is considered that the scale and bulk of the proposed Building 1 is acceptable in order to achieve a reasonable balance between character of the area and allowing for more robust forms. It should also be noted that the neighbouring sites to the east are in Precinct E and as such have a preferred height of 11 metres or three storeys and properties. The development of the Site at four storeys will in no way be out of context when considering the future development pattern of land to the east.

- The proposed variation in building height is justified against each of the relevant ‘variations to the requirements of this schedule’. In particular:
  - The application meets the relevant design objectives (discussed above)
  - The application achieves a high standard of architectural standard as discussed in Section 3.2 of this report
  - The application provides an exceptional environmental outcome (discussed further in Section 5.2.8 of this report)

**Building 2 (former Tram Depot building)**

This building has an overall height of 11.7 metres in height (top of the roof-top canopy). This exceeds the preferred height specified by DOO8 by 0.7m, but not the number of storeys (refer to Figure 8).

![Building 2 with roof-top canopy](image)

**Figure 8 – Overall building height of Building 2**

A building height variation is acceptable in this instance for the following reasons:

- The design response allows for the retention, repair and adaptive reuse of the former Tram Depot building. Any minor variation to building height should be considered in the context of the social, historical and architectural benefits associated with retaining and repurposing the building.
- The extent of built form greater than 11 metres in height is limited to the roof-top canopies only. The balance of the building measures in the order of 8.9 metres to 9.7 metres in height (depending on where the measurement is taken from).
- With respect to the roof-top canopies, these features measure 3.5 metres in length (measured in a north-south direction). When all five roof-top canopies are grouped together, the overall length equates to 17.5 metres (measured in a north-south direction). This represents 40% of the building’s overall length, which is considered negligible given the extent and the lightweight nature of the feature.
- The proposed additional height and scale of Building 2 does not unreasonably overshadow the adjoining existing dwellings or the private open spaces to the immediate east. Given the orientation of the Site and it being located to the west of the existing dwellings to the east, the potential for overshadowing is limited to afternoon hours only.
- The accompanying overshadowing diagrams show the additional shadow cast by Building 2 is limited to private open space areas (from 2pm at the equinox) and partly on the existing house (from 3pm at the equinox). The impact is not considered unreasonable given the Site’s location within an activity centre and the inherent development outcome expected for it as a means of releasing population and development stress from the residential hinterlands of Bayside and beyond.
- The proposed variation in building height is justified against each of the relevant ‘variations to the requirements of this schedule’. In particular:
  - The design response meets the relevant design objectives (discussed above)
  - The design response achieves a high standard of architectural standard as discussed in Section 3.2 of this report.
The design response provides an exceptional environmental outcome (discussed further in Section 5.2.8 of this report).

The design response respects the heritage significance of the former Tram Depot building (discussed further in Section 5.2.4 of this report).

Building 3 (southern most building)

This building has an overall height of 12.5 metres to 13.2 metres (depending on where the measurement is taken from). This exceeds the preferred height specified by DDO8 by 1.5 metres to 2.2 metres (depending on where the measurement is taken from) and number of storeys by one (refer to Figure 9).

A building height variation is acceptable in this instance for the following reasons:

- Apart from the eastern interface that contains a three-storey mixed use building, Building 3 does not have any sensitive interfaces that warrant a moderated built form outcome.
- The adjoining three-storey residential building to the east (9-11 Bay Road) presents strongly to the shared boundary via a sheer two-storey boundary wall. There are some balconies which have direct outlook to the Site, these are found at Levels 1 and 2 only.
- The proposed Building 3 is set back in the order of 4.7 metres to 6.4 metres the edge of the balconies of the adjoining building (depending on where the measurement is taken from). This physical separation between the buildings, coupled with the highly articulated nature of the proposed building reduces the potential for visual impact.
- The overall height of Building 3 is similar to the overall height of the three-storey residential building to the east.
- The proposed variation in building height is justified against each of the relevant ‘variations to the requirements of this schedule’. In particular:
  - The design response meets the relevant design objectives (discussed above)
  - The design response achieves a high standard of architectural standard as discussed in Section 3.2 of this report.
  - The design response provides an exceptional environmental outcome (discussed further in Section 5.2.8 of this report)

Building Setbacks

Whilst the Site is located within the Commercial Precinct, the proposed Planning Scheme Amendment will convert the land into a Residential Zone. Despite this, the discretionary setbacks set out in DDO8 for land in a Commercial Zone are considered relevant in this instance given the Site’s locality in the core of the activity centre.

Front Setbacks

DDO8 specifies a building should not be set back from the front or side boundary, except at third floor or above, where buildings should be set back a minimum of 5 metres from the front street boundary and any street boundary adjacent to a Residential Zone.
Whilst the Site has a small frontage to Harston Street, it is not a traditional commercial, or residential, frontage. For this reason, the application has adopted a varied street setback condition that takes a cue from the existing residential characteristics of Harston Street. Building 1 is set back in the order of 4 metres to 5.2 metres from Harston Street. This is consistent with the prevailing residential front setback of Harston Street.

Within this setback will be hard and soft landscaping.

Side Setbacks
The Site is located within Precinct C of the Sandringham Village Major Activity Centre set out in DDO8.

Whilst the Site is not zoned Commercial 1 Zone, it is nonetheless located within the same precinct as commercial zoned land fronting Bay Road. Therefore for assessment purposes, it is considered that the DDO8 setback requirements for commercial precincts is applicable for the proposed development.

DDO8 specifies that where the site abuts the boundary of a property containing a dwelling and located in a Residential Zone, the minimum setbacks from the title boundary of that property should be:

- 3m at ground floor
- 5m at 1st floor
- 10m at 2nd floor
- 15m at 3rd floor or above.

As described above, both Buildings 1 and 2 abut dwellings in a Residential Zone.

With respect to Building 1, the adjoining dwelling to the east (2, Sandringham Road) is set back in the order of 7.8 metres from the shared boundary and in the order of 11.6 metres (Ground to Level 2) to 13.5 metres (Level 3) to Building 1 (measured from the edge of the existing windows). Given the setback within 2 Sandringham Road is a common driveway, the setback adopted within the Site are appropriate and in the spirit of DDO8 despite the variation from the above setback requirements.

With respect to Building 2, the proposed building envelope is fixed as a consequence of the retention of the former Tram Depot building. The setbacks adopted to the upper levels of Building 2 are recession and fully compliant with Standard B17 of ResCode. In light of this and the social, historical and architectural benefits of retaining the building, a variation to these setback requirements is appropriate.

The eastern side setbacks proposed for Building 3 are significantly greater than the existing boundary setbacks (or lack thereof) of the adjoining mixed use building directly to the east of Building 3. It is also worth noting that the requirements of Standard B17 are achieved by Building 3.

Rear Setbacks
DDO8 is silent on setbacks from the rear boundary. Notwithstanding this, the rear setbacks adopted within the Site have been determined by the need to avoid building over Easement E1, E2 and E5 and through an architectural and amenity impact review. The setbacks ensure that there is sufficient space between buildings on the Site for light and air. With respect to the setbacks adopted to the southern boundary, Building 3 has been set back in such a way that it does not constrain the equitable development outcome of the properties that face Bay Road.

5.2.4 Does the planning permit application provide an appropriate heritage response?
The key heritage element on the Site is the former Tram Depot building that was built in 1919. Buildings on the surrounding adjacent properties generally present side or rear elevations to the Site, largely screening it from public view.

It is proposed to demolish minor service buildings on the Site and incorporate the majority of the 1919 Depot building into a residential development of three level levels.

An assessment of the proposal against the Site’s Statement of Significance has been undertaken by Bryce Raworth. The assessment has concluded (extract only):

“…the works achieve an appropriate balance between retaining original fabric and enabling the on-going, more intensive use of the retained building and the site. With respect to demolition and reconstruction at the northern end, while Council policy and heritage practice would normally discourage this extent of change, in this case the demolition is necessary because of contamination which needs to be removed to allow for the repurposing of the structure.”
5.2.5 Does the planning permit application create any unreasonable amenity impacts?
The Site’s location within the core of the activity centre means that there are limited opportunities for off-site amenity impacts.

**Overshadowing**
To the east of the Site are some existing dwellings that will be slightly impacted from afternoon shadow. The impact on these dwellings and their associated private open spaces is considered reasonable given the extent of overshadowing caused.

The balconies of the dwellings at 9-13 Bay Road along the east of the Site will also be affected by shadow in the late afternoon. The extent of shadow cast on these spaces due to the orientation of balconies at 9-13 Bay Road, these balconies only receive daylight in the afternoon. In Nial Wothorsson v Boroondara City Council [2012] VCAT 3312, the Tribunal held that maintaining a minimum of one and half to two hours of sunlight at the equinox in development situations like the one being contemplated at the Site is an appropriate outcome.

The amended plans demonstrate that shadow is only cast on the existing Level 1 balconies from 2:00pm at the equinox, which allows two hours of direct light from Noon. Balconies on Level 2 will not be affected by the development. It is also important to note that this property is located within the Commercial 1 Zone and cannot expect the same level of amenity as land within a residential zone.

**Overlooking**
The planning permit application includes screening devices to prevent overlooking into adjoining private open spaces and habitable room windows. Internal overlooking between dwellings is prevented through the orientation of living rooms being directed away from opposite dwellings. Where necessary, overlooking screens have been incorporated.

**Noise**
It is considered that the noise emitted from the proposed use would be less than that currently emitted by the current use of the Site as a bus depot.

As for waste collection and its associated impact, the planning permit can require the preparation and implementation of a Waste Management Plan. It is intended to manage waste via a private contractor.

5.2.6 Is the realignment of Easement ‘E2’ appropriate?
As part of this development of the Site, it is proposed to realign the section of Easement ‘E2’ that runs diagonally through the Site to a location that runs parallel with the northern boundary of the Site. Importantly the proposed development does not involve the construction of buildings over Easement areas of E1, E2 and E5 that run parallel with the western boundary of the Site.

The role and function of each easement can be secured as part of this application.

5.2.7 Is the planning permit application consistent with the Better Apartments Design Standards?
Whilst not strictly applicable to the proposed development, an assessment of the proposed apartments against the Better Apartment Design Standards has been undertaken and the proposal is consistent with the Design Standards for the following reasons:

- The apartments provide functional and spacious areas that will meet the minimum internal room dimensions at Table 1 and Table 2.
- The single aspect habitable rooms have been designed to allow for adequate access to daylight and will have a ceiling height of at least 2.7 metres.
- Ample internal and external storage will be provided to each apartment. Specifically, each apartment will be provided with 7 cubic metres of external storage within the basement.
- The proposed buildings have been designed to reduce fossil fuel energy use and will utilise access to daylight and solar energy.
- The communal open space areas are largely orientated to the west of the Site to utilise the afternoon sun and will ensure that the area will receive a minimum of two hours of sunlight between 9am and 3pm on 21 June.
Private open spaces for each apartment will comply with the required minimum dimensions prescribed at ‘Table 1: Balcony size’. All ground floor apartments will exceed the minimum dimensions for ground floor open space areas.

- The development will provide 367 square metres of communal open space, including a lap pool, gymnasium and barbecue facilities.
- Entrances to Building 1 and Building 3 will be visible and easily identifiable and will provide for safe and efficient movement of residents.

5.2.8 Does the planning permit application provide adequate car parking and bicycle facilities?

- The proposed development generates a statutory parking requirement of 49 spaces, including 43 resident and six visitor spaces.
- The proposed provision of 43 resident car spaces meets the statutory requirement.
- A car parking demand assessment anticipates a peak visitor car parking demand of four spaces.
- The proposed provision of five visitor car parking spaces meets the anticipated peak visitor car parking demand of four spaces.
- Notwithstanding, a minimum of 79 and 177 on-street vacancies were recorded in the vicinity of the site on a Tuesday and Saturday respectively.

- The proposed parking layout is generally consistent with the dimensional requirements as set out in the Bayside Planning Scheme and/or Australian/New Zealand Standards for Off Street Car Parking (AS/NZS2890.1:2004).
- The provision of 33 bicycle parking spaces exceeds the statutory requirement of nine spaces.
- The site is expected to generate up to 18 and 180 vehicle movements in any peak hour and daily respectively.
- There is adequate capacity in the surrounding road network to cater for the traffic generated by the proposed development.

5.2.9 Does the planning permit application address environmental issues?

ESD

The higher density residential development of this Site integrated with the public transport network will facilitate an efficient use of resources. This will contribute to a reduction in the use of motor vehicles and therefore minimise greenhouse gas emissions. An ESD assessment of the design response has been undertaken by GIW Environmental Solutions and enclosed with the application and confirms that proposal would meet best practice ESD standards.

Contamination

A statement of environmental audit is required prior to the use commencing. This is to be addressed via a permit condition.

5.2.10 Does the planning permit application deliver a net community benefit?

- The provision of a smaller and more affordable housing product to meet the current demands of the Sandringham / Bayside housing market.
- The provision of additional resident population to Sandringham which will further support the function and role of the activity centre.
- The revitalisation of an underutilised site within an activity centre.
- Significant increase in both local and regional economic activity and employment. In particular the direct and indirect employment associated with the construction phase.
- Financial benefits for the broader community that can accrue from the conversion of underutilised land into a more productive use. These financial benefits are reflected in the rates and taxes payable to Government (all tiers) as a direct result of the development process and subsequent productivity (employment and commercial activity) that occurs within a development upon completion.
- Increase the amenity of Harston Street and the environs of the Sandringham Train Station.
- The creation a buffer and screens to the Sandringham Rail Line when viewed from the east.
- The creation of an acoustic screen to dwellings to the east of the Site.
- The provision of an attractive piece of urbanism that will define the commercial and civic heart of the Sandringham Activity Centre.
CONCLUSION

This report has detailed a combined planning scheme amendment and planning permit application made under Section 96a of the Planning and Environment Act 1987 for Real Estate Concepts.

The proposed rezoning and planning permit application is underpinned by state and local planning policy. It represents well-considered urban consolidation that will reduce pressure on fringe development and areas not fit and ready for increased density.

Council is respectfully requested to forward this rezoning request to the Minister for Planning pursuant to section 9(2) of the Planning and Environment Act 1987 to seek authorisation to formally prepare and exhibit the amendment.
APPENDIX 1 – CLAUSE 55 ASSESSMENT
### Planning Assessment of Development Proposal

<table>
<thead>
<tr>
<th>Key Planning Standards to be Met</th>
<th>Compliance</th>
<th>Applicant's response</th>
<th>Officer's Response</th>
</tr>
</thead>
<tbody>
<tr>
<td>DDO8 Preferred Building Height of 11m</td>
<td>No. All buildings are above 11m.</td>
<td>Site only has one residential interface to the east. Hence variation is justified.</td>
<td>Agreed. The site is suitably located to accommodate a higher built form. It is within the core of the Sandringham Village MAC and is abutted by commercial or non-residential land to the north south and west.</td>
</tr>
<tr>
<td>RGZ Building Height max should be 13.5m</td>
<td>Yes.</td>
<td>The buildings have been designed to comply with a maximum building height of 13.5m. For Building 1, the height is measured in accordance with provisions for sites covered by an SBO.</td>
<td>The size and scale of 3 and 4 storey apartments and townhouses proposed are in keeping with the scale and height of buildings allowable within the vicinity of the site which is located within the core of the Sandringham Village MAC.</td>
</tr>
<tr>
<td>Street setback Cl.55</td>
<td>Yes</td>
<td>Standard B6 of Cl.55 is met.</td>
<td>Agreed.</td>
</tr>
<tr>
<td>DDO8 third storey front setback</td>
<td>No. 8m required 5.1m provided.</td>
<td>Site is on a corner next to a public car park. Hence, there is no established streetscape.</td>
<td>Agreed. Recessed front upper levels would not be visible from Sandringham Road. Since the site adjoins a public car park on Harston Street, a recessed upper level is not warranted. The front setback complies with Cl.55 (state controls) of the Planning Scheme, therefore the front setback provided is considered appropriate.</td>
</tr>
<tr>
<td>DDO8 roof deck setback from wall of the storey below</td>
<td>No. 2m required, 1m provided.</td>
<td>Not addressed</td>
<td>Variation is appropriate. The roof decks face the railway station to the west and will not impact on the privacy of any adjoining residential properties.</td>
</tr>
<tr>
<td>Other DDO8 standards</td>
<td>Yes</td>
<td>Not required</td>
<td>Agreed.</td>
</tr>
<tr>
<td>Key Planning Standards to be Met</td>
<td>Compliance</td>
<td>Applicant’s response</td>
<td>Officer’s Response</td>
</tr>
<tr>
<td>---------------------------------</td>
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<td>--------------------</td>
</tr>
<tr>
<td>Rear and Side boundary setbacks Cl 55 of Planning Scheme</td>
<td>Yes. Building 2 and 3. No. Building 1. Building 1 eastern boundary setback @ 3rd floor provides 6m, b/n 7m-8m is required. All north and southern boundary setbacks either comply or comply on average.</td>
<td>Applicant states all side boundary setbacks comply with standards of Cl 55. The fourth storey (3rd floor) of Building 1 has been redesigned to increase its setback from the eastern boundary.</td>
<td>Disagree. The non-complying eastern boundary setback of Building 1 abuts a common driveway serving seven units of an existing multi-unit site at 2 Sandringham Road. Hence no private open space is affected by the reduced setback. The closest dwelling abutting the eastern side boundary at 1/2 Sandringham Road is well separated from the eastern boundary. The site is significantly constrained by easements along all boundaries which limits available redesign options to achieve compliance.</td>
</tr>
<tr>
<td>Site Cover in RGZ of 60%</td>
<td>Yes</td>
<td>Complies, 53% site cover is provided</td>
<td>Agreed</td>
</tr>
<tr>
<td>Permeability above 20%</td>
<td>Yes</td>
<td>Complies, 24% permeability is provided</td>
<td>Agreed</td>
</tr>
<tr>
<td>Habitable Room Windows Access to Daylight (ie. 3mx1m light court available and habitable windows setback a distance of 50% of wall heights above 3m)</td>
<td>Yes</td>
<td>Complies</td>
<td>Agreed</td>
</tr>
<tr>
<td>Overshadowing of private Open Space</td>
<td>No. The secluded private open space of units 7 and 6 at 2 Sandringham Road will not receive 5 hours of sunlight to 46sq.m with minimum dimension of 3m or 75% b/n 9.00am &amp; 3.00pm on 22 September.</td>
<td>Complies. Properties to the east mostly affected by overshadowing will still receive 5 hours of sunlight b/n 9.00-3.00pm. Overshadowing occurs from 2.00pm.</td>
<td>Disagree. Due to the limited private open space provided to existing properties to the east they currently do not receive the minimum of 5 hours of sunlight in the amount specified in the standard. A comparison of existing overshadowing with that expected due to the development indicates they will not be a significant difference. Therefore variation is justified.</td>
</tr>
<tr>
<td>Key Planning Standards to be Met</td>
<td>Compliance</td>
<td>Applicant’s response</td>
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</tr>
<tr>
<td>---------------------------------</td>
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</tr>
<tr>
<td>Overlooking of neighbouring habitable room windows within 9m</td>
<td>Yes.</td>
<td>Views to habitable room windows of neighbouring properties have been minimised using opaque glass or privacy screens to B22 standards.</td>
<td>Excessive reliance of screening measures at upper levels suggests the design was not site responsive.</td>
</tr>
<tr>
<td>Overlooking of neighbouring open space</td>
<td>Yes.</td>
<td>Views to secluded private open space have been minimised using opaque glass or privacy screens to B22 standards.</td>
<td>Excessive reliance of screening measures suggests the design was not site responsive.</td>
</tr>
<tr>
<td>Open Space Access to sunlight</td>
<td>No. Some balconies within the development will not have adequate access to sunlight due to adjoining northern walls or facing south without the required width.</td>
<td>Not addressed</td>
<td>Variation justified.</td>
</tr>
<tr>
<td>Open Space provision</td>
<td>Yes</td>
<td>All apartments in Buildings 1 &amp; 3 have balconies that meet the minimum standards. The townhouses within Building 2 have roof terraces in excess of the requirements.</td>
<td>Agreed.</td>
</tr>
<tr>
<td>Internal Amenity</td>
<td>No. Kitchens next to bedrooms of abutting units in Buildings 1 and 3 may transmit noise.</td>
<td>Will comply with the Building Regulations.</td>
<td>Satisfactory</td>
</tr>
<tr>
<td>Integration with Street</td>
<td>Not standardised</td>
<td>Additional landscaping of the frontage to Harston Street has been shown on the plans.</td>
<td>Satisfactory</td>
</tr>
<tr>
<td>Car Parking Provision</td>
<td>Yes</td>
<td>A waiver for one visitor car space is sought.</td>
<td>Recently gazetted State Amendment VC148 reduced on site parking requirement for sites located on the Principle Public Transport Network (PPTN). Therefore parking provision now exceeds requirement. All visitor and resident car spaces will need to comply with relevant standards. A parking management plan is required. Sight distance at the main entrance needs to comply with relevant standards.</td>
</tr>
<tr>
<td>Key Planning Standards to be Met</td>
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</tr>
<tr>
<td>Access and Traffic Impacts</td>
<td>Yes</td>
<td>Traffic Assessment indicates proposal will not overload capacity of nearby streets. Shown on plans to be provided.</td>
<td>Agreed. Council standards to be met. Cost to be borne by applicant.</td>
</tr>
<tr>
<td>Waste provision and disposal. Storage facilities.</td>
<td>Yes</td>
<td>Waste Management Plan provided. Basement storage facilities are provided for all apartments.</td>
<td>Satisfactory</td>
</tr>
<tr>
<td>Environmental Sustainability</td>
<td>Yes</td>
<td>Environment Sustainability Plan provided.</td>
<td>Satisfactory</td>
</tr>
<tr>
<td>Site Responsive Design</td>
<td>Not Standardised</td>
<td>- Height and scale of proposal will not dominate the area. - Provides a range of housing options. - Provides side setbacks sympathetic to the existing context. - Retains and reuses heritage fabric of the old tram depot building and incorporates architectural screening and varied façade treatments to reduce off site amenity impacts.</td>
<td>- The height and scale of the proposal is considered appropriate given its location and west, north and south non-residential interfaces. - The response to the heritage values of the site is considered appropriate with some variation to the facade treatment required. - The site abuts single storey units along a large portion of the eastern boundary. Although separation between the new buildings is proposed the visual relief offered is compromised by hard surfaced areas and raised fencing. Only minor receding of upper levels is proposed and articulation is provided by façade treatments rather than by receding of walls. Similarly overlooking is treated by screening rather than by building articulation. Further measures to reduce building bulk and massing from the east may be sought.</td>
</tr>
</tbody>
</table>
Amendment C144 and Planning Application for Development at 10 Harston Street Sandringham

Potential Planning Permit for development of 30 dwellings, works, including part demolition of a heritage building and relocation of easement (E2).

1. Before the development starts, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and three copies must be provided. The plans must be generally in accordance with the advertised plans prepared by Moull Murray but modified to show:
   a) the original multi panelled timber windows in the west and east façade of the former depot building restored or reinstated;
   b) a detailed plan of a typical restored window;
   c) increased eastern side boundary setback of walkway adjacent to Building 2; and
   d) lower finished floor level of walkway adjacent to Building 2;

to the satisfaction of the Responsible Authority.

(further modifications to condition 1 may be added following public exhibition)

2. The layout of the site and the size, levels, design and location of buildings and works shown on the endorsed plans must not be modified for any reason (unless the Bayside Planning Scheme specifies that a permit is not required) without the prior written consent of the Responsible Authority.

3. Before the occupation of the site commences or by such later date as is approved in writing by the Responsible Authority, all buildings and works must be carried out and completed to the satisfaction of the Responsible Authority.

4. The construction materials, external finishes and colours shown on the endorsed plans must not be modified without the prior written consent of the Responsible Authority.

5. No plant, equipment, services or architectural features other than those shown on the endorsed plans are permitted above the roof level of the building/s without the written consent of the Responsible Authority.

6. All pipes (excluding downpipes), fixtures, fittings and vents servicing any building on the site must be concealed in service ducts or otherwise hidden from view to the satisfaction of the Responsible Authority.

7. Before occupation, screening of windows including fixed privacy screens and fixed windows shown on the endorsed plans shall be installed and maintained to the satisfaction of the Responsible Authority thereafter for the life of the building.
Amendment C144 and Planning Application for Development at 10 Harston Street Sandringham

Car parking and Access

8. Before the occupation of the development starts, the area(s) set aside for vehicle parking and access ways must be constructed, drained and line marked to the satisfaction of the Responsible Authority. Such areas must be kept available for these purposes at all times.

9. No fewer than 48 car spaces must be provided on the land for the development, including 5 spaces set aside and clearly marked for visitor parking.

10. Before occupation of the development starts, new or altered vehicle crossing(s) servicing the development must be constructed to the satisfaction of the Responsible Authority and any existing disused or redundant crossing or crossing opening must be removed and replaced with footpath/nature strip/kerb and channel, to the satisfaction of the Responsible Authority.

11. The developer shall bear the cost of reinstating/relocating Council assets to provide the required access to the development.

12. Before occupation of the development starts the footpath shall be installed in between the proposed new vehicle crossing and Sandringham Road. The new footpath needs to be installed in accordance with relevant Council’s standards.

13. Before the use starts, a traffic and parking management plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. The plan shall show:
   a) allocation of parking spaces to individual dwellings;
   b) details of any proposed access controls;
   c) access will be available for visitors to enter through the common aisle for garages;
   d) installation of all relevant traffic directional arrows in accordance with relevant Australian Standards;
   e) installation of a convex mirror at the 90-deg bend in the access way (i.e. further to the west of Harston Street) to view oncoming motorists;
   f) all column locations and headroom clearances complying with relevant sections of the AS2890.1;
   g) that all proposed car spaces (including tandem car spaces) double garages and garage door openings comply with relevant AS2890.1 or the relevant planning scheme provision; and
   h) sight distance at the main entrance to the site complies with AS2890.1 or the planning scheme.

When approved, the plan will be endorsed and will then form part of the permit.

Stormwater Management

14. Before the development starts, the permit holder must apply to Council for the Legal Point of Discharge for the development from where stormwater is drained under gravity to the Council network.

15. Before the development starts, detailed plans indicating, but not limited to, the method of stormwater discharge to the nominated Legal Point of Discharge and On-Site Detention System where applicable must be submitted to and approved by Council’s Infrastructure Assets Department.
Amendment C144 and Planning Application for Development at 10 Harston Street Sandringham

16. Any proposal to encroach into the drainage easement will require Build Over Easement consent from the Responsible Authority/Authorities. The works shall be partially demountable over the easement, and the proposal shall require a Section 173 agreement to be created on the property title to ensure the continuation of Council rights of drainage.

17. Before the development starts, an amended landscape plan to the satisfaction of the Responsible Authority must be submitted to and endorsed by the Responsible Authority. The plans must be generally in accordance with the landscape plan prepared by John Patrick Architects, job no. 18-0175, dated April 2018. The plan must show:
   a) a more specific planting schedule including quantities of small shrubs and ground covers to be planted at ground level and within planter boxes on balconies and terraces;
   b) details of materials and colours of hard landscaped and pervious paved areas;
   c) increased soft landscaped areas with shrubs within the larger balconies; and
   d) increased “greening” of upper levels facing east.

18. Before the occupation of the development the landscaping works shown on the endorsed plans must be carried out and completed to the satisfaction of the Responsible Authority.

19. The landscaping shown on the endorsed plans must be maintained to the satisfaction of the Responsible Authority, including the replacement of any dead, diseased or damaged plants.

Heritage

20. Before the development starts plans must be prepared to the satisfaction of the responsible authority showing the design (including dimensions, materials, colours), content (text and images) and location of interpretive panels. The interpretive panels must provide a brief history of the site and include historic and/or contemporary images of the site prior to redevelopment. At least two panels must be provided, one in a publicly accessible location adjacent to the main building entrance, and the other within the communal recreational space on the west side of the former depot building. Additional panels may be provided in other locations to the satisfaction of the responsible authority.

21. Before demolition works commence, a fully detailed ‘demolition method statement’ from a qualified structural engineer must be submitted to and approved by the responsible authority. The statement shall demonstrate that the engineer has inspected the existing building and has designed a suitable retention system to preserve the original façade taking account of the nature of the existing structure. The ‘demolition method statement’ must fully describe and clearly demonstrate that the construction methods to be used on site will ensure that the building fabric required to be retained on the endorsed plans of the permit will be safeguarded during and after the demolition process has occurred. The statement must detail the necessary protection works required to retain individual walls and other heritage features of significance during demolition.

22. Before demolition begins, an annotated photographic study of archival quality of the building prepared by a suitably qualified person to the satisfaction of the Responsible Authority must be submitted to the Responsible Authority as a record of the building.

The survey must include:
Amendment C144 and Planning Application for Development at 10 Harston Street Sandringham

a) each elevation of the building;
b) the interior of the building;
c) architectural design detailing of the building; and
d) a statement prepared by an architectural historian describing and explaining both the design and construction of the building and the photographs.

23. Before the development (including demolition) begins, a conservation management plan for the heritage building to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the conservation management plan will be endorsed and will then form part of the permit. The conservation management plan must include:

a) window and door repairs/restoration; and
b) external joinery restoration.

Works to the heritage building must be undertaken in accordance with the conservation management plan to the satisfaction of the Responsible Authority.

Noise Treatment


25. The façade of the buildings shall be constructed in accordance with the recommended façade construction specified in section 6 of the Marshall Day Acoustics Report Rp001 R01 20170566 dated 6 February 2017.

Waste Management


27. Adequate lighting and ventilation shall be provided within the bin rooms of Buildings 1 and 3. A suitable trap and drainage point fitted with a litter trap shall be accessible to the bin rooms.

Melbourne Water Conditions

(To be inserted)

South East Water Conditions

(To be inserted)
Amendment C144 and Planning Application for Development at 10 Harston Street Sandringham

Multinet Gas
(To be inserted)

United Energy
(To be inserted)

Telstra
(To be inserted)

Vic Track and Public Transport Victoria Conditions
(To be inserted)

34. External lighting must be designed, baffled and located so as to prevent any adverse effect on adjoining land to the satisfaction of the Responsible Authority.

35. All external plant and equipment must be acoustically treated or placed in soundproof housing to reduce noise to a level satisfactory to the Responsible Authority.

Environmental Audit

36. Before the commencement of construction or the carrying out of works under this permit:
   a) A certificate of Environmental Audit for the land must be issued in accordance with section 53S of the Environment Protection Act 1970 and provided to the Responsible Authority; or

If a Statement of Environmental Audit is issued. Prior to completion of construction of the building/s an Environmental Auditor appointed under section 53S Environment Protection Act 1970 must provide written confirmation to the Responsible Authority verifying that the directions and conditions required by the Statement of Environmental Audit have been complied with.

If any ongoing maintenance or monitoring is required under the Statement of Environmental Audit, prior to construction, the owner of the land must enter into an agreement under section 173 of the Planning and Environment Act 1987 with the council to ensure that the audit conditions remain complied with. Such agreement must be executed and registered on title to the land before the approved development commences. All expenses involved in the drafting, negotiation, lodgement, registration and execution of the agreement including those reasonably incurred by the Responsible Authority must be met by the owner of the land.
Amendment C144 and Planning Application for Development at 10 Harston Street Sandringham

37. Before the development starts the applicant must pay 5,444.07 to the Responsible Authority for the removal and replacement of an existing street tree. This amount has been determined in accordance with Council’s current policy for the removal of street tree(s). This amount may be increased by the Responsible Authority if an extension of time to commence work is granted and the amenity value of the street tree has increased. The Responsible Authority, or a contractor or agent engaged by the Responsible Authority, must undertake the removal and replacement of the street tree. Any replacement planting will be at the discretion of the Responsible Authority.

38. A tree protection fence is required for the protection of street tree 14 (Eucalyptus caesia), 19 (Callistemon viminalis) and tree 23 (angophora costata).

39. Before the development starts tree protection fencing is to be established around the specified street trees marked for retention prior to demolition and maintained until all works on site are complete. The fencing is to be constructed and secured so its positioning cannot be modified by site workers. The fencing is to encompass the entire naturestrip under the drip line of the tree. The Tree Protection Zone is to be established and maintained in accordance with AS 4970-2009. During construction of the crossover, tree protection fencing may be reduced to the edge of the Council approved crossover to facilitate the construction of the crossover.

Development Contribution

40. Prior to endorsement of the plans required under Condition 1 of this permit, the permit holder must pay a drainage levy in accordance with the amount specified under the Bayside Drainage Development Contributions Plan. The levy amount payable will be adjusted to include the Building Price Index applicable at the time of payment.

Permit Expiry

41. This permit will expire if one of the following circumstances applies:

a) The development is not started within two years of the date of this permit.

b) The development is not completed within four years of the date of this permit.

In accordance with Section 69 of the Planning and Environment Act 1987, a request may be submitted to the Responsible Authority within the prescribed timeframes for an extension of the periods referred to in this condition.

Further conditions or modifications to conditions may be added following public exhibition.

Permit Notes to be Inserted.
10.3 INTEGRATED TRANSPORT STRATEGY 2013 - IMPLEMENTATION PROGRESS DURING 2017/18

Executive summary

Purpose and background

This report presents a progress update on the implementation of the Integrated Transport Strategy 2013 (ITS) and the supporting suite of transport-mode strategies for the 2017/18 year.

Adopted by Council on 30 April 2013, the role of the inaugural ITS was to provide the transport policy and implementation framework for better integration of land use and transport, improve community wellbeing outcomes and promote the sustainability of the transport system within Bayside. The implementation of the ITS is supported by a number of supporting transport-mode strategies and plans that will deliver community benefits associated with a more integrated and sustainable transport system, including:

- **Walking Strategy 2015**
  The Walking Strategy guides Council’s approach to increasing the number of people who choose to walk more often as a convenient alternative to short vehicle trips within the municipality.

- **Bicycle Strategy 2013**
  The Bicycle Strategy guides Council’s approach to facilitating an increase in bicycle trips as a convenient alternative to vehicle trips across the municipality.

- **Road Safety Strategy 2014**
  The Road Safety Strategy guides Council’s approach to reducing the number of fatalities and injuries on the road and path network so that people of all ages and abilities can travel safely, easily and confidently within Bayside.

- **Public Transport Advocacy Statement 2016**
  The Public Transport Advocacy Statement identifies a number of priorities that form the basis of Council’s advocacy actions to the State government to improve public transport within the municipality.


Key issues

With regard to the actions recommended within the first ITS and each of the supporting transport-mode strategies and plans, it is recommended that Council notes the achievements completed in 2017/18. Highlights of these actions include:

- Filling gaps in the pedestrian network with 450m of new footpaths installed at high priority locations;
- Duplication of the Bay Trail at Sandown Street to provide a separated bike path to remove a high-risk site from the Bay Trail;
- Installation of raised zebra crossings at the Church Street/Male Street roundabout, Brighton (State government funding contribution);
- New pedestrian refuge facilities at Ebden Avenue/Balcombe Road, Black Rock and Were Street, Brighton;
- An on-road bicycle along Union Street between Hawthorn Road and Nepean Highway;
• Installation of a new roundabout at the New Street/Wellington Street intersection to improve road safety (State government funded);
• Installation of bicycle lanterns at four locations on Beach Road to improve connectivity to the Bay Trail for cyclists;
• Introduction of a 40km/h speed limit in the Highett Activity Centre and a 40km/h school zone in Elizabeth Street, Brighton;
• Improved kerb outstands along Cochrane Street, Brighton;
• Provision of public seating at 14 sites across the municipality;
• The introduction of a temporary school crossing on Park Road, Cheltenham (until the railway level crossing is removed);
• The continued rollout and completion of the Bicycle Wayfinding Program to sign bicycle routes across the municipality;
• Provision of bicycle parking as part of foreshore car park upgrades;
• The promotion of sustainable transport options to Bayside residents;
• Advocacy to Public Transport Victoria for the delivery of 15 new bus shelters across the municipality;
• Community engagement activities and finalisation of the design documentation associated with the realignment of the Bay Trail at Middle Brighton Baths;
• The delivery of two Wiser Driver sessions to provide older drivers with advice about the effects of various types of impairments on driving ability;
• Advocacy to the State government, Public Transport Victoria (PTV) and the Level Crossing Removal Authority on public transport related issues; and
• Development of draft Structure plans for Southland/Pennydale and Highett which addressed sustainable transport measures.

A comprehensive review of the ITS, including associated community engagement activities, was also undertaken in 2017/18 to ensure that it reflects the new Council’s priorities, including:
• Opportunities for increased parking capacity in activity centres and ‘private car park sharing’ for residents,
• Lessening resident reliance on cars, including a trial of car share schemes, encouraging ride-sharing and proactive education, and
• Exploring the feasibility of installing recharging facilities in Council buildings for mobility scooters and vehicles.

The updated ITS was adopted by Council in June 2018 and it establishes a strategic direction to guide transport planning and decision making within Council over the next 10 years. A range of actions are identified within the ITS that Council will implement to make Bayside a better place and overcome some of the challenges facing the municipality.

**Recommendation**

That Council:

1. notes the actions taken to implement the Integrated Transport Strategy 2013 and the supporting suite of transport-mode strategies and plans during 2017/18; and
Support Attachments
Nil

Considerations and implications of recommendation

Liveable community

Social
The delivery of actions contained within the ITS and supporting strategies are designed to:

- Increase short walking and cycling trips as convenient alternatives to vehicle trips to enable residents to access goods and services at local destinations;
- Facilitate an increase in the number of people catching public transport;
- Improve access for all people regardless of age, ability, geography and financial circumstance;
- Improve safety for users of Bayside’s road network by reducing the number of vehicle trips and speeds and treating identified crash black-spots;
- Increase prosperity for businesses and individuals through increased street activity, as more people walk and cycle and spend more time at local shops;
- Improve access to employment and retail services beyond Bayside which is expected to result in a higher level of economic inclusion and participation for all of Bayside’s residents;
- Provide better health and wellbeing outcomes as a result of more people achieving their required daily exercise through active modes of travel; and
- Increase social connectivity achieved by people being ‘out and about’ on the street.

Natural Environment
The key focus of the Bayside ITS is to develop a more integrated and sustainable transport system in Bayside. In this regard, the policy framework supports actions which will achieve lower energy-related transport emissions that contribute to climate change and a reduction in noise and air quality impacts associated with reliance on private vehicles.

Built Environment
Potential future options associated with improving the transport system within the municipality may have some implications for the built environment. Further investigation of any such options would be required as part of future projects to ensure any impacts on the built environment are considered. For example, the delivery of Bay Trail safety improvement projects as part of the removal of high-risk sites along this route will need to ensure that any proposed changes compliment the surrounding built environment.

Customer Service and Community Engagement
The delivery of specific activities and projects to implement the various strategies and plans discussed in this report has involved varying levels of community and stakeholder engagement that has been undertaken in accordance with Council’s Community Engagement Framework, including:

- Bay Trail safety at the Middle Brighton Baths – community engagement activities included two on-site listening posts in November 2017 in order for shared path users to gain an understanding of the project and provide feedback on the proposal. Officers spoke with a total of 119 people at the on-site listening posts. Overall, approximately 90% of shared path users supported the proposal; and
• The review of the ITS – as part of the community engagement activities, officers spoke with a total of 150 people at four listening posts, held at:
  • Beaumaris Concourse (40 people);
  • Brighton Beach Station (21 people);
  • Church Street, Brighton (37 people); and
  • Sandringham Station (52 people).

The Have Your Say website was also used to seek feedback from different transport user groups through individual project pages dedicated to walking, cycling, public transport and private car travel. A total of 126 people provided direct feedback as part of this process.

**Human Rights**

An update on the implementation of the Bayside ITS during 2017/18 is 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/statutory requirements applicable to this report.

**Finance**

Actions recommended in the Bayside ITS and supporting strategies and plans were funded in Council’s approved 2017/18 budget. Council’s approved 2018/19 budget also contains funding for a range of actions identified in both the Bayside ITS and the suite of supporting strategies and plans. All future actions identified in the Bayside ITS have been factored into Council’s Long Term Financial Plan.

**Links to Council policy and strategy**

The ITS contributes to Goal 2 ‘Transport’ within the Council Plan 2017 – 2021 and also facilitates the delivery of key objectives of the Municipal Strategic Statement, the Environmental Sustainability Framework and the Wellbeing for All Ages and Abilities Strategy, including:

• Improving local accessibility by prioritising walking and cycling as the preferred modes of transport for short trips in Bayside;
• Improving access, movement and car parking within, around and through activity centres;
• Advocating and influencing for healthier ecosystems and more liveable Bayside areas and infrastructure; and
• Increasing physical activity opportunities.
Executive summary

Purpose and background

This report presents an update on implementation of the Bayside Environmental Sustainability Framework 2016-2025 (the ESF).

At the Ordinary Meeting of Council on 24 May 2016, Council resolved (in part) to:

‘Adopt the Environmental Sustainability Framework 2016-2025’; and

‘Receive a report annually on the progress and updates to the Environmental Sustainability Framework Action Plan’.

The role of the ESF is to provide consistent direction and guidance for environmental planning and decision-making within Council. The ESF contains the following four goals.

- Goal 1: Leading the way – Bayside City Council operating as a model of environmental sustainability
- Goal 2: Community Partnerships – Supporting an empowered and connected community that acts locally to reduce consumption and live sustainable
- Goal 3: Resilience – Developing community and ecosystem resilience for current and future climate change impacts
- Goal 4: Sustainable Places – Advocating and influencing for healthier ecosystems and more liveable Bayside urban areas and infrastructure.

The ESF contains ten environmental themes to help prioritise and achieve each of the goals: Biodiversity; Environmental Citizenship; Sustainable Buildings; Sustainable Businesses, Sustainable Development, Sustainable Procurement, Sustainable Transport, Sustainable Water, Waste Management and Zero Carbon. A number of strategic objectives, targets and indicators are identified across the ten themes.

Key issues

The ESF is accompanied by a four-year action plan that, for each goal, details targets and objectives, actions, roles and responsibilities, timelines, costs, performance indicators and monitoring and evaluation methodology. An annual action plan has been developed to ensure that actions are assigned appropriately within Council and that implementation is monitored and regularly reported.

The ESF contains a commitment to an annual review to monitor progress with targets and the delivery of the action plan, and to assist in guiding annual works plans. Good progress has been made on ESF actions during the second year of its implementation in 2017/2018. The overall goal of completing all identified actions remains an achievable and realistic goal.

Thirty-six of the original eighty-six actions contained within the ESF have been successfully completed by the end of 2017/2018. The majority of remaining actions are now underway and a further ten actions are due to start within the next two years.
It is recommended that Council notes the actions completed to the end of 2017/18 which are identified in Attachment 1. Highlights of these actions include:

- The adoption of the Carbon Neutrality Action Plan, Biodiversity Action Plan and Integrated Transport Strategy which will guide and deliver ESF actions;
- The installation of solar panels at 7 Council-owned community buildings to provide an additional 69 kilowatts of solar power and potentially reduce Council’s greenhouse gas emissions by 80 tonnes per year;
- Community recycling stations at Beaumaris Library and Bayside Corporate Centre accepted over 4,870 kilograms of recyclable material that is not suitable for kerbside collection;
- The ‘Don’t Feed the Bin’ program to educate our community on food waste avoidance was delivered;
- The ‘Help Stop Food Waste’ research project, involving over 100 local households was delivered to encourage sustainable household behaviours relating to food waste;
- Total greenhouse gas reductions have exceeded the 5 per cent reduction target; and
- Paper use is on track to meet the 60% reduction target by 2020 due to system improvements.

There is a range of activities assisting the delivery the ESF action plan and to meet Council’s environmental commitments. The following plans and programs to support the achievement of ESF objectives are currently being implemented or are under development:

- Biodiversity Action Plan (being implemented);
- Carbon Neutrality Action Plan (being implemented);
- Environmental Citizenship Program (being implemented);
- Sustainable Infrastructure Policy (being implemented);
- Recycling and Waste Management Strategy (being developed); and
- Water for Bayside (Council's Integrated Water Management Strategy) (being developed).

Every second year a more formal review of the ESF Action Plan is scheduled to review issues, risks and determine the overall success of actions assessed against targets. A review of the ESF Action Plan will identify: required changes to actions, necessary improvements to the measurement of actions, and the deletion of actions which are no longer relevant. This review will generate a new Action Plan for 2018-2022. A further report on the updated the ESF Action Plan for 2018-2022 will be presented to Council at or before November 2018.

**Recommendation**

That Council:

1. Notes the actions taken during 2017/18 to implement the ESF action plan;

2. Receives a further report in at or before the November 2018 Council meeting on the updated ESF Action Plan for 2018-2022; and

3. Receives a further report in the first quarter of the 2019/20 financial year detailing progress against targets, the overall success of actions and reviewing issues and risks.

**Support Attachments**

1. Attachment 1 ESF Implementation Report 2017-2018 (separately enclosed)
Considerations and implications of recommendation

Liveable community

Social
The implementation of the ESF relies on strong partnerships with the Bayside community, government agencies, council alliances, community organisations and businesses. Actions implemented during 2017/18 have aimed to strengthen these partnerships and provide the basis for future work to build the capacity of Council and the community to care for the environment, minimise the use of resources, adapt to the impacts of climate change and minimise environmental impacts.

Natural Environment
Actions from the ESF assist in protecting and improving the quality of the natural environment, including the protection and enhancement of biodiversity, minimising Council’s contribution to climate change, adapting to the impacts of climate change and using natural resources more wisely.

Built Environment
The implementation of the ESF will ensure that Council’s buildings are planned, built and maintained to an acceptable standard.

Customer Service and Community Engagement
Extensive community engagement was undertaken during the development of the ESF. It is important that the community remains informed of the delivery of actions that achieve the ESF objectives.

Human Rights
The implications of this report have been assessed and are not considered likely to breach or infringe upon the human rights contained in the Victorian Chamber 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. Budget was allocated in the 2016/17 and 2017/18 annual budgets for the reported actions.

Links to Council policy and strategy
The implementation of actions contained with the ESF is aligned with the Bayside Community Plan 2025 which identifies the community aspiration 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.”

The implementation of the ESF actions is also aligned with Goal 5 of the Council Plan 2017 – 2021 – “Environment”.

Executive summary

Purpose and background

The purpose of this report is to present the findings from the social infrastructure needs assessment (the Assessment) of the Hampton Street Major Activity Centre (MAC) and to recommend Council commence a review of land holdings to accommodate the Hampton Hub.

The Assessment (Attachment 1) describes the current and future service needs of Hampton’s residents and the use, condition and utilisation of the following Council assets located in the Hampton Street MAC:

- Hampton Library;
- Hampton Seniors Citizens Centre;
- Hampton Playhouse;
- Hampton Community Centre; and
- Hampton Maternal and Child Health Centre (MCH).

The University of the Third Age (U3A), while not located in Hampton, was also consulted due to the organisation’s growing membership in Bayside.

Council owns a range of property in the Hampton Street MAC including the Willis Street Precinct.

Key issues

The Assessment includes: policy review; population and demographic profiling; stakeholder consultation; and building assessments within the Hampton Street MAC. The current services, programs and activities that run from each building were reviewed and compared to the current and future needs of the community.

Findings

The key findings of the Assessment are:

- Hampton Playhouse is a well-utilised and functional building meeting community need;
- Hampton Library, Hampton Senior Citizens Centre, Hampton Community Centre and Hampton MCH assessments found:
  - The facilities are generally not fit-for-purpose;
  - There are current challenges associated with the layout of each building, access to technology and storage;
  - The configuration of each facility means that some small groups use spaces larger than required, while others are in smaller rooms which are not suited to the activity or cannot cater to the demand for the program;
  - There is broad support among the facilities’ management for updated infrastructure;
  - There is broad support among the facilities’ management for a co-located model;
- There is a current and projected future requirement in Hampton for adaptable infrastructure than can meet the needs of the community over time (for example U3A’s growing membership).
Conclusions

The Assessment recommends consolidating Council owned facilities (excluding the Hampton Playhouse) into a new integrated multi-purpose facility in the Hampton Street MAC to create a Hampton Hub. It describes the special requirements for each service or activity. The Assessment also recommends that any future delivery of social infrastructure in the Hampton Street MAC should:

- Provide intergenerational services and spaces;
- Encourage people to formally and informally socialise and build social capital;
- Provide opportunities for cross-referral and efficient service delivery;
- Provide flexible and adaptable spaces to meet the changing needs of the local community;
- Ensure community infrastructure is accessible and inviting and meets the needs of people of all ages, abilities and cultures; and
- Ensure community infrastructure is accessible in terms of design, location, cost and connection to sustainable transport modes.

It is concluded that Council should endorse the service-related recommendations outlined in the Assessment.

The establishment of a community hub of co-located community services will require land holdings in the centre, including the existing community centre, library, maternal and child health centre, the former scout hall site in Willis Street and various car parks to be investigated to identify a preferred site for a Hub. Council does not have a specific plan for its assets in the centre beyond more general direction provided by the Structure Plan and Urban Design Framework. A review is focused on establishing a proposed site for co-location of services in a Hampton Hub is needed.

To determine a suitable Hampton Hub site, it is recommended that Council develop a master plan for the public land within the Hampton Street MAC to ensure that the land value is maximised while delivering the desired community service outcomes.

Recommendation

That Council:

1. Endorse the Social Needs Infrastructure Needs Assessment (Attachment 1); and

2. Commences the preparation of a master plan to guide the future development of Council-owned property within the Hampton Street Major Activity Centre and to facilitate an integrated approach to identify a suitable site for a Hampton Hub.

Support Attachments

1. Attachment 1 - Hampton Street Major Activity Centre Social Infrastructure Needs Assessment (separately enclosed)
Considerations and implications of recommendation

Liveable community

Social
An additional 1,118 people will reside in the Hampton Street MAC by 2027. This will place an increased demand on existing community services and infrastructure. Council aims to work with the community to ensure services and facilities address the changing needs of the Hampton community.

Natural Environment
New buildings associated with the development of Hampton Hub will be required to employ sustainability measures to reduce the ecological footprint of the facility including but not limited to passive thermal comfort, water recycling initiatives and solar panels. An assessment of Council-owned sites within the Hampton Street MAC will consider open space opportunities.

Built Environment
Council has a number of ageing community assets within the Hampton Street MAC, these are costly to maintain and in the near future will reach a point whereby they no longer meet community needs and require major refurbishment or replacement.

Customer Service and Community Engagement

The community engagement plan (Attachment 2) will guide the ongoing engagement of key stakeholders and consultation with the broader community and explore opportunities and options in relation to the Assessment’s findings. The goals, time frames, resources and levels of concern for each stakeholder will inform the engagement type and engagement tools. Some of the key considerations of the engagement plan include:

- Create genuine opportunities for stakeholders to participate in identifying infrastructure needs and solutions;
- Ensure transparency and accountability in Council decision making; an
- Ensure the diverse needs of the local community are taken into account in decision making.

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, however depending on future directions may require legal advice on land and lease related matters.

Finance
A sum of $51,633 is provided in the 2018/2019 budget to progress the Hampton Hub project. Future budget allocations would be considered in line with the recommendations of the Assessment.
The development of a Hampton Hub will require capital investment in a building. The new facility will likely require increased staff resources to operate. These costs will be quantified as the scope of the service offering is developed and finalised.

**Links to Council policy and strategy**

_Council Plan 2017 - 2021_

Relevant strategies of the Council Plan include:

- Plan for the future of recreation centres, senior centres, U3A and similar community facilities to ensure the assets meet future service needs and deliver strategies for renewal;
- Provide fit for purpose, modern multiuse facilities that are effectively utilised for our children’s early years; and
- Provide modern library services that meet the needs of the community.

Providing community infrastructure to meet community service needs in the Hampton Street MAC is aligned to the following strategies:

_Hampton Willis Street Precinct Urban Design Framework 2013 (UDF)_

Council adopted the UDF as its preferred development vision for the Precinct. The UDF includes a number of short to long term implementation actions that seek to improve the Precinct.

_Hampton Street MAC Structure Plan Review 2016_

The purpose of the _Hampton Street MAC Structure Plan Review 2016_ was to examine the effectiveness of the implementation of the _Hampton Street MAC Structure Plan_ to ensure that the key strategic planning issues facing the centre are identified and considered. One of the recommendations made by the review is that Council prepare a Community Infrastructure Study.

_Bayside Housing Strategy 2012_

The _Bayside Housing Strategy 2012_ identifies the Hampton Street MAC as a location with medium and high density residential development. Development of the Willis Street Precinct will be in accordance with the moderate and key focus growth outlined within the Bayside Housing Strategy.
10.6 COMMUNITY FACILITIES AND SERVICES STRATEGY - BRIGHTON CENTRE AND FACILITIES

Executive summary

Purpose and background

The purpose of this report is to present an update on the Council Plan action to develop a Community Facilities and Services Strategy. The assessment has focused on ensuring three identified community facilities in Brighton are fit-for-purpose and well utilised to ensure the best outcomes for the community. The following steps were taken in developing the Strategy.

- Brighton Recreational Centre (BRC): A social infrastructure needs assessment, stakeholder consultation and broad community consultation were completed. In addition, a parking and traffic assessment was completed;
- Brighton Senior Citizens Centre: analysis of the usage of the centre was undertaken; and
- Higinbotham Hall: an investigation regarding Council taking over management and control of Higinbotham Hall is being completed.

Key issues

Brighton Recreational Centre (BRC) - 93 Outer Crescent, Brighton

The social infrastructure needs assessment (Attachment 1) included a policy review, population and demographic profiling, community and stakeholder consultation, analysis of current uses and building limitations. In addition, a separate traffic and parking assessment of the site was completed.

The Social Infrastructure Needs Assessment found that BRC plays a valuable role in the health and wellbeing of Bayside residents. It is well-utilised by families and older people and has popular programs, many of which are at capacity. Some of the issues identified in the report are outlined below:

- The building is ageing and lacks contemporary design standards (for example natural light, flexible meeting rooms, waiting areas, spaces for socialisation);
- The building is restrictive and not fit-for-purpose as it lacks storage and space for group administration and requires significant set up and pack down between activities;
- The positioning of the existing building has minimal interface and connection with the neighbouring Wilson Reserve or access to open space;
- The lack of access to car parking on the site and in surrounding streets is a significant issue for users and staff. This issue was further supported by an independent parking and traffic assessment; and
- The current BRC site is restricted in terms of size and shape and provides minimal street frontage to address parking and access issues.
Any redevelopment of BRC should be guided by the following principles:

- Providing flexible spaces to meet the changing needs of the Brighton community;
- Encouraging people of all ages and abilities to access and use BRC;
- Supporting gymnastics as a core function;
- Ensuring the facility is accessible by all modes of transport, particularly walking and cycling;
- Encouraging outdoor passive activities and connections to adjacent parkland;
- Providing a range of physically active, creative, learning and social activities; and
- Addressing the ongoing parking needs through the provision of on-site car parking.

Brighton Senior Citizens Centre - 23 Durrant Street, Brighton

No changes are proposed at the Brighton Senior Citizens Centre. The Centre is currently well utilised by a wide range of groups to deliver programs and services predominantly targeting older adults within the community. There is an estimated 80-100 hours of regular and semi-regular programming across the three available rooms per week.

The building facilities adequately meet the needs of the users, following recent upgrades by Council, however, car parking continues to be raised as an issue. Future solutions to car parking will be separately investigated.

Higinbotham Hall (the Hall) - 104 Bay Street, Brighton

A report is currently being prepared that will recommend that Council discharge the library trust under the Libraries Act 1988 and for Council to assume control of this Council owned property and undertake all necessary works with respect to the management and control of Higinbotham Hall.

While there are multiple users of the Higginbotham Hall, due to the Committee of Management in place, Council is unable to obtain detailed utilisation rates at this stage. The Committee have recently been consulted with and have advised that they have had difficulty in recruiting membership to the Committee resulting in a greater burden on the remaining members.

**Recommendations**

That Council:

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

1. Attachment 1 - Brighton Recreational Centre - Social Infrastructure Needs Assessment (separately enclosed)
2. Attachment 2 - Brighton Recreational Centre - Engagement Summary (separately enclosed)

Considerations and implications of recommendation

Social
Brighton Recreational Centre, Brighton Senior Citizens Centre and Higinbotham Hall provide a multitude of programs, activities and services to the community. The Community Services and Facilities Strategy will ensure the ‘right’ services are available to the community, assets meet future service needs, strategies for renewal are developed and governance arrangements are sustainable for future service management.

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

Built Environment
The social infrastructure needs assessment includes recommendations to improve community facilities. The local context will be considered through any design phases to ensure local amenity is improved.

Customer Service and Community Engagement
To inform this report consultation has been undertaken with the BRC Management and Board. In addition a thorough community engagement process was undertaken that included an online and hardcopy survey and drop in sessions (Attachment 2). Over 219 surveys were completed.

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 paper, however depending on future directions legal advice may be required on land and lease matters and issues relating to the library trust (for the committee of management of Higinbotham Hall 104 Bay Street).

Finance
A sum of $85,000 is allocated in the 2018/19 budget to undertake concept design works regarding BRC. Future budget allocations will need to be considered in line with the recommendations of the assessment.

Links to Council policy and strategy
The development of the Strategy links to the:
• Council Plan 2017-2021, specifically ‘Plan for the future of recreation centres, senior centres, U3A and similar community facilities to ensure the assets meet future service needs and deliver strategies for renewal’
• Wellbeing for All Ages and Abilities Strategy 2017-2021, specifically objective 1.2 ‘support opportunities that build social networks and community connections’ and objective 2.1 ‘increase physical activity opportunities’.
Executive summary

Purpose and background
The purpose of this report is to present Council with a 10 year Early Year's Infrastructure Plan that is based on identified service needs and community consultation.

Bayside City Council has been a long-standing provider of early years’ services and currently provides land and buildings to the following community managed services: thirteen kindergartens; five playhouses/occasional care and one toy library. Council also provides maternal and child health services from six centres.

At the 24 June 2014 Ordinary Meeting of Council regarding the sale of 461 – 463 Bluff Road Hampton, Council resolved:

To transfer the net proceeds of the sale to the Infrastructure Reserve to be used towards specific projects involving early years facilities.

At the 28 April 2015 Ordinary Meeting of Council regarding the sale of 5 – 11 Sandringham Road Sandringham, Council resolved:

That the net proceeds be used for the upgrade of kindergarten facilities subject to the execution of a Section 173 Agreement.

At the 20 March 2018 Ordinary Meeting of Council, Council resolved to:

Receive an Early Year's Infrastructure Plan at the August 2018 Council Meeting.

Council engaged ASR research consultants to undertake an early years’ needs analysis through community engagement and desktop research, and to develop a 10 year Early Year’s Infrastructure Plan in response to identified needs.

In summary, the needs analysis has confirmed that services provided from Council facilities are valued by the Bayside community and the majority of facilities are generally suitable and located in safe and attractive settings with good indoor and/or outdoor spaces. However support areas, such as offices, storage and kitchens do not meet functionality needs. Additionally, a number of key issues have been identified and addressed below.

Key issues
The Early Year’s landscape is a dynamic and evolving space. The Infrastructure Plan will require ongoing review to accommodate variables outside of Council’s control including the potential funding of three year old kindergarten, childcare subsidy payment reforms and the increasing involvement of kindergarten programs by schools and long day care centres.

- The Council of Australian Governments (COAG) is considering the funding of three year old kindergarten through a similar model (15 hours per week) to the current four year old kindergarten program. If this occurs, the demand for Council’s kindergarten facilities will increase significantly, to the extent that some facilities may require
expansion from one room kindergartens to two rooms. Currently, nine of 13 kindergartens are one room facilities.

- Requirement for extended hours of care so families can complement their sessional kindergarten choice with additional hours, on an occasional basis. This need cannot be met in single room facilities.

- Bayside kindergartens are licenced to enrol between 27 and 32 children per room. A total of 1,034 licenced places are available. All kindergartens choose to operate below their licenced capacity stating smaller groups of 22 children provides an improved educational and learning program and it is not financially viable to operate with groups of 23-30 children. Financial sustainability is a factor as 23–30 children require three educators compared to 22 children requiring two educators. Based on current utilisation and 22 children per room there is spare enrolment capacity of 73 children in 2018.

- Janet Mundy kindergarten in Fern Street Black Rock closed in 2017 and with the planned closure of the nearby St John the Baptist Kindergarten, the Black Rock kindergarten on Bluff Road will be unable to meet anticipated local demand for the Black Rock and East Sandringham catchment.

- Bayside has one volunteer operated toy library in Brighton. While the toy library has a membership of 232 families, community feedback indicates that many families are either unaware of the service or its location is inconvenient to families living in the south of the municipality.

- The Brighton South Playhouse on the corner of Hampton and Were Streets is significantly under-utilised. There is no identified gap or long term need for early years’ services to operate from this site.

- The Brighton/Brighton East area has two sessional kindergartens operating from Council facilities. Kindergarten in the northern area of the municipality is predominantly delivered in Church owned buildings (sessional kindergartens), Long Day Care and Early Learning Centres. The community values and identifies the importance of having choice to attend sessional kindergarten. As a result, Council needs to support the long term viability of the North Brighton and Hurlingham kindergartens.

- Livingston Street kindergarten in Highett has a comparatively small play area and unlike most other kindergartens that can utilise surrounding open spaces, as it is landlocked.

- Helen Paul in Kingston Street Hampton and East Beaumaris in Wells Road are not purpose built kindergarten facilities which creates challenges for program delivery.

- Estimated funding to implement the 10 year Early Year’s Infrastructure Plan is $15,537,000. $5.55M is held in a reserve fund from the sale of the Sandringham and Hampton Child Care Centres. Further funding would be required from future government grant opportunities and/or an increased allocation in the 10 year capital works program.
Opportunities

- The Fern Street Black Rock site is identified as a potential location for a new early year’s precinct. If re-developed, this site could include a new kindergarten to accommodate the relocation of St John the Baptist kindergarten from Sandringham East, provide community spaces to allow for the co-location of other early years’ services such as occasional care and playgroups, include an interactive children’s sensory garden and capacity for services such as a toy library. Toy libraries provide a valuable and sustainable service. A toy library would complement other services by supporting opportunities that build social networks and community connections, strengthening volunteerism, improving access to affordable, appropriate and inclusive services and contributing to environmental sustainability.

The lease for the Scout Hall adjacent to the former Janet Mundy kindergarten in Fern Street expired 31 July 2018. This creates an opportunity to develop an Early Year’s precinct.

Black Rock Preschool Incorporation on Bluff Road supports a new kindergarten at the Fern Street location. The pre-school is receptive to operating across two sites and exploring the expansion of their service to include a second kindergarten room and bush kindergarten program at Fern Street. The committee is also interested in exploring options at the adjacent Bluff Road Maternal and Child Health Centre site in August 2024 when the current lease expires.

Council has applied for a State Government grant of up to $1.6 million to contribute towards building an integrated children’s centre at the Fern Street Black Rock site.

- Bayside’s playhouses are well utilised, except the Brighton South Playhouse on the corner of Hampton and Were Streets, which is significantly under-utilised. Brighton South Playhouse users have agreed to wind up the incorporation at the end of 2018. Hampton Children’s Playhouse is located one kilometre away and considered by Brighton South Playroom users as a suitable alternative. The Brighton South Playhouse is required as a temporary re-location site while building works occur at other facilities. Once works are complete and as there is no identified early years need, an opportunity exists for Council to consider the long term use of this site.

- Following joint consultation with all groups located at the North Brighton Children’s Centre, it is proposed to construct a modern and purpose built Maternal and Child Health centre on adjacent vacant Council land at 3 Cross Street. The land is used for parking by staff. There is considerable on street parking available. This construction would allow for re-development of the existing centre to create increased functionality and indoor areas to meet the growing demand for occasional care and kindergarten places.

- Consideration to relocate the Highett Maternal and Child Health Centre to co-locate with the proposed library on the former CSIRO site would support functionality and future demand at Livingston Kindergarten. Additionally, the Hampton Hub proposal includes the relocation and inclusion of the Hampton Maternal and Child Health Centre.

- Helen Paul and East Beaumaris kindergartens require fit for purpose re-builds to meet future needs. Helen Paul kindergarten request a staged approach by prioritising minor functional works earlier and a rebuild in the second half of the 10-year plan. Timing and scope of functional works will need to be considered to avoid inefficient use of resources. East Beaumaris Kindergarten Incorporation is keen to develop a fit for purpose facility.
Recommendations

That Council:

1. endorses the Early Year’s Infrastructure Plan 2018-2028 and commences implementation of works;

2. develops a 10 year financial plan that incorporates expending $5.55M held in reserve to undertake priority works between 2018 and 2023;

3. undertakes necessary works at Brighton South Playhouse to provide a temporary relocation for displaced services undergoing redevelopment works;

4. receives a further report detailing options for the long term use of the Brighton South Playhouse, once temporary relocations for displaced services undergoing redevelopment works are completed;

5. endorses the relocation of Highett Maternal and Child Health service to the future CSIRO site;

6. considers the location of Hampton Maternal and Child Health as part of the Hampton Hub considerations; and

7. receives a further report following a review of the Infrastructure Plan in year five.

Support Attachments

1. Early Years Infrastructure Plan August 2018 ⇩
Considerations and implications of recommendation

Liveable community

Social

Early years’ services play an important role in supporting families, babies and children’s social and emotional development, and kindergarten education in the years before school is critical in providing a strong foundation for primary education.

Natural Environment

The Early Year’s Infrastructure Plan will achieve positive environmental outcomes by applying environmentally sustainable principles to infrastructure planning and development and by maximising the capacity of open spaces for the community.

Built Environment

Works continue to be undertaken in the short term. All early years’ facilities are compliant with regulation requirements. The Early Year’s Infrastructure Plan will ensure the performance of kindergarten facilities support quality service provision, as well as providing an improved level of amenity for children and families.

The implementation of the Early Year’s Infrastructure Plan will require some re-locations which will be considered in the development of the project management plan.

Customer Service and Community Engagement

Community engagement included broad community consultation and targeted consultation. Broad community consultation included kindergarten workshops and site consultations in 2015-2016, self-assessments by early years’ services in 2017-2018 and Have Your Say in 2018.

In 2017, families and committee members accessing kindergartens were consulted regarding future service needs. Wider consultation beyond community based kindergarten stakeholders was undertaken to understand the broader early years’ service needs. Consultation through direct interviews and ‘Have Your Say’, has engaged targeted stakeholders including those who have used Maternal and Child Health, Long Day Care, Occasional Care, Playhouses and Toy Libraries.

Targeted stakeholder workshops were facilitated to invite feedback about the long-term sustainability and community value of council’s early years’ service needs and related infrastructure.

Further consultation with stakeholders to inform detailed building plans will be undertaken throughout the implementation of the Early Year’s Infrastructure Plan.

Human Rights

The implications of this report have been assessed and are not considered likely to breach or infringe upon, the human rights contained in the Victorian Charter of Human Rights and Responsibilities Act 2006. The short-term works undertaken have assisted in supporting kindergarten access for children with additional needs.

Legal

There are no legal implications associated with this report.
Finance
The estimated cost of the Early Year’s Infrastructure Plan is $15,537,000. As at June 2018, $5.55M is held in a reserve fund from the sale of the Sandringham and Hampton Child Care Centres. A $1.6M Early Years Integrated Facilities grant has been applied for through the State Government’s 2018 Children’s Facilities Capital Program. Further funding would be required from future government grant opportunities and/or an increased allocation in the 10 year capital works program.

Links to Council policy and strategy
Bayside City Council has existing policies guiding the planning of early years’ services and infrastructure including:

- Council Plan 2017 – 2021: Infrastructure – Provide fit for purpose, modern, multi-use facilities that are effectively utilised for our children’s early years.
- Wellbeing for All Ages and Abilities Strategy 2017 - 2021
Bayside City Council
Early Years Infrastructure Plan 2018-2028

August 2018
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1. Objectives of Plan

Bayside City Council is developing an Early Year’s Infrastructure Plan. The aim of the Plan is to provide Council with a strategic framework for the future provision of Council-owned early years facilities across the municipality.

The key objectives of the Plan are to:

- Assess the suitability of the facilities for their current use in the light of current practices, community expectations and anticipated future need;
- Analyse the planning context in which early years facilities operate and identify the implications of this context for the future provision of facilities;
- Identify the anticipated need for repair, refurbishment and replacement of Council owned early years facilities over the next 10-15 years;
- Identify any opportunities for co-location of early years services and/or greater flexibility in the utilisation of early years facilities to best meet the needs of the local Bayside community;
- Propose a sustainable strategy for addressing the anticipated needs of early years services operating from Council owned buildings so that Council can effectively manage the upgrading, refurbishment and replacement of these buildings over the next 10 years; and
- Identify the non-financial issues, challenges and site constraints and opportunities that will need to be considered in the implementation of the proposed strategy.

2. Scope of Plan

The plan focuses on Council facilities used for kindergarten programs, maternal and child health service, playgroup activities, occasional care services and toy libraries. Non-Council facilities such as church or school run kindergartens and private long day child care centres which provide kindergarten programs have been considered, where relevant, for contextual purposes.

3. Plan methodology

The steps involved in developing the Plan are as follows:

- Review of relevant literature – Government policy documents, Council strategies, previous Council reports relating to the provision of early years facilities etc;
- Audit of legislation, building codes and design guidelines relating to the provision of early years facilities;
- Analysis of the planning context in which early years facilities operate – legislative, policy and funding environment, demand factors, capacity factors, community expectations;
- Review of current trends in the provision of early years facilities - providers, settings, design trends etc;
Early Years Infrastructure Plan August 2018

- Audit of the usage, condition and functionality of the Council owned early years facilities in the municipality;
- Assessment of the suitability of the location and distribution of Council owned and early years facilities across the municipality;
- Assessment of the capacity of existing Council and non-Council facilities to meet current and future demand;
- Consultation with service providers, committees of management and Council staff involved in the planning, management, maintenance and delivery of early year services and facilities; and
- Consultation with service users and the general community about the provision of early years facilities across the municipality.

4. Terminology

In this document:

- 4-year old (4yo) kindergarten refers to government funded kindergarten programs run for eligible children at licensed education and care facilities;
- 3-year old (3yo) kindergarten/activity program refers to an unfunded activity or kindergarten program (i.e. not government funded) provided for 3yo children;
- Sessional kindergarten refers to a 4yo kindergarten program delivered from a dedicated kindergarten building;
- Integrated kindergarten refers to a 4yo kindergarten program delivered from a long day child care centre;
- M&CH service refers to the maternal and child health service - a free universal service that supports children’s health and development from birth until school age (more generally 0-4 years);
- Occasional child care refers to care provided to children aged 0-6 years in children’s services centres that have a limited hours licence; and
- Playhouse refers to a community play centre for use by children and their parents/carers.

5. Planning considerations

The following matters were considered in developing the Plan and framing its recommendations:

- The policy/funding context and legislative environment for early years services;
- Trends in early years facility provision: settings, design and providers;
- Definite and potential demand factors - potential funding by Government of 3yo kindergarten programs, local demographic characteristics and change, the involvement of churches and schools in Bayside in the delivery of kindergarten programs;
- Potential capacity factors - changes to the definitions of the areas that qualify as indoor playroom spaces and outdoor play spaces, changes to building and access codes
which specify ratios for various component facilities within children's services facilities, e.g. number of children per water closet;

- Social characteristics of the local community being served by an early years facility - cultural diversity and background, levels of advantage/disadvantage;
- Locational factors - proximity to public transport stops, proximity of other children's services facilities including primary schools and complementary facilities, such as parks, playgrounds and medical centres;
- Site characteristics and 'saleability' - accessibility by foot, car and vehicle, the ease with which building works can be undertaken on the site; land value and zoning;
- Building characteristics - heritage significance, functionality and condition, capacity to be reconfigured;
- Level of community involvement in and attachment to the facility; and
- The thoughts of committee members, staff and/or user families about the location, condition and functionality of the early years facilities.

6. Key findings

6.1 Kindergartens

- There are 44 funded kindergarten programs in Bayside. 13 operate from Council owned venues, six from church sites, seven from schools and 18 from private child care centres;
- The 13 Council owned venues are licensed for a total of 517 places and, if every licensed place was used, can accommodate 1034 children, as they can operate two sessions per day. The kindergartens have chosen not to operate at their licensed capacity and currently offer places for 601 children. In 2018, 552 of the places were filled;
- Council owned kindergartens satisfy a small proportion of demand in Brighton, Brighton East, Hampton and Hampton East and a significant proportion of demand in Sandringham, Beaumaris and Cheltenham. The low figure for Brighton and Brighton East is largely due to the high number of school, church and private kindergarten programs offered in the Brighton area;
- There is a good distribution of sessional (Council and church owned) kindergartens across the municipality. There are some areas in Bayside that are outside the walkable catchment areas (500m radius), notably parts of Brighton, all of Hampton East and parts of Highett, Black Rock and Beaumaris. (note: one church owned kindergarten is likely to close over the next few years, St John the Baptist, leaving a gap in the Sandringham East area);
- Some of the kindergartens have overlapping catchment areas, notably Brighton Baptist and Wilsons St in Brighton, Holy Trinity and Hampton Community in Hampton and Nagle and Grange in Sandringham;
- Council’s local area population forecasts project that the 4yo population in Bayside will increase by 136 over the next 18 years. This is a modest rise equivalent to six groups of 22 children. Small increases are projected to occur in all local areas except for Brighton East where a decrease of 13 children is projected;
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- The 14 Council owned kindergarten facilities (includes Janet Mundy which closed at the end of 2017) are located in residential areas. Most are stand-alone facilities; some are attached or located next to M&CH centres. Two are part of integrated children’s services centres;

- All are in quiet, safe settings. One, Olympic Avenue, is located on a bend in the road and another, Black Rock, is located on a reasonably busy arterial road. However, both kindergartens indicated that they had no traffic related safety concerns;

- All the centres are located within walking distance of public transport stops. There are no major physical impediments to people wanting to walk or drive to the kindergartens - other than Hurlingham Park which is only 80m from Nepean Highway. Many centres are located close to complementary facilities such as parks and playgrounds. However, most are distant (more than walking distance) from the nearest Government primary schools;

- All the kindergartens are on relatively flat blocks. Most are regularly shaped. Nearly all are well treed. All, except Livingston, could potentially expand their building footprint on their current sites and still retain outdoor play areas more than the regulation size. Vegetation, easements and underground drains could constrain development at some sites. Heritage values are an issue at two sites;

- All the kindergartens, except Livingston, are accessible from an ‘ease of building’ perspective. Some kindergarten buildings could be expanded and reconfigured relatively easily; others, particularly those on irregular shaped blocks, could be more complex;

- Eight kindergartens are zoned residential and six are zoned public park and recreation. All have one or more overlays – design and development, vegetation protection, special building etc. From a ‘saleability perspective’, the centres located on sites zoned residential (except Livingston) would be ‘highly saleable’. They are large blocks in very attractive residential settings; and

- Eleven kindergartens were purpose built. Two are former houses. The kindergarten facilities are in good to very good condition. From a functionality perspective, the facilities have both positive and negative aspects. These are as follows:

  The good aspects:

  - All centres have open attractive playrooms with ample natural light and good visibility
  - All, except Livingston, have large attractive well shaded outdoor play areas
  - All have adequate heating and cooling systems
  - A few centres have dedicated staff carparking. Some have off street carparking for parents
  - Some centres have good sized front outdoor undercover areas
  - Some have good sized foyer areas, offices and/or internal storerooms
  - Some have good sized and well-appointed kitchens
  - Some have large children’s toilet areas that are in good condition
  - Some have good internal and external storage areas
  - Some are disability accessible
Some have good surveillance of the children’s toilets from the playrooms and outdoor play areas.

Some have open regular shaped play areas that are easy to supervise.

The not so good aspects:

- Most centres do not have dedicated carparking for staff or off-street parking for parents (however, most centres indicated that this was not a concern)
- Some centres do not have front verandas or foyers. Some have veranda or foyer spaces that are too small, or their shape is unsuitable
- Some centres have small cramped offices. None have staff/meeting rooms
- Storage – both internal and external - is a problem at most centres
- Some centres have offices, kitchens, storerooms and staff toilets that are not directly connected to the playrooms
- Some centres have children’s toilets that are not directly accessible from the outdoor play area
- Most centres do not have disability toilets. Some toilets need updating
- Some centres do not have rear verandas. Some verandas are small, narrow and poorly functional
- The children’s toilets at some centres are poorly visible from the internal playrooms and external play areas. Some are too visible, in that the bathrooms can be seen from the street or the front entrance of the kindergarten buildings
- Some have outdoor play areas that are irregularly shaped and have areas that are difficult to surveil.

6.2 M&CH service

- There are six M&CH centres in Bayside. Two centres are stand-alone. Four are co-located with other early years programs – kindergarten, occasional care etc. All the centres were purpose built. Five centres are in residential areas. One is in a strip shopping area. (note: Council recently sold the Sandringham Centre, which will co-locate with the Sandringham Library following refurbishment).
- Each centre has two consulting rooms, bathroom, kitchen/kitchenette, waiting room and storage areas. Each centre has the capacity to provide 20 sessions per week. Currently, they are operating at between 9-16 sessions. Therefore, the centres have the capacity to provide for additional demand;
- On a geographic basis, there is a reasonable distribution of centres across the municipality. There is no centre in the Black Rock area;
- The M&CH service is essentially a suburban level service. Therefore, it is important the centres are located on or close to public transport routes. All the centres are situated within 300m of a train station or bus stop;
- As a universal service, the main driver of demand is the 0-4yo population. Between 2001 and 2016, the 0-4yo population of Bayside increased by 605. The largest increases occurred in Cheltenham, Hampton/Hampton East and Highton. The largest decline occurred in Beaumaris. A modest increase of 390 children (0-4yo) is projected
across Bayside by 2031. Increases are projected in Beaumaris, Brighton and Sandringham. The existing M&CH centres can accommodate more sessions and will be able to satisfy this demand;

- Generally, the centres are well located and in good condition. However, they have some functionality/maintenance issues. These include:
  - Beaumaris: second consulting room is comparatively small. The kitchen is dated but functional. The centre lacks storage. There are some flooding issues at the front entrance. Centre gets dusty in summer – dust entering the building from the unsealed carpark and paths to the immediate north of the centre. The shared entrance with Olive Phillips Kindergarten is unattractive.
  - Highett: carparking can be difficult. Sometimes parents must park some distance from the centre. The front entrance is difficult to negotiate particularly by mothers with prams or carrying babies – heavy door which is difficult to push open. The foyer space gets congested at peak usage times. The waiting room is comparatively small.
  - Hampton: second consulting room is comparatively small. There are parking and safety concerns at the centre. Shoppers are parking and driving through the centre’s carpark. Conflict is occurring with the cars that are attending the centre.
  - Brighton North: toilet facilities are dated (note: the centre shares the facilities with the kindergarten and occasional care programs).

6.3 Playhouses/toy library

- There are five playhouses in Bayside. Three houses - Brighton South Playhouse, Hampton Playhouse and Beaumaris Playhouse - are solely used for playgroups. At these facilities, the parents remain with the children. Therefore, the facilities are not subject to any regulation other than the standard building and access codes. There are no floor space stipulations and outdoor play areas are not required. Two houses - Brighton Playroom and Bayside Playhouse and Occasional Care Centre (Sandringham) – offer occasional care. The children attending occasional care are looked after by trained staff. Parents do not normally remain. Facilities offering occasional care are required to have a limited hours licence. This licence has similar requirements to the standard hours licence (required for kindergartens) except for the need to provide an outdoor play area. However, a play area is considered essential to the service and is typically provided;

- Brighton Playroom operates from the North Brighton Childrens Centre. It comprises an indoor playroom and small storage, children's toilet and office areas. It shares a foyer, kitchen and staff/parents’ bathroom with the adjoining kindergarten and M&CH centre. The Playroom is operating at capacity - It cannot meet the demand for its morning sessions and is limiting attendances for individual children to one session per week. It wants a larger playroom (preferably split into two areas for older and younger children). Its outdoor area and office, children’s toilet and storage areas are small;

- Brighton South Playhouse operates from a former maternal and child health building. It is functional and in reasonable condition. However, it is underutilised;

- Hampton Childrens’s Playhouse operates from a converted house. It is a highly popular venue and is functional and in good condition;
Early Years Infrastructure Plan August 2018

- Bayside Playhouse and Occasional Care Centre in Sandringham is also a popular venue. It is highly functional and in good condition. It has concerns about the lack of shade and the hardness of the concrete paths in the play area (from a fall and safety perspective). It has a concern about the safety of the brick edging in the playground;
- Beaumaris Playhouse is a well-used venue. It is functional and in good condition;
- There is no playhouse in Black Rock and no occasional care service in Hampton East, Black Rock, Cheltenham or Highett; and
- The toy library is located in a former book library building in Brighton, near the Brighton Golf Course. It comprises a kitchen, bathrooms, desk area, collection area and storerooms. The library building is reasonably functional. The main concern is the desk area which gets congested when members are checking toys in and out. The library would like to modify the building to provide separate entry and exit points. This would remove the congestion and speed up the check in/out process. The library is also keen to redevelop the front grassed area as a social/play space. It is operated by volunteers and has in excess of 232 memberships.

7. Infrastructure Plan

7.1 General objectives

The Infrastructure Plan is aimed at providing a suite of Council owned early years facilities that:

- Satisfy existing demand and have the capacity to cater for additional demand;
- Comply with relevant legislation and building codes;
- Are fit for purpose and highly functional;
- Are conveniently located and equitably distributed across the municipality;
- Are optimally used;
- Promote service integration;
- Are accessible to and suitably designed for children with disabilities and other additional needs;
- Are sustainable in terms of maintenance;
- Provide safe environments for staff, children and families; and
- Support the implementation of the National Quality Standard (NQS) for early childhood care and education.
7.2 Design objectives

The Infrastructure Plan is aimed at achieving the following design objectives:

**Kindergarten**

- The floor areas listed in the following table 1.

<table>
<thead>
<tr>
<th>Component elements</th>
<th>Facility with one playroom (33 place) m²</th>
<th>If a separate second playroom (22 place) is provided m²</th>
</tr>
</thead>
<tbody>
<tr>
<td>- Front veranda</td>
<td>20</td>
<td>30 (shared)</td>
</tr>
<tr>
<td>- Foyer</td>
<td>20</td>
<td>25 (shared)</td>
</tr>
<tr>
<td>- Office</td>
<td>16</td>
<td>20 (shared), 8 if separate</td>
</tr>
<tr>
<td>- Staff/meeting room</td>
<td>12</td>
<td>16 (shared)</td>
</tr>
<tr>
<td>- Indoor play room/s²</td>
<td>125</td>
<td>90</td>
</tr>
<tr>
<td>- Internal storage</td>
<td>20</td>
<td>30 (shared), 10 if separate</td>
</tr>
<tr>
<td>- Kitchen</td>
<td>12</td>
<td>16 (shared), 8 if separate</td>
</tr>
<tr>
<td>- Staff/accessible toilet</td>
<td>8</td>
<td>12 (shared), 6 if separate</td>
</tr>
<tr>
<td>- Children’s amenities area</td>
<td>16</td>
<td>12 (separate)</td>
</tr>
<tr>
<td>- Rear veranda</td>
<td>40</td>
<td>30 (separate)</td>
</tr>
<tr>
<td>- External storage</td>
<td>20</td>
<td>35 (shared), 15 if separate</td>
</tr>
</tbody>
</table>

- The ability to license at least one playroom at the kindergarten for 33 places. If a second room is provided, a capacity to license this space for at least 22 children;
- If a second playroom is provided, a direct connection between the two playrooms;
- Secure entry to the kindergarten building from the street, i.e. separated from the outdoor play area;
- An enclosable front veranda;
- A suitable sized and shaped foyer area which enables the easy circulation of parents, carers and children and connects directly to the indoor playroom/s;
- A suitable area for the provision of lockers;
- Suitably sized office and kitchen areas which connect directly to and have surveillance of the indoor playroom/s;
- A small meeting room/confidential space;
- Staff/accessible toilet/s close to the office and opening directly into the indoor playroom/s;
- Suitably sized internal storage areas with direct access to the playroom/s;
- Children’s toilets which:
  - Are accessible from the playroom/s and outdoor play area
Early Years Infrastructure Plan August 2018

- Can be surveilled from the playroom's and outdoor play area
- Provide some privacy to the children.
- A suitable sized, shaped and enclosable rear veranda which can be directly accessed off the playroom and has the potential to be included in the licensable playroom space;
- External store/s which has covered access serving the play area; and
- An attractive exciting play area which can be easily supervised and used for a range of diverse play experiences.

Occasional care/playhouses

- Where occasional care is provided, the ability to license at least one playroom at the centre for 22 places;
- Secure entry to the building from the street. i.e. separate from the outdoor play area;
- A front entry area which enables the easy circulation of parents and children;
- Suitably sized office, kitchen and storage areas which connect directly to the indoor playroom/s;
- Staff/accessible toilet close to the indoor playroom/s;
- If multiple indoor play areas are provided, a direct connection between the two playrooms;
- Children’s toilets which are accessible from the playroom/s and outdoor play area;
- A suitable sized, shaped and enclosable rear veranda which can be directly accessed off the play room;
- External store/s serving play area which has covered access; and
- An attractive exciting play area which can be easily supervised and used for a range of diverse play experiences.

M&CH centre

- A covered front entry area which enables the easy circulation of parents, carers and toddlers;
- An attractive and suitably sized waiting room that has the capacity to be used for group sessions;
- Public and staff/accessible toilets;
- Suitable baby change facilities;
- Two good sized consulting rooms with adequate storage; and
- Suitable kitchen facilities.

Toy library

- A covered front entry area which enables the easy circulation of parents, carers and children;
- Suitable toy check in and check out areas;
- Suitably sized and attractive toy collection and display area/s;
- Adequate storage areas;
- Public and staff/accessible toilets;

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- Suitable baby change facilities; and
- Kitchen facilities.

7.3 Action plan

The recommended actions with respect to Council’s early years facilities are listed in Tables 2 and 3 on pages 13-15. The tables differentiate general actions and individual facility actions.

The cost of actions have been assigned, where relevant. The costs are broad estimates based on floor and play area rates and will need to be firmed up through more detailed concept planning and QS costing processes.

Several factors will be considered in determining the priority of the actions. These factors are:

- Works needed to satisfy unmet or imminent demand;
- Works needed to address compliance and/or safety issues;
- Recent and current levels of demand for the facility;
- The level of disadvantage and vulnerability in the community served by the facility;
- The comparative level of functionality of the facility;
- Contingent upon other Council infrastructure priorities;
- The capital cost of the proposed development works;
- The ease from a physical logistical sense of undertaking the redevelopment works (including logistics of service disruption/relocation);
- The extent of preplanning that has already been undertaken for the development works; and
- The level of support from the staff, users and managers of the facility for the actions should also be taken into consideration.

Unmet and imminent demand and addressing compliance and safety issues relate to four facilities.

7.4 Funding

The implementation of the Infrastructure Plan will require the allocation of resources for planning, designing, constructing, commissioning, overseeing and maintaining the facilities.

Capital funds will be required to convert, extend or refurbish existing facilities or develop new facilities. Government funding may become available for some projects however Council will be the main source. Resources will also be needed to maintain and renew the buildings over their lifecycles.

Council has established a fund for works related to early years facilities – the Early Years Reserve Fund ($5.55M). The full implementation of the Infrastructure Plan will require funding above this amount. These funds will need to be approved through Council’s annual budget process.
7.5 Capital cost estimates

Tables 2 and 3 contain details of the Infrastructure Plan recommended actions.

Table 2 details the general works that are proposed for multiple early years sites. At some sites, the works should be undertaken when the major redevelopment works are occurring at the sites. At other sites, the works may not need to be deferred as they will not be impacted by the major redevelopment works. Note: the estimated costs are for works that are not being deferred.

Table 2 – Facilities Plan: Cost estimates, recommended general actions

<table>
<thead>
<tr>
<th>Facility</th>
<th>Estimated cost $</th>
</tr>
</thead>
<tbody>
<tr>
<td>GENERAL</td>
<td></td>
</tr>
<tr>
<td>Accessible bin enclosures</td>
<td>15,000</td>
</tr>
<tr>
<td>Entrance improvements – landscaping, paving</td>
<td>100,000</td>
</tr>
<tr>
<td>Bike and scooter racks</td>
<td>15,000</td>
</tr>
<tr>
<td>Storage expert. Disposal of surplus equipment etc. Recommendations on improvements to storage areas. Minor works undertaken</td>
<td>50,000</td>
</tr>
<tr>
<td>Technology improvements</td>
<td>80,000</td>
</tr>
<tr>
<td>Privacy doors on children’s bathrooms</td>
<td>28,000</td>
</tr>
<tr>
<td>Verandas made enclosable</td>
<td>150,000</td>
</tr>
<tr>
<td>Acoustic ceiling tiles replaced</td>
<td>100,000</td>
</tr>
<tr>
<td>Hire and siting of portables</td>
<td>1,000,000</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>1,538,000</strong></td>
</tr>
</tbody>
</table>
Table 3 – Infrastructure Plan: Cost estimates, recommended actions individual centres

<table>
<thead>
<tr>
<th>Facility</th>
<th>Estimated cost $</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Kindergartens</strong></td>
<td></td>
</tr>
<tr>
<td>Black Rock – Improved spaces and amenities to increase functionality</td>
<td>302,000</td>
</tr>
<tr>
<td>East Beaumaris – Replace with a new double room, 55 place facility as the facility has comparatively high use and is poorly functional</td>
<td>2,250,000</td>
</tr>
<tr>
<td>Fern St Children’s Centre – Black Rock (new facility to meet community need for kindergarten, toy library, occasional care, meeting spaces and intergenerational children’s sensory garden combined with adults exercise space)</td>
<td>4,480,000</td>
</tr>
<tr>
<td>Gordon Street - Redevelop and extend existing facility into attached Council owned building to increase spaces and amenities</td>
<td>678,000</td>
</tr>
<tr>
<td>Grange Road - Extend to increase playroom and other indoor spaces and improved amenities</td>
<td>561,000</td>
</tr>
<tr>
<td>Hampton Community - Improved amenities and outdoor veranda made enclosable</td>
<td>150,000</td>
</tr>
<tr>
<td>Helen Paul - Replace the facility with a new 33 place centre as it is not fit for purpose and is poorly functional</td>
<td>1,300,000</td>
</tr>
<tr>
<td>Hurlingham (East Brighton) - Extend and reconfigure the kindergarten to provide improved amenities and a playroom that can be registered for 33 places through an extension or by having the capacity to temporarily enclose the veranda area</td>
<td>310,000</td>
</tr>
<tr>
<td>Jack and Jill (Beaumaris) - Redevelop and extend existing facility to improve amenities and functionality</td>
<td>224,000</td>
</tr>
<tr>
<td>Livingston (Highett) - Redevelop the children’s centre as a two room 55 place kindergarten facility and relocate MCH to the CSIRO site</td>
<td>550,000</td>
</tr>
<tr>
<td>Nagle - Extend to increase playroom, improved amenities and outdoor veranda made enclosable</td>
<td>330,000</td>
</tr>
<tr>
<td>North Brighton - Reconfigure and extend kindergarten to provide 2 rooms of 33 and 22 places. Part of larger site redevelopment. See also Brighton North Playroom and North Brighton M&amp;CH Centre</td>
<td>610,000</td>
</tr>
<tr>
<td>Olive Phillips - Improve the appearance of the front entrance</td>
<td>40,000</td>
</tr>
<tr>
<td>Olympic Avenue (Cheltenham) - Extend and reconfigure to provide improved spaces and amenities to increase kindergarten functionality</td>
<td>594,000</td>
</tr>
</tbody>
</table>

**Sub total** 12,359,000

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Item 10.7 – Reports by the Organisation

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### Facility

<table>
<thead>
<tr>
<th>Facility</th>
<th>Estimated cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>M&amp;CH Centres</td>
<td></td>
</tr>
<tr>
<td>Hampton ($365,000 cost to be considered as part of Hampton Hub feasibility study)</td>
<td>N/A</td>
</tr>
<tr>
<td>Hightett ($365,000 cost to be considered as part of the CSIRO site)</td>
<td>N/A</td>
</tr>
<tr>
<td>Sandringham (cost included in library re-development)</td>
<td>N/A</td>
</tr>
<tr>
<td>Beaumaris - Improve amenities and front entrance</td>
<td>50,000</td>
</tr>
<tr>
<td>Brighton North - Relocate the Brighton North M&amp;CH Centre to a new purpose-built facility on 3 Cross St</td>
<td>620,000</td>
</tr>
<tr>
<td>Brighton East - Re-instate the play/garden area</td>
<td>40,000</td>
</tr>
<tr>
<td><strong>Sub-total</strong></td>
<td><strong>710,000</strong></td>
</tr>
<tr>
<td>Playhouses/Toy Library</td>
<td></td>
</tr>
<tr>
<td>Bayside Playhouse and Occasional Care (Sandringham) - Construct a rear verandah and lay rubber soft fall over concrete paths and pads in the rear play area</td>
<td>50,000</td>
</tr>
<tr>
<td>Bayside Toy Library (Brighton) - Modify to provide a separate exit point to improve functionality and redevelop the front grassed area as a small social/playspace</td>
<td>60,000</td>
</tr>
<tr>
<td>Beaumaris Playhouse – General works (costs included Table 2) No additional works required</td>
<td>-</td>
</tr>
<tr>
<td>Brighton South - Utilise the Brighton South Playhouse as a location for displaced services because of redevelopment works. Refurbish the facility to make it suitable as a temporary replacement facility</td>
<td>200,000</td>
</tr>
<tr>
<td>Brighton North - Expand the Playroom into the M&amp;CH centre to meet service demand</td>
<td>620,000</td>
</tr>
<tr>
<td>Hampton Playhouse – General works (costs included Table 2) No additional works required</td>
<td>-</td>
</tr>
<tr>
<td><strong>Sub-total</strong></td>
<td><strong>930,000</strong></td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>15,537,000</strong></td>
</tr>
</tbody>
</table>

#### 7.6 Provision of temporary alternative locations

Redevelopment works are proposed for most of the early years facilities. In some cases, the works could proceed with some inconvenience but no major disruption to the service occupying the facilities. In some cases, the services will have to relocate while the works are...
being carried out. In some cases, the relocation will be for a short period; in other cases, the relocation could be for a lengthy period.

Council officers will also be heavily involved in assisting with the preparation of concept plans and organising temporary or permanent locations for displaced programs.

Some services will need temporary facilities. For kindergarten and occasional care programs, this facility will need to be of a high enough standard to be licensed as an education and care centre or children’s services facility. The requirements for M&CH centres and playhouses will not be as stringent but the facilities will need to be functional, accessible and in good condition.

Options include:

- Maximising enrolments at existing facilities.
- Portable buildings on the current site.
- Portable buildings in the adjacent park.
- Relocation to another suitable existing site – e.g. Brighton South Playhouse, hall etc.
- Relocation to a new facility – e.g. the proposed Fern St Children Centre.

7.7 Communication and engagement plan

The adoption and implementation of the Infrastructure Plan will have implications for the families and children that use Council’s early years services, the organisations that fund the services (DET and Council), Committees of Management and service staff.

Most of Council’s early years facilities will be impacted in some way and considerable officer time will be required to manage communications and relationships with Committees of Management, staff and service users.

Some actions will cause disruption to the services - services being disrupted by building works, staff being shifted to other locations etc. Council will need to develop and implement an effective, targeted communication plan. The plan should contain specific strategies and explain the relevant recommendations in the infrastructure plan.

7.8 Monitoring and review

The Early Years Infrastructure Plan should be treated as a ‘living document’. It should be formally reviewed on a yearly basis in time for the formulation of Council’s annual budget and amended after the adoption of the budget. A major review should be conducted after five years.

Council’s Manager Community Services should be responsible for ensuring the Early Years Infrastructure Plan is reviewed. Matters/developments that could prompt amendments to the Plan or should be considered in the annual and five yearly reviews are as follows:
Completion of projects listed in the Early Years Infrastructure Plan;
Decisions made to delete, change or add projects to the Early Years Infrastructure Plan (e.g. through the capital works budget development and adoption process or by other resolution of Council);
Legislative and policy changes (Government and Council) that impact on the demand for and the design and capacity of early years infrastructure e.g. funding of 3yo kindergarten;
Formal approval of major development sites where the number of dwellings and/or projected household size are substantively higher or lower than the number of dwellings and households used when producing current Council’s population forecasts;
The production of revised population forecasts;
Significant demographic change in Bayside or in certain local areas e.g. growing disadvantage in certain local areas etc;
Changes to preferred facility delivery models for early years infrastructure types as a result of Government funding requirements, community expectations and other external factors;
Changes to the capacity of Council to meet early years infrastructure;
Changes to Government capital funding programs for early years infrastructure;
The completion of strategy plans, feasibility studies, masterplans, land-use plans etc that contain recommendations and other information (e.g. timeframe for developments, land area requirements, land costs, construction costs, funding sources) which are material to the actions contained in the Early Years Infrastructure Plan and/or require new actions to be included in the Plan; and
The availability of other information that will help to refine the information presented in the Early Years Infrastructure Plan – e.g. concept plans, building plans, formal costings etc.
Executive summary

Purpose and background
The purpose of this report is to provide advice that additional time is required to consult with the community on the proposal to increase the utilisation of Elsternwick Park South Ovals 3 and 4 for winter sport and to advise that the findings of the consultation process will be reported to a Special Council Meeting on the 19 September 2018.

On 24 April 2018, it was resolved:

That Council receives a report at its June 2018 Ordinary Meeting of Council on the implications and costs of activating Elsternwick Park Ovals 3 and 4 for competition based sport, and undertakes consultation with the immediate surrounding neighbours.

A report was presented at the 19 June Ordinary Meeting of Council to provide information on the implications and costs of activating Elsternwick Park Ovals 3 and 4 for competition based winter sport. This report also provided information on the proposed community engagement plan with the immediate surrounding neighbours and the broader community that would inform a future decision of this proposal. On 19 June 2018, it was resolved:

That Council notes the assessment of infrastructure requirements needed if Elsternwick Park Ovals 3 and 4 are utilised for winter competition sports and receives a report at the 21 August 2018 Ordinary Meeting detailing the outcomes of community consultation on the proposed sporting infrastructure improvements at Elsternwick Park Ovals 3 and 4.

Key issues
A recurring theme within the feedback received from the community during the consultation process relating the Elsternwick Park Ovals 3 and 4 is that the period of time to complete an adequate and meaningful community engagement process to inform a decision on this matter at the 21 August 2018 Council meeting was insufficient.

In response to this feedback, a Special Meeting of Council has been scheduled for 19 September 2018 to allow more time to conduct community engagement activities and collect feedback on the proposal.

Recommendation
That Council:

1. notes a Special Meeting of Council will be held on Wednesday 19 September 2018 commencing at 6.30pm regarding Elsternwick Park South Ovals 3 and 4; and
2. receives a report at the 19 September 2018 Special Meeting detailing the outcomes of community consultation on the potential sporting infrastructure changes at Elsternwick Park Ovals 3 and 4.
Considerations and implications of recommendation

Liveable community

Social
Sport provides opportunities for the community to build social networks and community connections and encourages lifelong engagement in sport and recreational opportunities. Open spaces provide for dog walking, passive recreation and relaxation.

Natural Environment
There are no natural environment implications associated with the recommendations included in this report.

Built Environment
There are no built environment implications associated with the recommendations included in this report.

Customer Service and Community Engagement
Consultation is being conducted in line with Council’s Community Engagement Framework.

Feedback was received until 16 August 2018. The outcomes of the engagement will be reported to Council and made available to the public via Council’s “Have your say” page.

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 included in this report.

Finance
The cost of the community engagement process is allowed for in Council’s operating budget.

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

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

The development of additional fit for purpose sportsgrounds is in line with a number of Key Principles included in the Bayside ‘Active by the Bay’ Recreation Strategy (2013-2022) including:
1. The provision of recreational opportunities for all;
2. Providing great places for people to recreate in, and to be socially connected; and
3. Responding to identified recreational needs of the community.
Executive summary
The purpose of this report is to seek Council’s approval to spend $70,000 to complete the installation of brush fencing along Railway Avenue in Brighton, in accordance with the resolution made at the July 2016 Ordinary Meeting of Council, where it was resolved:

That Council purchase and plant 50 advanced tree specimens up to 3m in height as a matter of urgency within the current planting season to be funded from the street tree replacement budget and the remaining 45 trees to be planted in 2017/18 if the existing trees do not reach a height of 2.5 metres; and

That Council allocates up to $40,000 of unbudgeted expenditure in 2016/17 to install a 1.8m high fire retardant brush fence as a visual screen along the railway line in Railway Avenue, Brighton and the existing brick fence be retained and a brushed fence cap be installed to the same height of 1.8 metres [and] notifies the residents of Railway Avenue, Brighton of this decision.

Railway Avenue, Brighton is a cul-de-sac with residential properties on its western side and the Sandringham railway line on the eastern side.

So far Council has installed fencing and planted new trees along 175m of Railway Avenue. 50m of Railway Avenue remains unfenced due to engineering constraints. The established trees have not been removed from this 50m section of Railway Avenue.

Key issues
Railway Avenue is approximately 225m in length (as illustrated in Attachment 1). The first 175m of fencing has been installed along the southern section end of Railway Avenue. The remaining 50m section to the north has been delayed due to the following constraints at this site:

Topography
The ground level of the remaining unfenced section of Railway Avenue drops significantly to the northern end. At the end of the cul-de-sac, the ground level is approximately 3m below the adjacent elevated railway line. This drop in ground level is an important aspect of the design of the remaining fence line for it to provide a screen from the railway line. Therefore the height of the fence will need to reach approximately 5m to effectively screen the railway and trains from the residential properties.

Brick Wall (Owned by Metro Trains)
A brick wall that runs parallel to the railway line is leaning towards Railway Avenue. The wall is owned and maintained by Metro Trains. Due to the current state of the wall, Metro Trains has been reluctant to approve a fence installation associated with this wall (i.e. attached or extended from).
Council staff are in contact with staff at Metro Trains in order to confirm the working agreements. Verbal advice from Metro Trains indicates that Council could construct the new fence close to the existing brick wall, as long as the new fence does not interfere with the existing brick wall.

Below Ground Cable (Owed by VicTrack)
VicTrack are responsible for a below ground cable in the vicinity of the railway easement. Council staff are in discussion with VicTrack in order to confirm the working agreements.

Nature Strip
The nature strip where the second stage of the fence is to be installed narrows to the north along Railway Avenue. Council staff are currently in discussion with the agencies responsible for all adjacent assets (the existing brick wall and below ground cable) in order to agree a methodology where the new fencing and plantings can both be installed.

Fence Design
To achieve a visual screen in relation to the railway, an alternative fence design is required for the remaining 50m of the Avenue. A drawing has been produced to illustrate the appearance of this fence (see Attachment 2). The final location of the fence is still to be determined and will be negotiated with the relevant authorities. It is intended to plant additional trees when the second stage of fencing is completed. The existing trees will need to be removed. They currently have branches that extend and intrude on the area of the proposed fence.

Additional Costs
Additional costs beyond the original cost estimate for the fencing works, tree removal and tree planting are required to complete the project. This is explained under Finance in the Considerations and Implications section of this paper.

Recommendation
That Council approve $70,000 of capital expenditure to complete the installation of 50m of brush fencing and tree removal and tree planting, to complete the resolution made at the July 2016 Ordinary Meeting of Council in relation to the fencing works at Railway Avenue, Brighton.

Support Attachments
1. Attachment 1 - Railway Avenue Aerial Photography 2015 - 2018 (separately enclosed)
2. Attachment 2 - Stage 2 Fence Design Railway Avenue (separately enclosed)

Considerations and implications of proposition

Liveable community

Social
Removal of the trees on the eastern road reserve of Railway Avenue significantly changed the visual appearance of the street. Residents had advised Council that this resulted in increased noise and vibration from the railway and has diminished the amenity of the street.

The construction of the fence and planting of trees along the southern section of Railway Avenue has addressed the concerns of residents who are adjacent to the new fence and
plantings. Residents in the northern section of Railway Avenue are seeking completion of the fence and planting along the section of brick retaining wall.

**Natural Environment**
Replacing the existing trees along Railway Avenue has had a positive effect on the natural environment. The existing trees along the northern section of Railway Avenue are in poor form and are not consistent with the southern section of the street. To allow construction of a fence along the top of the brick wall, the established trees will need to be removed and new trees planted.

**Built Environment**
The installation of the fence will alter the built environment in Railway Avenue due to its scale and nature. The fence will visually screen the residential properties located on the northern section of Railway Avenue from the railway line.

**Customer Service and Community Engagement**
Council staff have been in contact with residents of Railway Avenue to provide updates about the project, including the constraints associated with the works. Council staff will continue to liaise with the residents of Railway Avenue, seek their input on solutions, and will inform the whole Avenue of future proposed works and provide timely updates.

The resident representatives in Railway Avenue have been advised that this report is being considered by Council.

**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**
VicTrack and Metro Trains have legal and legislated authority over the rail corridor and the brick wall described in this report. Additional negotiation is required with these agencies to facilitate works along Railway Avenue.

**Finance**
The total costs to date to install 175m of fencing and plant trees along Railway Avenue was approximately $70,000. This includes the removal of previous trees and the purchase and maintenance costs associated with planting advanced tree specimens.

The cost to install the remaining 50m of fencing along Railway Avenue (stage 2) is estimated to be $70,000. This allocation is not forecast in current capital works budgets.

In summary:
The initial budget was $40,000
The costs to date are $70,000
Costs to complete are $70,000

It is expected that this project will be funded from savings anticipated in the capital works program. The capital works budget forecast will be updated to reflect this requirement.

**Links to Council policy and strategy**
The Street and Park Tree Management Policy (2016) identifies that periodic removal of trees may be required to facilitate renewal of a streetscape.
10.10 CEASING THE BRIGHT N SANDY FOOD AND WINE FESTIVAL AND ESTABLISH A LOCAL FESTIVALS AND EVENTS FUND

Environment, Recreation & Infrastructure - Open Space, Recreation & Well Being
File No: PSF/18/106 – Doc No: DOC/18/140538

Executive summary

Purpose and background

The purpose of this report is to cease the Bright n Sandy Food and Wine Festival and recommend the implementation of a new grants stream - Local Festivals and Events Fund to utilise the budget currently allocated to the Bright n Sandy Food and Wine Festival to assist local community festivals and events.

The Bright n Sandy Food and Wine Festival (the Festival) has been conducted for 14 years and was established by Council to showcase Bayside businesses and provide community with a cultural opportunity that creates a sense of identity, pride and place which is a key goal of making Bayside a Better Place.

The Festival remains a boutique family event and in warm weather, as seen in the 2017 event, can attract up to 8,000 attendees. This year’s event was held on a cool and windy day resulting in a reduced attendance of 4,800. Attendance by Bayside businesses participating in the Festival has declined to 25% in 2018. Inconsistent attendance, limited revenue from a single day event and Sunday trading penalty rates are key factors that restrict the involvement of Bayside businesses in this event. The cost to Council to run the event is fixed so if any patronage is low, costs remain the same.

Compared to five years ago, outdoor food and wine events are more prevalent across Melbourne. The Festival competes with a variety of other food and wine events conducted throughout the summer season, which in recent years has expanded to include food truck festivals and night markets.

Council currently engages an event management company to run the Festival. This contract has concluded its last Festival and the scope of the next event management contract needs to be determined if a new contract is to be tendered.

A review was undertaken of Council’s contribution to local events as part of its service review program. While the Festival was found to meet some of its objectives there are opportunities to better achieve these outcomes. It is proposed that Council cease the existing Festival and instead provide a grants program for community event organisers, which includes the well-established shopping street/activity centre festivals.

Key issues

Events play an important role in community life, they encourage residents to come together with friends and family to celebrate annual events, enjoy festivals and conduct recreational activities. Events of this nature, can attract significant costs (like traffic management) which in turn can be prohibitive for community groups. It is proposed that a Local Festivals and Events Fund be established to provide a grants program to assist in alleviating some of this burden and encourage innovative events to be offered within Bayside.
The proposed Fund is designed to encourage local not for profit organisations and community groups to deliver a diverse range of events that strengthen community participation within the municipality by providing support via a grant program.

Grants of up to $25,000 per event are proposed to be made available per event or festival.

By supporting established and new events within the municipality Council ensures they remain viable and continue to grow to benefit the community.

Applications would be accepted from both individuals and organisations to support the costs associated with delivering events. Eligible costs include, traffic management, security, infrastructure and other logistical aspects of the event.

Eligibility Criteria
Applications to the Fund will be received from local not for profit organisations and community groups whose events are shown to encourage social inclusion, improve the wellbeing of the community and have a positive economic benefit.

To be eligible for funding an application must:

- Demonstrate that the applicant is a not for profit organisation or community group;
- Plan to conduct an event in the municipality within 12 months of the funding being awarded;
- Adhere to Council's Event Permit process;
- Provide equitable access for all Bayside residents;
- Demonstrate the festival or event will attract an audience greater than 500 residents;
- Engage with other community groups and organisations in the delivery of the event;
- Plan an event in an environmentally responsible manner and minimise impact on residential amenity;
- Demonstrate multiple sources of funding and/or support to operate the event if other funding applications are unsuccessful. i.e. not being solely reliant on The Fund to produce the event; and
- Demonstrate that Traders Associations will work collaboratively with local community groups.

Applications that will not be considered under the Fund:

- Events that seek to attract only a special interest audience and/or recruit new members;
- Are organised by a private for-profit enterprise;
- Events that take place outside of the City of Bayside;
- Small events (under 500 attendees), please refer to Council’s Contingency grants;
- Funding for operational costs of items such as wages, Council or other authority permits and licences;
- Capital works (building or maintenance works) or the purchase of equipment and furniture;
- Events that receive sponsorship from venues containing electronic gaming machines;
- Organisations receiving funding for their event through other Council programs; and
- Applicant’s that have not acquitted previous grants and/or funding from Council.
Application Rounds
The Local Festivals and Events Fund would be administered through the SmartyGrants system currently used to administer Council’s Annual Community Grants program. It is proposed that the Fund is open to applicants in two rounds as detailed below:

<table>
<thead>
<tr>
<th>For Events Occurring</th>
<th>Applications Open</th>
<th>Applications Close</th>
</tr>
</thead>
<tbody>
<tr>
<td>October 2018 - February 2019</td>
<td>1 September 2018</td>
<td>31 January 2019</td>
</tr>
<tr>
<td>March 2019 – June 2019</td>
<td>1 February 2019</td>
<td>1 May 2019</td>
</tr>
</tbody>
</table>

From 1 July 2019, there will be one funding round, which will run per financial year.

Funding Agreement and Acquittal
The funding available in each round will be determined through Council’s Annual Budget process and while recipients will be eligible to apply in consecutive years, events funded in the current financial year are not guaranteed in subsequent years.

Successful applicants will be required to enter into a formal agreement with Bayside City Council before receiving a grant and will be required on delivery of the event to complete an acquittal, which must include proof of purchase for the items outlined in the original funding agreement. The acquittal must be submitted to Council within eight weeks of the event being held.

Current Bayside Events
The Events and Projects Officer currently guides and assists community operators to manage their own events on Council owned or managed land. This ensures all legislative requirements are adhered to and reduces risk to Council.

In 2017, 42 community event permits were issued for the use of Council land. These events would be eligible to apply for funding under the proposed fund assisting to ensure these events are able to continue to take place and expand within the municipality.

Current Shopping Centre Event and Celebration Funding
Below is a table that outlines the events that were funded through Economic Development’s operational budget in 2017. Attendance to the total of these events was estimated at over 20,000, by offering increased funding to such events will ensure their viability will continue to grow.

<table>
<thead>
<tr>
<th>Date</th>
<th>Event</th>
<th>Organiser</th>
<th>Activity Centre</th>
</tr>
</thead>
<tbody>
<tr>
<td>28/04/2017</td>
<td>Indulge in Martin Street</td>
<td>Martin Street</td>
<td>Martin Street, Brighton</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Traders</td>
<td></td>
</tr>
<tr>
<td>27/05/2017</td>
<td>Church Street Pipers</td>
<td>Church Street</td>
<td>Church Street, Brighton</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Traders</td>
<td></td>
</tr>
<tr>
<td>29/10/2017</td>
<td>Sandringham Village Festival</td>
<td>Various community groups</td>
<td>Sandringham Village</td>
</tr>
<tr>
<td>24/11/2017</td>
<td>Concourse Christmas Carnival</td>
<td>Beaumaris Rotary</td>
<td>Beaumaris Concourse</td>
</tr>
<tr>
<td>29/11/2017</td>
<td>Santa Rally</td>
<td>Sandringham Rotary</td>
<td>Sandringham/Brighton</td>
</tr>
<tr>
<td>30/11/2017</td>
<td>Black Rock Christmas</td>
<td>Beaumaris Rotary</td>
<td>Black Rock Village</td>
</tr>
<tr>
<td>2/12/2017</td>
<td>Christmas on Bay Street</td>
<td>Sandringham Lions</td>
<td>Bay Street, Brighton</td>
</tr>
</tbody>
</table>
Shopping Centre Event and Celebration Program

As part of its economic development activities, Council also allocates $30,000 per annum to the Shopping Centre Event and Celebration Program. This program supports the delivery of events and celebrations conducted in shopping centres in conjunction with traders associations.

Conclusion

Events Fund as a grant scheme to support community based festivals and events.

Recommendation

That Council:

1. does not continue to provide the Bright n Sandy Food and Wine Festival.

2. implements a Local Festivals and Events Fund as outlined in this report through the management of SmartyGrants, to encourage local not for profit and community groups to develop and implement events within the municipality.

3. Allocates the budget identified for the Bright n Sandy Food and Wine Festival to the Local Festivals and Events Fund.

Support Attachments

Nil

Considerations and implications of recommendation

Liveable community

Social

The Local Festivals and Events Fund will provide opportunities for the Bayside community to participate in local festivals and events that provide opportunities for people to socially connect and clear a greater sense of community.

Natural Environment

There are no natural environment implications associated with the recommendation included in this report.

Built Environment

There are no built environment implications associated with the recommendations included in this report.

Customer Service and Community Engagement

Council conducts post event surveys of vendors and attendees of the Bright n Sandy Food and Wine Festival.

Council officers have spoken to various event organisers to decipher if the Fund will be viable to them, a positive response was received. A communications plan will be established in line with Council’s Community Engagement Policy once the Fund is implemented.

The Council Grants Policy (2016) will be revised to include the new funding stream.
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 funding agreements are a legal agreement between Council and the grant recipient. The agreement may be terminated or suspended, following consultation between Council and the recipient in the event that there is a breach of any of terms and conditions of the agreement that is not remedied following investigation and advice.

Finance
Council’s 2018/2019 Budget includes an allocation of $165,870 to conduct the 2019 Bright n Sandy Food and Wine Festival. It is proposed to provide $165,870 in grants available through the Fund.

This amount is in addition to the $30,000 allocated to the Shopping Centre Event and Celebration Program each year that supports the delivery of events and celebrations conducted specifically in shopping centres in conjunction with traders’ associations.

Utilising SmartyGrants system to administer the fund will increase the subscription by $5,870 to the cost.

Links to Council policy and strategy
The provision of the Local Festivals and Events Fund will assist Council to achieve:

- Community aspiration in the Community Plan (2025) “By 2025, Council will;
  - Promote and support the delivery of inter-generational opportunities and activities”.
  - Support groups to deliver programs and events that enhance community connection”
  - Encourage and support inclusive events”
- Events in Public Places Policy 2018
- Economic Development Strategy
- Bayside Tourism Strategy 2013
10.11 ANNUAL COMMUNITY GRANTS 2018/19

Executive summary

Purpose and background
The purpose of this report is to present the outcome of Council's 2018/19 Annual Community Grants Program (the Program).

The Program encourages and assists local not-for-profit community organisations to enhance and improve a range of leisure, cultural, community development, environmental, health, educational, recreational, sporting and welfare programs and activities offered to Bayside residents.

Council's 2018/19 budget includes an allocation of $136,960 to fund the Annual Community Grants Program and applicants may apply for a single grant up to a maximum of $5,000.

Key issues
Promotion of the Annual Community Grants Program
During the 2018/19 Grants Program cycle, promotion of the Program included:

- Email distribution to not-for-profit community groups and organisations;
- Information published on the Bayside website;
- Advertisement in the Bayside Leader;
- Social media posts;
- Media releases issued the week before opening and the week before closing of the application round;
- Flyers distributed to community centres, libraries and senior citizen groups; and
- Information sessions to provide overview of application process and introduce potential applicants to the SmartyGrants system.

In addition, specialised support sessions were made available to assist applicants with limited access to a computer or those people lacking confidence to submit an online application without assistance.

Applications
The Program received 67 applications for 2018/19. The following is relevant to the number of applications received:

- Introduction of the Inclusive Bayside Partnership Program. Grants up to $5,000 were provided to community organisations to deliver programs, events or purchase equipment to ensure the inclusion of people with a disability. Organisations who received this funding were not eligible for the Program.
- An increase in applications for Contingency Grants in 2017/18. The number of successful grant applications in 2017/18 was 39 with $86,992.04 allocated.
- Verbal feedback from community organisations was received indicating that the maximum amount of $5,000 awarded through the Program no longer provides sufficient funds to cover the costs of activities sought to be provided. Some community organisations stated that they would apply if the maximum amount was higher in value.

The above factors will be considered as part of Council’s Grants Policy review in 2019.
Assessment of Applications
The Program applications reflect the diverse populations and interests within the Bayside community and proposes a range of programs and services to strengthen community capacity, increase the overall health and wellbeing of the community, and foster community connectedness across Bayside.

All applicants were required to meet the basic threshold of eligibility and at least one or more aims of the Program. Eligible applications were assessed and prioritised. A point scoring system against criteria in the following categories was utilised:

- Evidence of need;
- Alignment with Council’s policies and priorities, particularly the goals and objectives of Wellbeing for All Ages and Abilities Strategy (2017-2021);
- Community involvement and inclusion;
- Equity and access for the community;
- Environmental sustainability; and
- Overall community benefit.

Under this Council endorsed scoring system applicants can receive up to a total of 68 points. The score attributed to each application is used to prioritise the application for funding.

Assessment and recommendations

A summary of the total number of grants recommended for funding is shown below:

<table>
<thead>
<tr>
<th>Recommendations</th>
<th>No. of applications</th>
<th>Grant funding requested</th>
<th>Recommended funding</th>
</tr>
</thead>
<tbody>
<tr>
<td>Annual Community Grants 2018/19</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Recommended (Attachment 1)</td>
<td>46</td>
<td>$175,849</td>
<td>$136,960.00</td>
</tr>
<tr>
<td>Not recommended</td>
<td>14</td>
<td>$52,592</td>
<td>$0</td>
</tr>
<tr>
<td>Ineligible</td>
<td>7</td>
<td>$29,000</td>
<td>$0</td>
</tr>
<tr>
<td>Total</td>
<td>67</td>
<td>$257,441</td>
<td>$136,960</td>
</tr>
</tbody>
</table>

Not recommended applications did not adequately address the assessment criteria. Each year specific feedback is provided to unsuccessful applicants to assist them to strengthen future applications or provide suggestions regarding other appropriate funding programs.

Recommendation
That Council allocates the 2018/19 Annual Community Grants recipients as outlined in Attachment 1.

Support Attachments
1. Attachment 1 - Annual Community Grants 2018/19
Considerations and implications of recommendation

Liveable community

Social

The Annual Community Grants Program encourages and assists local not-for-profit community organisations to enhance and improve the range of leisure, cultural, community development, environmental, health, educational, recreational, sporting and welfare programs and activities offered to Bayside residents.

Natural Environment

Environmental considerations are included as part of the assessment process, with applicants contributing to environmental sustainability scoring higher.

Built Environment

Capital works are not considered eligible as part of the Program.

Customer Service and Community Engagement

Individual support and specialised presentations were provided to the community and key groups during the application process.

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

All applicants are assessed for Public Liability Insurance as part of the eligibility assessment. Applicants are charged with the responsibility to ensure the safety of the program applied for, as outlined within Bayside’s Council Grants Policy 2016.

Finance

Council’s 2018/19 budget includes an allocation of $136,960 to fund the Program. The recommended grants (Attachment 1) are within this budget allocation.

Links to Council policy and strategy

The Program is guided by Bayside’s Council Grants Policy 2016 and Grants Guidelines (2018/19). Funding applications are scored against the strength of their alignment with the goals and objectives of the Wellbeing for All Ages and Abilities Strategy (2017-2021).
## Annual Community Grants 2018/19 - Recommended

<table>
<thead>
<tr>
<th>Name of organisation</th>
<th>Project Title</th>
<th>Brief project description</th>
<th>Req $</th>
<th>Recommended $</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bayley House</td>
<td>The Writers Club</td>
<td>Establish a writers’ group for clients at Bayley House. Participants will learn to create a theme, story line, organise content, illustrate and print their own book.</td>
<td>$5,000.00</td>
<td>$5,000.00</td>
</tr>
<tr>
<td>Connect Health and Community</td>
<td>Dementia Cafe</td>
<td>Provide regular meetings in a community environment (e.g. a café or RSL) for those living with dementia and their loved ones.</td>
<td>$5,000.00</td>
<td>$5,000.00</td>
</tr>
<tr>
<td>Highett Neighbourhood Community House</td>
<td>Social Engagement at Dunkley Fox</td>
<td>Programming that provides positive social engagement between residents on the Dunkley Fox Public Housing Estate and local community services.</td>
<td>$5,000.00</td>
<td>$5,000.00</td>
</tr>
<tr>
<td>Neighbourhood Watch Beaumaris</td>
<td>Establish Neighbourhood Watch Beaumaris</td>
<td>Establish a Neighbourhood Watch Branch in Beaumaris.</td>
<td>$5,000.00</td>
<td>$5,000.00</td>
</tr>
<tr>
<td>Neighbourhood Watch Black Rock</td>
<td>Neighbourhood Watch Black Rock Mural</td>
<td>Developing a mural on a graffiti prone shop wall in Black Rock with Sandringham College students.</td>
<td>$5,000.00</td>
<td>$5,000.00</td>
</tr>
<tr>
<td>Sandringham Football Club</td>
<td>Establish and field a Bayside VFLW team in 2019</td>
<td>Support the establishment of a Bayside VFLW team to provide pathways for Bayside girls and women playing community football into AFLW. There is currently no VFLW teams in the Bayside and surrounding area.</td>
<td>$5,000.00</td>
<td>$5,000.00</td>
</tr>
<tr>
<td>Sound of the Future</td>
<td>Beats, Rhymes &amp; Life</td>
<td>Deliver an eight week program that teaches youth the fundamentals of music production, lyric writing and performance to boost confidence, self-worth and creative thinking.</td>
<td>$5,000.00</td>
<td>$5,000.00</td>
</tr>
<tr>
<td>Hampton Community Kindergarten</td>
<td>Sustainable rain water system for community edible garden</td>
<td>Incorporate environmentally friendly practices to expand the edible community garden program.</td>
<td>$4,930.00</td>
<td>$4,930.00</td>
</tr>
<tr>
<td>Lions Club of Sandringham Inc.</td>
<td>Positive Ageing Digital Storytelling Inter-generational Project</td>
<td>Develop and share life stories between high-school students and older adults through the development of short videos.</td>
<td>$4,865.00</td>
<td>$4,865.00</td>
</tr>
<tr>
<td>Name of organisation</td>
<td>Project Title</td>
<td>Brief project description</td>
<td>Req $</td>
<td>Recommended $</td>
</tr>
<tr>
<td>-----------------------------------</td>
<td>---------------------------------------------------------</td>
<td>--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
<td>---------</td>
<td>---------------</td>
</tr>
<tr>
<td>Vocally Wild Choir Inc</td>
<td>Projecting our voices into the Community</td>
<td>Provide an additional two community performances in Bayside to extend the choirs reach into the community.</td>
<td>$5,000.00</td>
<td>$4,696.00</td>
</tr>
<tr>
<td>Rotary Club of Beaumaris</td>
<td>Advocate training program</td>
<td>Deliver a training program to four Bayside football clubs, offering support to people in the community who are experiencing family violence.</td>
<td>$5,000.00</td>
<td>$4,537.00</td>
</tr>
<tr>
<td>Chr Centre for Jewish Life Brighton</td>
<td>Smiles for Health</td>
<td>Facilitate a volunteer program amongst Bayside school children to visit people in local hospitals and rehabilitation.</td>
<td>$6,000.00</td>
<td>$4,500.00</td>
</tr>
<tr>
<td>Bayside Netball Club</td>
<td>Increasing female participation by providing professional open coaching sessions to Bayside netballers</td>
<td>Deliver skill development and coaching sessions for players and coaches with Australian netball representatives. Sessions focus on life skills including leadership, resilience, persistence and motivation.</td>
<td>$4,500.00</td>
<td>$4,500.00</td>
</tr>
<tr>
<td>St. Leonards Brighton Beach Playgroup</td>
<td>St. Leonards Playgroup</td>
<td>Additional children's resources to meet the expansion of intergenerational activities at the playgroup. Group is not affiliated with St Leonard's College.</td>
<td>$4,445.00</td>
<td>$3,693.40</td>
</tr>
<tr>
<td>Australian Skateboarding Federation</td>
<td>Bayside Learn To Skate/ Skate Contest</td>
<td>Deliver a six week learn to skate program, followed by an inclusive skate competition.</td>
<td>$4,000.00</td>
<td>$3,800.00</td>
</tr>
<tr>
<td>Nagle Pre-School</td>
<td>Australian Aboriginal culture at Nagle Pre-school: Educating our children with local and modern Indigenous knowledge</td>
<td>Deliver an indigenous program which aims to educate families on Australian Aboriginal Culture.</td>
<td>$3,535.00</td>
<td>$3,535.00</td>
</tr>
<tr>
<td>Brighton Playroom Inc.</td>
<td>Increased Accessibility and Support for Special Educational Needs children</td>
<td>Additional resources to support programs for children with language/auditory/sensory processing disorders, as well as those from culturally/linguistically diverse backgrounds.</td>
<td>$5,000.00</td>
<td>$3,500.00</td>
</tr>
<tr>
<td>MOIRA Disability &amp; Youth Services</td>
<td>2018 National Carer's Week Celebration</td>
<td>Deliver Carer's Week celebration activities.</td>
<td>$5,000.00</td>
<td>$3,500.00</td>
</tr>
<tr>
<td>Whitelion Youth Agency Ltd</td>
<td>DARE2B Youth Conference 2019</td>
<td>Assist in funding DARE2B, a free event for young people aiming to prevent disengagement from education.</td>
<td>$5,000.00</td>
<td>$3,500.00</td>
</tr>
<tr>
<td>Name of organisation</td>
<td>Project Title</td>
<td>Brief project description</td>
<td>Req $</td>
<td>Recommended $</td>
</tr>
<tr>
<td>-------------------------------------------</td>
<td>-------------------------------------------------------------------------------</td>
<td>--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
<td>---------</td>
<td>-----------------</td>
</tr>
<tr>
<td>Sandringham Baptist Church</td>
<td>Flourish Programs - High School Preparation and Resilience Programs</td>
<td>Provide a camp for youth transitioning from primary to secondary school which focuses on team building, resilience and positive mental health strategies. This program is delivered to the broader Bayside community.</td>
<td>$3,500.00</td>
<td>$3,500.00</td>
</tr>
<tr>
<td>South Oakleigh Wildlife Shelter</td>
<td>Native Wildlife as Good Community Management: Participation Activities that Benefit All</td>
<td>Develop show bags to actively engage the local Bayside community in the care of indigenous wildlife and environment. This group residents outside of Bayside however is the closest shelter for injured wildlife in Bayside.</td>
<td>$6,000.00</td>
<td>$3,000.00</td>
</tr>
<tr>
<td>Beaumaris Modern Inc.</td>
<td>Open House Beaumaris guide</td>
<td>Develop promotional material including a guide/brochure showcasing Beaumaris homes with significant mid-century modernist (MCM) architecture.</td>
<td>$3,000.00</td>
<td>$3,000.00</td>
</tr>
<tr>
<td>Hampton Life Saving Club</td>
<td>Hampton Life Saving Club Teen Leadership and Coaching Initiative</td>
<td>Support the delivery of a new training and development program for young club members. Program aims to increase rescue skills, confidence and leadership.</td>
<td>$2,990.00</td>
<td>$2,990.00</td>
</tr>
<tr>
<td>Elwood St Kilda Neighbourhood learning Centre</td>
<td>Have a go!</td>
<td>Fortnightly art, music and movement workshops for children and families living on the Elsternwick Estate. This organisation residents outside of Bayside however is the closest Neighbourhood Centre to deliver sessions on the Estate.</td>
<td>$2,922.00</td>
<td>$2,922.00</td>
</tr>
<tr>
<td>Moorabbin Baseball Club</td>
<td>Machine Pitch Baseball League</td>
<td>Introduction of Machine Pitch Baseball League Program to allow an alternative baseball game.</td>
<td>$2,849.00</td>
<td>$2,849.00</td>
</tr>
<tr>
<td>East Brighton Junior Football Club</td>
<td>Honouring our Defence personnel</td>
<td>Develop and deliver an educational and historical tribute program to honour ANZAC Day in partnership with RSL Victoria.</td>
<td>$4,700.00</td>
<td>$2,700.00</td>
</tr>
<tr>
<td>Japanese Welfare Association of Victoria Inc</td>
<td>Senior Health Food Demonstration</td>
<td>Educate older people once per month to prepare nutritious Japanese and Western food.</td>
<td>$2,825.00</td>
<td>$2,625.00</td>
</tr>
<tr>
<td>Culture Connect Chinese Australia Brighton Beach Inc.</td>
<td>Culture Connect Chinese and Australia Bayside</td>
<td>Integrate senior Chinese into the Australian society through social activities including teaching Chinese and Australian cooking.</td>
<td>$5,000.00</td>
<td>$2,400.00</td>
</tr>
<tr>
<td>Name of organisation</td>
<td>Project Title</td>
<td>Brief project description</td>
<td>Req $</td>
<td>Recommended $</td>
</tr>
<tr>
<td>------------------------------------------</td>
<td>--------------------------------------</td>
<td>--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
<td>--------</td>
<td>---------------</td>
</tr>
<tr>
<td>The Holland Foundation</td>
<td>Innovative Pathways to Employment</td>
<td>On-site Retail/Office Administration training program for long term unemployed, new arrivals or those experiencing disadvantage.</td>
<td>$3,756.00</td>
<td>$2,400.00</td>
</tr>
<tr>
<td>Bay Quilters Inc</td>
<td>Quilts From The Heart Project</td>
<td>Development and distribution of quilts to victims of sexual abuse, returned servicemen and women who have experienced trauma, and families experiencing life threatening illness.</td>
<td>$3,300.00</td>
<td>$2,310.00</td>
</tr>
<tr>
<td>Marine Care Ricketts Point Inc</td>
<td>Championing our Sanctuary</td>
<td>Develop educational material to encourage junior members including swap cards featuring native flora and fauna and children’s activity sheets.</td>
<td>$2,365.00</td>
<td>$2,290.00</td>
</tr>
<tr>
<td>Beaumaris Yacht Club Inc</td>
<td>Beaumaris Yacht Club First Aid Program</td>
<td>First Aid training for volunteers who support the sailing programs and are available to assist other beach users.</td>
<td>$2,250.00</td>
<td>$2,250.00</td>
</tr>
<tr>
<td>Bayside United Football Club</td>
<td>Elite Pathway Coaching</td>
<td>Expand the delivery of the Elite Pathway Coaching program to allow an additional 40 junior Bayside players to learn elite soccer skills.</td>
<td>$2,070.00</td>
<td>$2,070.00</td>
</tr>
<tr>
<td>Cancer Patients Foundation</td>
<td>Look Good Feel Better</td>
<td>Support cancer patients with information on managing appearance related side-effects caused by chemotherapy and radiation treatment.</td>
<td>$5,000.00</td>
<td>$2,000.00</td>
</tr>
<tr>
<td>Sandringham and District Historical Society Inc</td>
<td>Digitisation of Records</td>
<td>Digitisation of hard copy documentation to allow online and remote user access to historical records.</td>
<td>$5,000.00</td>
<td>$2,000.00</td>
</tr>
<tr>
<td>Bayside Community Information &amp; Support Service</td>
<td>Tuning in to Kids Parenting Program</td>
<td>Deliver a six week parenting program for Bayside parents.</td>
<td>$1,500.00</td>
<td>$1,500.00</td>
</tr>
<tr>
<td>Beaumaris YO Kinder</td>
<td>An engaged, healthy, active, supportive 2018 and beyond for our youngest citizens and their families.</td>
<td>Deliver PlayBall sessions to encourage physical activity, cognitive capacity, and social and team building skills amongst children.</td>
<td>$4,720.00</td>
<td>$1,400.00</td>
</tr>
<tr>
<td>The Senior Citizen Russian Club Friendship Bayside Inc.</td>
<td>Gentle Yoga for Seniors</td>
<td>Deliver tailored yoga classes for older and socially isolated Senior Russians who live in Bayside and nearby suburbs.</td>
<td>$1,990.00</td>
<td>$1,260.00</td>
</tr>
</tbody>
</table>
### Item 10.11 – Reports by the Organisation

#### Attachment 1

<table>
<thead>
<tr>
<th>Name of organisation</th>
<th>Project Title</th>
<th>Brief project description</th>
<th>Req $</th>
<th>Recommended $</th>
</tr>
</thead>
<tbody>
<tr>
<td>Beach Patrol Australia</td>
<td>Love our Bayside beaches</td>
<td>Extend educational and promotional material to encourage new members and support current volunteers to safely clean Bayside beaches.</td>
<td>$1,181.00</td>
<td>$1,181.00</td>
</tr>
<tr>
<td>Jack and Jill Kindergarten</td>
<td>Jack and Jill Kinder Street Library</td>
<td>Establish a street library accessible to both the kinder community and local Bayside community.</td>
<td>$1,120.00</td>
<td>$1,120.00</td>
</tr>
<tr>
<td>Ethnic Discussion Club</td>
<td>Encourage the volunteering in Russian-speaking community</td>
<td></td>
<td>$1,100.00</td>
<td>$1,100.00</td>
</tr>
<tr>
<td>Victorian Association of World War II Veterans from the Ex-Soviet Union</td>
<td>Community Inclusion Program</td>
<td>Subsidise costumes and stage decorations for eight community performances in Bayside aged care facilities.</td>
<td>$5,000.00</td>
<td>$1,000.00</td>
</tr>
<tr>
<td>Multicultural Nature Guides Victoria Inc</td>
<td>Bayside coast and marine environment</td>
<td>Deliver Bayside based activities including presentations and workshops focused on Bayside coast and marine environment.</td>
<td>$4,700.00</td>
<td>$1,000.00</td>
</tr>
<tr>
<td>Hampton Rovers Juniors Football Club</td>
<td>Goal Posts - Mini AFL removable</td>
<td>Expand activities to a new location, Castlefield Reserve. Extend current programming of games.</td>
<td>$4,486.00</td>
<td>$986.60</td>
</tr>
<tr>
<td>Probus Club of Sandy Bay Combined Inc</td>
<td>Positive Aging Initiative</td>
<td>Provide health and social wellbeing seminars to older residents of Bayside.</td>
<td>$2,000.00</td>
<td>$400.00</td>
</tr>
<tr>
<td>All Souls Anglican Church Sandringham</td>
<td>Blooming Big Bush Bonfire BBQ “BBBBBB” - Man Camp</td>
<td>Expand and promote new programs (such as woodwork) to attract both primary and secondary school age children and their fathers.</td>
<td>$250.00</td>
<td>$250.00</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>$175,849.00</td>
<td>$136,960.00</td>
</tr>
</tbody>
</table>
Executive summary

Purpose and background

The purpose of this report is to provide the findings from a survey of commuters using the Cheltenham, Middle Brighton and Sandringham Stations to determine the need for a Council funded commuter shuttle bus.

At the Ordinary Meeting of Council on 24 April 2018, Council considered a feasibility assessment of a trial of a Council funded commuter shuttle bus service to transport Bayside commuters to/from a train station within the municipality and resolved (in part) to:

In conjunction with Public Transport Victoria conducts a survey of commuters using the Middle Brighton, Cheltenham and Sandringham railway stations to determine the need for a Council provided alternate method of accessing the station, including a commuter shuttle bus, and if a need is established undertakes an assessment of options to address that need, including the costs and benefits.

Key issues

Personal intercept surveys with commuters at Cheltenham, Middle Brighton and Sandringham train stations were undertaken over the course of six weekday mornings in late May and early June 2018. A minimum of 100 completed surveys was sought for each of the three stations.

A total of 434 individuals agreed to participate in the survey, and of these a total of 356 were Bayside residents. The 78 commuters who lived outside of the municipality were thanked for their time and the survey was terminated.

Mode of travel to the station

Given that the objective of the proposed commuter shuttle bus is to enable car drivers to leave their car at home in order to reduce pressure on commuter parking, it is important to note the mode of travel to each of the respective train stations.

Table 1 (next page) identifies the mode of travel to each of the respective stations. Overall, walking was the most popular mode of travel to the station accounting for approximately 55% of all respondents. Driving to the station was the next most popular mode of travel to the station accounting for approximately 23% of respondents.

Likelihood of using a commuter shuttle bus to travel to the station

To determine the need for a Council funded commuter shuttle bus, respondents were asked how likely they would be to use a service if it was introduced within Bayside. Caution must be exercised in the interpretation of this feedback as any actual future take-up would depend on a range of factors, including the route taken by the bus, trip duration and service frequency. Approximately, 59% of all respondents were either somewhat or very likely to consider using a service if it was available.
Table 1: Mode of travel to station

<table>
<thead>
<tr>
<th>Mode of Travel to Station</th>
<th>Cheltenham</th>
<th>Middle Brighton</th>
<th>Sandringham</th>
<th>Overall</th>
</tr>
</thead>
<tbody>
<tr>
<td>No. of people surveyed</td>
<td>123</td>
<td>117</td>
<td>116</td>
<td>356</td>
</tr>
<tr>
<td>Walked</td>
<td>65%</td>
<td>57.3%</td>
<td>42.2%</td>
<td>55.1%</td>
</tr>
<tr>
<td>Driver of car</td>
<td>17.9%</td>
<td>23.9%</td>
<td>26.7%</td>
<td>22.8%</td>
</tr>
<tr>
<td>Car Passenger (drop off)</td>
<td>7.3%</td>
<td>14.5%</td>
<td>12.1%</td>
<td>11.2%</td>
</tr>
<tr>
<td>Bus</td>
<td>8.1%</td>
<td>0.9%</td>
<td>19%</td>
<td>9.3%</td>
</tr>
<tr>
<td>Bicycle</td>
<td>1.6%</td>
<td>2.6%</td>
<td>0%</td>
<td>1.4%</td>
</tr>
<tr>
<td>Taxi/Uber</td>
<td>0%</td>
<td>0.9%</td>
<td>0%</td>
<td>0.3%</td>
</tr>
<tr>
<td>Total</td>
<td>100%</td>
<td>100%</td>
<td>100%</td>
<td>100%</td>
</tr>
</tbody>
</table>

Table 2: Mode of travel to station versus likelihood of using a commuter shuttle bus

<table>
<thead>
<tr>
<th>Mode of travel to Station</th>
<th>Somewhat likely/very likely to use a commuter shuttle bus</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>%</td>
</tr>
<tr>
<td>Walk</td>
<td>52.5%</td>
</tr>
<tr>
<td>Driver of car</td>
<td>56.8%</td>
</tr>
<tr>
<td>Car Passenger (drop off)</td>
<td>75%</td>
</tr>
<tr>
<td>Bus</td>
<td>75.8%</td>
</tr>
<tr>
<td>Bike</td>
<td>N/A</td>
</tr>
<tr>
<td>Taxi/Uber</td>
<td>N/A</td>
</tr>
<tr>
<td>Total</td>
<td></td>
</tr>
</tbody>
</table>

Table 2: Mode of travel to station versus likelihood of using a commuter shuttle bus

The information in Table 2 indicates that there is a high likelihood that bus users and car passengers may use a commuter shuttle bus within Bayside and some likelihood that pedestrians and car drivers may also use the service. However, any Council provided bus service would not be designed with stops within 1km of a station. Again, caution must be exercised in the interpretation of this feedback as any actual future take-up would depend on a range of factors, including the route taken by the bus, trip duration and service frequency.
Potential composition of commuter shuttle bus users

The information in Table 3 provides representation of the potential composition of commuter shuttle bus users based on their usual mode of transport to the station.

<table>
<thead>
<tr>
<th>Mode of travel to Station</th>
<th>Commuters who indicated that they would be somewhat likely/very likely to use a commuter shuttle bus</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>No. of Commuters</td>
</tr>
<tr>
<td>Walk</td>
<td>103</td>
</tr>
<tr>
<td>Driver of car</td>
<td>46</td>
</tr>
<tr>
<td>Car Passenger (drop off)</td>
<td>30</td>
</tr>
<tr>
<td>Bus</td>
<td>25</td>
</tr>
<tr>
<td>Bike</td>
<td>-</td>
</tr>
<tr>
<td>Taxi/Uber</td>
<td>-</td>
</tr>
<tr>
<td>Total</td>
<td>204</td>
</tr>
</tbody>
</table>

Table 3: Potential composition of commuter shuttle bus users based on their usual mode of transport to a station

The information indicates that the there is a high likelihood that the majority of commuters who would utilise a commuter shuttle bus within Bayside would be mostly pedestrians (50.4%) as opposed to car drivers (22.5%), who would be the main target audience of a commuter shuttle bus. Caution must be exercised in the interpretation of this feedback as any actual future take-up would depend on a range of factors, including the route taken by the bus, trip duration and service frequency.

Existing Bus Services

Attachment 1 shows the existing bus network and highlights the area of properties that are within a 5 minute walk to a bus service. The maximum bus frequency is between 20 and 30 minutes during peak hours in Bayside. A Council provided commuter shuttle bus would operate within areas of existing bus services.

A current anomaly in the Myki fare system is that commuters who only use the train can travel for free if they ‘touch-off’ before 7.15am on a weekday. The anomaly is that if the commuter catches a bus to the train station, a fare is charged for the bus journey element of their trip even if they ‘touch-off’ before 7.15am. This discourages bus use and encourages commuters to drive to a train station. It is recommended that Council write to the Minister for Public Transport advocating for free ‘whole of Myki’ trips that end by 7.15am on a weekday.

Is there a need for Council funded shuttle bus to transport Bayside residents to a train station?

It has been assessed that there is little need for a Council funded commuter shuttle bus to transport Bayside residents to a train station for the following reasons:

- Car drivers only comprised approximately 23% of survey respondents, with the remaining 77% of respondents either walking, catching a bus, being dropped off or cycling to one of the respective stations;
- Of the 23% of car drivers that drove to one of the respective stations, approximately 57% indicated that they were somewhat likely (18.5%) or highly likely (38.3%) to use a commuter shuttle bus; and
- It is likely that a commuter shuttle bus would attract high a proportion of commuters (77.5%) who either already walk, catch the bus or are dropped off at one of the respective stations as opposed to car drivers (22.5%).
The majority of people surveyed (77%) do not drive to the station. The target audience (car drivers) only accounted for 23% of commuters, and of these, only 57% indicated that they might choose to use a Bayside commuter shuttle bus. This of course, would depend on the bus route, trip duration and service frequency.

A Council provided bus service could operate at approximately a 10 minute frequency if a short route was identified within Bayside. A Council provided service would only service a small portion of the municipality and there is no clear area that would benefit from a Council service. The route would require additional ‘bus stops’ to be created for the service due to the legislative reasons discussed below under Considerations and Implications – Legal. Each bus stop would require the removal of parking spaces (two to three per stop) during the times the service operates to allow the bus to pull into and exit from the kerb.

Council’s Public Transport Advocacy

Some of Council’s public transport advocacy priorities relate to improving bus/rail connectivity and improving commuter parking provision. The introduction of a Council funded shuttle bus would undermine these advocacy priorities given that the transportation of passengers by a bus to a train station is the explicit responsibility of Public Transport Victoria under the Bus Services Act 1995 through designated bus services which passengers pay to use. A decision to introduce a Council-funded commuter shuttle bus service to transport residents to a train station would essentially mean that Council is adopting a service that is a State government responsibility and would not be able to charge for the service.

Recommendation

That Council:

1. notes the findings from the survey of commuters and does not fund a commuter shuttle bus service trial given the likelihood that the service would not attract a high proportion of car drivers;
2. notes that the vast majority of households within the City of Bayside are within a 5 minute walk of a bus service;
3. continues to advocate for public transport improvements as outlined in the Integrated Transport Strategy 2018 – 2028; and
4. writes to the Minister for Public Transport advocating for free public transport across the ‘Myki’ system (bus, train and tram) for trips that ‘touch-off’ before 7.15am on a weekday.

Support Attachments

1. Attachment 1 - Existing Bus Services Within a 5 Minute Walk of Bayside Households (separately enclosed)
Considerations and implications of recommendation

Liveable community

Social
Public transport, including bus services to train stations and the provision of commuter parking at train stations is the responsibility of the State government. A well-connected and efficient public transport system provides improved access to key services and amenities as well as a viable alternative for people who either do not have access to a private vehicle or those who choose not to use a car as often as they might.

The commuter survey was aimed at assessing the need for providing train commuters who would usually drive to the station with an alternative Council provided bus service.

Any Council provision of a commuter shuttle bus service would be inequitable as it would only service a small part of the municipality and be an advantage to some but not all.

Natural Environment
Encouraging more short trips to be undertaken by public transport and reducing reliance on private vehicles will reduce greenhouse gas emissions. However, providing a bus service is the responsibility of other State government agencies.

Built Environment
A Council funded commuter shuttle bus would require its own separate bus stops as only buses operated under a Public Transport Victoria (PTV) service contract can utilise existing PTV bus stops. This would result in the loss of two to three on-street parking spaces at each commuter shuttle bus stop location during the times the service operates.

Customer Service and Community Engagement
A total of 356 Bayside commuters were surveyed to find out how likely they would be to use a commuter shuttle bus service if one was introduced in Bayside. The majority of people surveyed (77%) do not drive to the station. The target audience (car drivers) only accounted for 23% of commuters, and of these, only 57% indicated that they might choose to use a Bayside commuter shuttle bus. This of course, would depend on the bus route, trip duration and service frequency.

Community engagement activities undertaken as part of the development of the Integrated Transport Strategy 2018 – 2028, identified limited bus service frequencies and circuitous routes within Bayside as the most pressing transport issue within Bayside.

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

Legal
It is a legislative requirement that a regular bus service for which each passenger is charged a separate fare can only operate under a Public Transport Victoria (PTV) service contract. Under the Bus Services Act 1995, it is an offence to operate or offer a regular bus service without a bus service contract. Essentially, this means that PTV determines where and when bus services, which passengers pay to use, can operate within Victoria.
A Council-funded commuter shuttle bus service providing a free service to some residents who would use it, would not require a bus service contract to operate within the municipality and would not contravene any existing public transport legislation.

Furthermore, such a service would require separate bus stops as only buses operated under a PTV service contract can utilise existing PTV bus stops.

**Finance**

There is no funding contained within existing budgets to cover the cost of providing a commuter shuttle bus service. Such costs range from $115,000 to $410,000 annually per bus route, depending on the following service models which are based on two buses to provide a 10 minute service frequency:

- Procuring a private company to operate a commuter shuttle bus service between 6.30 – 9.00am and 4.00 – 7.00pm, including a uniformed driver, would cost approximately $1,600 per day or $410,000 per year; or
- Utilising Council's existing two mini-buses would cost approximately $460 per day or $115,000 per year.

Also, upfront costs to establish bus stops with signs and no-stopping areas is estimated to be $4,000 for an indicative 13 stop route.

Providing a regular bus service is a State government responsibility. Council's role is to advocate and influence the State government to provide improved service provision where required. Any change to this approach would need to consider the financial implications associated with any proposals.

Patronage is unknown for a Council provided service so a cost per passenger cannot be calculated. Commuters using the free Council bus service would be receiving a 100% Council subsidy for their public transport journey.

**Links to Council policy and strategy**

A key aim of the Bayside Integrated Transport Strategy (2018) is to reduce reliance on private vehicle trips within Bayside by encouraging more short trips to be undertaken by walking, cycling or public transport. The data collected from the commuter survey indicates that there is a high likelihood that commuters who already walk or catch public transport to one of the respective stations would utilise a Council funded commuter shuttle bus.

Council will continue to advocate to the State government for improvements to both bus/rail connectivity and commuter parking provision within the municipality. The introduction of a Council funded commuter shuttle bus service is not aligned with Council policy.

The provision of commuter car parking at train stations is a State government responsibility. Whilst some commuter car parking is provided at train stations, there is a deficiency in the level of parking available with most commuter car parks typically full before 7.30am on a weekday. This forces commuters to seek alternative parking in and around residential streets impacting on residential amenity. Council has had an ongoing campaign as part of its Public Transport Advocacy Statement regarding the lack of commuter parking with previous approaches made to the Minister for Public Transport, local members of parliament and Public Transport Victoria. To date, the responses of successive State governments on this issue have been disappointing.
**Options considered**

**Option 1 - Recommended**

<table>
<thead>
<tr>
<th>Summary</th>
<th>That Council does not fund a commuter shuttle bus service trial given the likelihood that the service would not attract a high proportion of car drivers and may result in encouraging some of those commuters who do not drive to the station away from their usual mode of transport to the station.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Benefits</td>
<td>The role of providing a regular bus passenger service will remain a State government responsibility. Council’s advocacy approach for improved bus services within the municipality and improved commuter parking provision at train stations will not be undermined.</td>
</tr>
<tr>
<td>Issues</td>
<td>Residents will be reliant on walking, cycling and existing public transport services as an alternative to a private vehicle when accessing a train station within the municipality.</td>
</tr>
</tbody>
</table>

**Option 2 – Not recommended**

<table>
<thead>
<tr>
<th>Summary</th>
<th>That Council conducts a 3-month trial of a commuter shuttle bus service to serve Sandringham Station operating 6.30am – 8.00am and 5.00 – 7pm.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Benefits</td>
<td>The introduction of commuter shuttle bus service will provide an alternative transport option for a limited number of Bayside residents when accessing Sandringham train station.</td>
</tr>
<tr>
<td>Issues</td>
<td>A Council funded shuttle bus would be expected to undermine Council’s transport advocacy activities associated with seeking improvements to both bus/rail connectivity and commuter parking provision within the municipality by the State government. Whilst some residents may choose to use the commuter shuttle bus service to access Sandringham Station, it is anticipated that this will have little impact on reducing the demand for commuter parking provision at Sandringham Station.</td>
</tr>
</tbody>
</table>

This trial would cost $32,000 (the costs of a driver and fuel two existing leased buses and signs at the additional bus stops).

The buses would not be available for other community purposes at these times.

**Option 3 – Not recommended**

<table>
<thead>
<tr>
<th>Summary</th>
<th>That Council introduces a commuter shuttle bus service serving all 6 stations within Bayside on the Sandringham line with a 10 minute service frequency (2 buses per station/route).</th>
</tr>
</thead>
<tbody>
<tr>
<td>Benefits</td>
<td>The introduction of commuter shuttle bus service would provide an alternative transport option for a limited number of residents when accessing railway stations in Bayside.</td>
</tr>
<tr>
<td>Issues</td>
<td>A Council funded shuttle bus would be expected to undermine Council’s transport advocacy activities associated with seeking improvements to both bus/rail connectivity and commuter parking provision within the municipality by the State government. Whilst some residents may choose to use the commuter shuttle bus service to access railway stations in Bayside, it is anticipated that this will have little impact on reducing the demand for commuter parking provision at each station.</td>
</tr>
</tbody>
</table>

This option would cost approximately $2.4 million annually through contracted services.
Executive summary

Purpose and background

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.

The background to this matter is that 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.

Key issues

Over the past 12 months, the Management Committee has met on three occasions; 9 November 2017, 15 March 2018 and 26 August 2018 (meeting this week). The key matters considered by the Management Committee over the past 12 months include matters related to the new surface and its maintenance, the growth in hockey club memberships, the need for more permitted field time and the need for a pavilion.

Hockey Facility Sinking Fund

As at 26 August 2018 the Management Committee has advised Council that the Hockey Facility fund was reported to hold $190,881.72. The fund has increased by $15,268.29 in the 12 months to 31 July 2018. If this increase in the fund continues at its current rate it is expected to be sufficient to cover the future costs of the replacement of the synthetic surface when required.

Hockey Facility Usage

Winter usage of the Hockey Facility for the past 12 months continues to be very strong at 93% of available hours (restricted to 9.30pm Tuesday to Friday). This high winter usage of the facility reflects hockey as a primarily winter sport. The available hours are limited due to planning permit restrictions (no use of floodlights on Saturdays and Sundays limiting use to 5pm and no use is permitted after 5.30pm on Monday nights).

The Management Committee is currently in the process of seeking permit amendments to the current town planning conditions to allow additional training/matches on Monday evenings, matches on Wednesday evenings and light use on Saturday and Sunday late afternoons.
A change in arrangements with contracted users will allow a greater level of use in the summer months with the tennis nets only being used in Term 1 as soccer, cricket and hockey facilities are in a greater demand.

Recommendation
That Council receives a further report no later than August 2019 from the Management Committee summarising activities, including the financial position of the Brighton Secondary College Hockey Facility Management Committee.

Support Attachments
Nil

Considerations and implications of recommendation

Social
The provision of synthetic hockey facilities provide positive benefits for young people and adults through their participation and engagement in sport and recreation activities.

Natural Environment
The recommendation in this report does not impact the natural environment.

Built Environment
The recommendation in this report does not impact the built environment.

Customer Service and Community Engagement
Ongoing discussions regarding the management of the Hockey Facility are undertaken with the key stakeholders, including Brighton Secondary College, Brighton Grammar, Southern United Hockey Club and Council.

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 Funding Agreement identifies Council’s role with the ongoing management and operation of the Hockey Facility.

Finance
As at 10 August 2017 the Hockey Facility fund was reported to hold $190,881.72, an increase of $15,268.29 over the last 12 months. If this increase in the fund continues at its current rate it is expected that the fund will cover the future costs of the replacement of the synthetic surface when required.
Links to Council policy and strategy

Improvement to sport and recreation facilities is supported by a number of key strategy and policy documents including the Council Plan 2017-2021, Bayside 2020 Community Plan and Wellbeing for All Ages and Abilities Strategy 2013 – 2017.

The Bayside ‘Active by the Bay’ Recreation Strategy includes key principles that support Council partnerships with education bodies for the provision specialist synthetic sporting facilities at school sites.
Executive summary

Purpose
The purpose of this report is to recommend the awarding a contract for an organisational wide contract management system solution.

Background
Bayside City Council’s requires a contemporary contract management system which serves a decentralised model of contract management across the organisation while providing improved contract governance and oversight.

This contract is for an initial term of four (4) years with three (3) two (2) year options each exercisable at Council's sole discretion.

Key issues
On 11 November 2017 an open and publically advertised request for Expressions of Interest ('EOI') document was released to the market calling for suitable suppliers to express their interest in meeting the requirements specified in the EOI document. Seventeen (17) suppliers downloaded the EOI document and three (3) suppliers submitted conforming responses.

Following evaluation of the three (3) responses received to the request for EOI it was decided to take two (2) respondents through to a select Request for Tender ('RFT') stage.

Following release of the RFT document both respondents from the EOI stage submitted conforming tenders. Tenders were received from:

1. Open Windows Software Pty Ltd A.C.N. 605 191 375; and
2. EBMS Pty Ltd A.C.N. 068 507 808.

Both tenders were evaluated against minimum specified requirements. Tenders were not evaluated against any optional extra functionality specified but these optional extra items are incorporated into this contract and will be implemented in the future if assessed as suitable and budget is approved is obtained in future years.

Following the tender evaluation process it was decided to recommend that this contract be awarded to EBMS Pty Ltd A.C.N. 068 507 808. Summaries of scoring, comments and pricing are attached as confidential attachments to this report.
Recommendation

1. That Council awards contract number CON/17/111 for a contract management system solution for an initial term of four (4) years at a total cost of $349,957 with three (3) option periods each of two (2) years to EBMS Pty Ltd A.C.N. 068 507 808 and any optional extra items Council may require in the future (subject to suitability and budget approval) based on the rates specified in its tender offer;

2. Authorises the Chief Executive Officer to sign all necessary documentation in relation to contract number CON/17/111 contract management system solution; and

3. Advises the unsuccessful tenderer accordingly.

Support Attachments

1. Copy of signed Evaluation Spreadsheet - non financial panel (separately enclosed) (confidential)
2. Copy of signed Evaluation Spreadsheet - financial panel (confidential)
Considerations and implications of recommendation

Liveable community

Social
There are no social impacts associated with this report.

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
There are no customer service and community engagement impacts associated with this report given the procurement of the contact management system has been conducted via a public tender process.

Human Rights
The implications of this report have been assessed and are not considered likely to breach or infringe upon, the Victorian Charter of Human Rights and Responsibilities Act (2006) and the Local Government Act (1989).

Legal
The awarding of this contract commits Council to pay the submitted rates provided work has been satisfactorily performed in accordance with the specified requirements and as otherwise directed by the Contract Supervisor for this contract.

Finance
The implementation costs are within the capital budget allocated in 2018/19 and the total cost of ownership which incorporates the ongoing operating costs over the life of the system are within the operating budget allocation.

Links to Council policy and strategy

A number Internal Audit findings have identified the need for a Contract Management Systems. This has also been a key driver of the Audit and Risk Management Committee to ensure all contacts are managed in a centralised system.
Executive summary

Purpose and background
To present:
1. Statutory Planning Department performance in 2017/18; and
2. The outcomes of a 6 month trial of new delegations.

The key Council Plan targets for Statutory Planning are:
- Council and delegate planning decisions upheld at VCAT (Year 1 (2017/18) target: 50 percent, Year 2 target: 55 percent; Year 3 target: 60 percent; Year 4 target: 60 percent);
- Planning applications decided within 60 days (Year 1 target: 60 percent, Year 2 target: 70 percent, Year 3 target: 75 percent, Year 4 target: 80 percent); and
- Average time taken to decide planning applications (Year 1: 75 days, Year 2 target: 70 days; Year 3 target: 65 days; Year 4 target: 60 days).

The Local Government Performance Reporting Framework KPIs reflect these measures, but also reports the cost per application.

Key issues

Performance in 2017/18
The lead indicator for the timeliness of planning decisions has been the number of planning applications in the system (backlog), with 350 to 300 planning applications considered to be a sustainable workload to reach the current Council Plan targets. At the end of Quarter 1, there were 540 live applications, while by the end of Quarter 3 this had reached the objective of 350 live applications. As a result, the anticipated lift in KPI performance subsequently occurred:
- In Quarter 4 planning applications decided within 60 days had trended up from 47% to reach 58% in June and a Quarter 4 result of 49%. The positive trend has continued in July (2018/19), with current performance sitting at approximately 63%. However, as expected, the total year result (48%) was well below target, albeit an improvement on the 43% in the previous year. This cannot be directly compared to 2016/17 as the 2017/18 LGPRF now includes VicSmart applications;
- The performance lift was even stronger in terms of the time taken to decide applications, achieving 49 days in June, which is approximately half the time taken in the previous year and well below target. While the full year performance of 98 days for 2017/18 did not achieve target, it was nevertheless substantially below the 118 days in the previous year.

In regard to VCAT decisions, 58% of Council decisions were affirmed by VCAT, a very strong result compared to the target of 50%.

The cost of the service was $2,747, which compares with $2,641 in the previous year and above the preferred cost of approximately $2,500.

The above KPIs provide a relatively limited measure of Statutory Planning performance, and so a suite of customer service metrics are also monitored. There were positive improvements in 2017/18:
- Statutory Planning complaint volumes reduced by over 60% from Quarters 2 to 4;
- Call volumes reduced from 5,022 in Quarter 1, to 4,457 in Quarter 4 – indicating improved digital channels and shorter decision timeframes reducing the need for applicant contact;
- The telephone service (percentage of calls answered within thirty seconds) was 81% for the year, which is above the target of 80%;
- The number of ‘thumbs up’ survey results for key webpages improved from 53 to 82 per quarter post the website upgrades.

<table>
<thead>
<tr>
<th></th>
<th>Median days</th>
<th>% within 60 days</th>
<th>VCAT Affirmed</th>
</tr>
</thead>
<tbody>
<tr>
<td>2016/17</td>
<td>118</td>
<td>43%</td>
<td>45%</td>
</tr>
<tr>
<td>2017/18</td>
<td>98</td>
<td>48%</td>
<td>58%</td>
</tr>
<tr>
<td>Q1 2017/18</td>
<td>101</td>
<td>49%</td>
<td>47%</td>
</tr>
<tr>
<td>Q2 2017/18</td>
<td>111</td>
<td>47%</td>
<td>55%</td>
</tr>
<tr>
<td>Q3 2017/18</td>
<td>97</td>
<td>46%</td>
<td>52%</td>
</tr>
<tr>
<td>Q4 2017/18</td>
<td>85</td>
<td>49%</td>
<td>56%</td>
</tr>
<tr>
<td>June 2018</td>
<td>43</td>
<td>58%</td>
<td>100%</td>
</tr>
<tr>
<td>July 2018</td>
<td>43</td>
<td>64%</td>
<td>50%</td>
</tr>
</tbody>
</table>

Improvements and performance targets post 2017/18

A key initiative early in 2018/19 will be the completion (as per the Bayside digital strategy) of customer journey mapping and the associated digital roadmap, which will prioritise and integrate future initiatives. This will address the end to end digitisation of Statutory Planning and specific aspects such as improving accessibility to permits and plans and quality of plans in the Planning and Amenity Committee agenda.

In parallel, improvement initiatives will continue to be addressed, such as reviewing the Community Consultation process, with a significant focus on facilitation training for all statutory planners.

It is acknowledged that the 2018/19 Council Plan targets are significantly above the performance level achieved last year. Maintaining the current staff resourcing levels and improvement focus is recommended, because:

- Performance in late 2017/18 and July (65% in 60 days) is close to the Council Plan targets (70%) for timeliness and ahead of the target for VCAT performance. Some further improvement in timeliness is expected as any residual ‘old’ applications are processed;
- The applicant feedback at the current performance levels has been positive and complaint levels are decreasing;
- Additional FTE resourcing would put pressure on the cost of service, which at $2,747 is already higher than the goal of $2,500;
- There appears to be some downside risk to the housing market, which may reduce planning application volumes and therefore increase performance levels;
- Current performance levels compare favourably or exceed the performance of comparable councils; and
- It is currently difficult to accurately predict KPI performance, as there is limited business experience from operating with full staff resourcing and without application backlogs.

In regard to the Council Plan targets for years 3 and 4, it is proposed to review the appropriateness of targets as part of the 2019/20 Council Plan development process.
Achieving the very high performance levels in these years may require significant additional resources and may not achieve the best customer outcomes, so a review in six months will enable additional customer insights to be obtained.

It is important to note that the timeliness of application decisions is only one component of the complete planning journey for applicants, which can involve pre-application, application, plan approval, application amendment, building siting and additional stages. Applicants and objectors may also prefer a focus on consultation and negotiation, rather than adherence to tight timeframes. Therefore, only considering very high performance in application decision timeframes could potentially result in poor overall outcomes.

**Delegations – update on 6 month trial**

In regard to Section 61 (1)(a), (b) and (c) of the *Planning and Environment Act 1987*, the power to make a decision on a planning permit application cannot be exercised in relation to:

- Any application is ‘called in’ by a Councillor; and
- An application where three or more objections have been received and Council officers are recommending that a notice of decision to grant a permit be issued.
- An application for the removal of two or more trees protected by the Vegetation Protection Overlay (VPO) and Council officers are recommending that a planning permit or a notice of decision to grant a permit be issued.
- Where an application is sought for a 3 or more storey building that triggers a requirement for a permit under the Design and Development Overlay Schedule 3 and Council officers are recommending that a planning permit or a notice of decision to grant a permit be issued.

The delegations were adjusted from the previous provisions, by increasing the trigger for the number of objections from two to three, while adding triggers for VPO tree removal and building heights.

The change in delegation has not seen a reduction in applications being reported to the Committee because of the higher volume of application decisions as part of backlog reduction. However, there has been a shift towards the more complex application types being reported, including matters that are in the midst of VCAT appeals and VPO tree protection. The change in delegation has also enabled relatively contentious areas, such as VPO tree removals, to be subject to the public committee process.

The table below provides a break down on the applications being reported. Whilst there was little change to Secondary Consent and Local Law tree removal applications being reported, the total number of applications being reported increased due to the clearing of the backlog. The next six months should provide relevant data to compare if there has been any significant change as a result of the altered delegations.

<table>
<thead>
<tr>
<th>Category</th>
<th>2017/18</th>
<th>2016/17</th>
</tr>
</thead>
<tbody>
<tr>
<td>Reported to Committee (total, incl Consent orders)</td>
<td>183</td>
<td>132</td>
</tr>
<tr>
<td>No. of Committee meetings</td>
<td>21</td>
<td>15</td>
</tr>
<tr>
<td>Applications per committee (avg)</td>
<td>8.7</td>
<td>8.8</td>
</tr>
<tr>
<td>Consent orders</td>
<td>20</td>
<td>7</td>
</tr>
<tr>
<td>Local Law tree removal</td>
<td>6</td>
<td>5</td>
</tr>
<tr>
<td>Secondary Consent</td>
<td>14</td>
<td>11</td>
</tr>
</tbody>
</table>

It is proposed to retain the current delegations based on the positive trends being seen in the performance and the willingness of developers to meet with Council and the community to discuss resolving concerns with applications at VCAT Compulsory Conference.
Recommendation

That Council:

a) notes the recent performance improvement in the Statutory Planning department;

b) extends the trial delegations for a further 12 months, and

c) receives a further report in August 2019 on the success of the trial; and

d) reviews Statutory Planning performance KPIs during the preparation of the 2019/20 Council Plan

Support Attachments

Nil
Considerations and implications of recommendation

Liveable community

Social
Positive benefits for the community in are being realised through improved Statutory Planning decisions, which are being achieved through the initiatives described in this report. This includes transparent opportunities for community objections to development proposals.

Natural Environment
Positive benefits are being realised through improved Statutory Planning decisions, as the natural environment implications can be a consideration in the planning scheme.

Built Environment
No adverse implications. The built environment is a key consideration in Statutory Planning and positive benefits will occur through improved decision making.

Customer Service and Community Engagement
A stronger customer experience for applicants and objectors is a key outcome of the current and future initiatives. The initiatives are being driven by insights such as complaints and research.

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

Legal
No adverse implications.

Finance
Increased efficiency resulting from both short and long term improvement activities, such as moving to a digital environment, is expected to realise significant cost savings.

Links to Council policy and strategy
The Statutory Planning Continuous Improvement plan assists Council in achieving the following goal and strategy of the Council Plan 2017 - 2021:

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

Purpose and background

To recommend membership appointments to the Bayside Tourism Network (BTN) to fill current membership vacancies due to the two year membership tenure completion.

Key issues

The BTN is an advisory group established by Council to facilitate the development of the tourism industry in Bayside. The BTN assists Council on tourism related matters and with the implementation of the Bayside Tourism Strategy (2013). The primary objective of the BTN is to develop and promote Bayside as an attractive and desirable destination for tourists (visitors) in order to generate local employment and increased business activity.

This matter is being referred to Council following the expiry of the two year tenure period of five members.

Membership

The BTN can comprise up to fifteen members. The membership term is of two years for each member, with terms staggered to commence on alternate years to ensure continuity of membership. The BTN is currently comprised of twelve members. Five members are completing their two year term, leaving a total of eight vacancies to reach the maximum of fifteen memberships available.

The current membership of the BTN is as follows:

<table>
<thead>
<tr>
<th>Member</th>
<th>Tenure</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mr Jason Douglas</td>
<td>2017-2019</td>
</tr>
<tr>
<td>Mr David Elias</td>
<td>2017-2019</td>
</tr>
<tr>
<td>Ms Maureen Griffiths</td>
<td>2017-2019</td>
</tr>
<tr>
<td>Mr Stephen Le Page</td>
<td>2017-2019</td>
</tr>
<tr>
<td>Mr Michael Lee</td>
<td>2017-2019</td>
</tr>
<tr>
<td>Ms Gair Miller</td>
<td>2017-2019</td>
</tr>
<tr>
<td>Mr Peter Brearley</td>
<td>2017-2019</td>
</tr>
</tbody>
</table>

Members whose terms are expiring (October 2018)

<table>
<thead>
<tr>
<th>Member</th>
<th>Tenure</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ms Jessica Derham</td>
<td>2016-2018</td>
</tr>
<tr>
<td>Mr Kel Costello</td>
<td>2016-2018</td>
</tr>
</tbody>
</table>
Ms Debbie Tizi 2016-2018
Ms Jane Cox 2016-2018
Dr Susan Carden 2016-2018

Members can re-nominate as part of the expression of interest process.

Expression of Interest Process
An expression of interest to fill the vacancies was advertised in the Bayside Leader and on Council’s social media in July 2018. Fifteen applications were received, four applicants withdrew after learning more about the BTN and eleven candidates were interviewed to assess their suitability for the role. Having reviewed all the applications, the following candidates are recommended for appointment to the BTN:

Ms. Tess McLachlan - Has an extensive background in tourism. With formal qualifications strongly focused in Tourism Management, Ms. McLachlan has engaged in key roles with Tourism Victoria, VTIC (Victorian Tourism Industry Council), Opera Australia and Destination NSW. She was awarded the inaugural Todd Blake Tourism award during her study at Victoria University, for having exemplary passion, commitment and leadership in tourism and was identified as a ‘Future Industry Leader’.

Ms Karen Wilson – is a local resident and a professional photographer. Despite being a very busy parent with four young children she has successfully run her own studio since 2010. Having photographed widely in the local area Ms Wilson is familiar with the demands on Bayside’s tourism assets. She also has extensive experience working with local government having assisted Frankston City Council in promoting local events.

Ms. Christy Oelofsen – Has a Masters in International Sustainable Tourism Management. She completed her internship with the Estonian Tourism Board and has also made significant volunteer contributions to the UNWTO (United Nations World Tourism Organisation) and the National Sport Museum. Ms Oelofsen has a strength in ‘niche’ which would complement the diverse range of skills and expertise held by the other members within the BTN.

Ms Tara Stewart – is a local resident with a successful career in sales, marketing and media. Ms Stewart has extensive academic qualifications and is now eager to return something to her local community. She is currently working in real estate for a local agency.

The four candidates recommended would bring significant experience, skills and volunteer capacity to the BTN.

Four of the five existing members have renominated for a further two year term. Ms Debbie Tizi has chosen to retire. Given their past contributions and ongoing commitment, the four existing members who have renominated for an additional two year term are all recommended for reappointment. Members who have renominated are:

- Ms Jessica Derham
- Mr Kel Costello
- Ms Jane Cox
- Dr Susan Carden

With the four recommended new members, the BTN will have a full complement of 15.
Terms of Reference
The BTN is governed by a Terms of Reference. Under the terms of reference, the BTN can comprise up to fifteen local tourism representatives and two Councillors (currently Cr. Grinter and Cr. Heffernan). The BTN is supported by staff from the Economic Development team. Meetings are generally held bi-monthly, while the BTN’s sub-groups meet more frequently depending on projects being explored and developed.

Recommendation
That Council:

1. Reappoints to the Bayside Tourism Network the following renominating members each for a two year term:
   - Ms Jessica Derham
   - Mr Kel Costello
   - Ms Jane Cox
   - Dr Susan Carden

2. Appoints the following new members to the Bayside Tourism Network each for a two year term:
   - Ms. Tess McLachlan
   - Ms Karen Wilson
   - Ms. Christy
   - Ms Tara Stewart

3. Thanks the retiring Bayside Tourism Network member, Ms Tizi, for the contribution to the Bayside Tourism Network; and

4. Writes to the unsuccessful nominees to thank them for their interest in the Bayside Tourism Network.

Support Attachments
Nil
Considerations and implications of recommendation

Liveable community

Social
The past and present membership of the BTN has been an effective model in developing community connections. It has also resulted in a significant volunteer contribution to the local community and to Council, assisting with the implementation of the Tourism Strategy 2013.

Natural Environment
Bayside’s natural features are a significant tourism and visitor drawcard. BTN members are typically local residents with expertise in tourism that bring a balanced and informed approach in their recommendations to Council in sensitively promoting and developing the local environment.

Built Environment
The BTN’s expertise builds on the findings of the Tourism Strategy and supports the implementation of the following key action areas: build Bayside tourism strengths, develop and investigate new tourism products and opportunities, brand market and position Bayside and foster community and industry ownership of tourism development.

Customer Service and Community Engagement
A successful expression of interest process was undertaken. Two applicants were interviewed to assess their applications against the requirements of the membership role. In addition, as BTN members are from the local community they better inform Council on how to service and engage the local tourism industry.

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 no legal implications associated with this report.

Finance
The support of the BTN is provided within existing operating budgets and work plans.

Links to Council policy and strategy
To date, the BTN has been successful, generously making available to Council a significant volunteer capacity and considerable tourism industry knowledge. The BTN plays an important role in assisting Council in delivering the Tourism Strategy 2013.

Bayside City Council Plan 2017-2021

The BTN is active in supporting the Council Plan 2017-2021, in particular the strategic objectives where:
• Shopping villages are vibrant, attractive and interesting places where the community comes together, providing a variety of innovative, dynamic and convenient services;

• Local opportunities for business and employment are protected and enhanced, and opportunities for economic innovation are embraced; and

• The foreshore generates optimum economic, social and environmental return.

Tourism Strategy (2013)

Section 4.4 of the Tourism Strategy (2013) identifies the crucial role that the BTN plays in assisting Council with ‘the provision of a robust and creative sounding board on the development and implementation of tourism priorities.’
**Executive summary**

**Purpose and background**

To seek Council’s approval to amend the suburb boundary alignment for one property namely 118 Bamfield Street Hampton.

**Key issues**

Some thirty years ago the suburb boundary along Bamfield Street was clearly defined by the Registrar of Geographic Names as the suburb of Sandringham with the exception of one property namely 118 Bamfield Street in Hampton. However Bayside City Council’s property database has shown that 118 Bamfield 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 Hampton as registered by the Registrar of Geographic Names.

The residents of the 118 Bamfield Street have expressed their dissatisfaction with the correction of suburb boundary name from Sandringham to Hampton in Council’s Database, 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 and more importantly the change of suburb name has had a direct impact upon his pension concessions.

The definition of the suburb boundary for this property appears to have no good reasoning, given that all other properties within Bamfield Street along the even number side 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 118 Bamfield Street to be officially known as 118 Bamfield Street Sandringham. Refer to the Attachment.

**Recommendation**

That Council requests the Registrar of Geographic Names to amend the boundary of 118 Bamfield Street from the suburb of Hampton to Sandringham.

**Support Attachments**

1. 118 Bamfield Street ↓
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 their 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 118 Bamfield Street.
Executive summary

Purpose and background
To advise Council of the State Council Meeting of the Municipal Association of Victoria (MAV) and to propose motions to be put forward to the State Council Meeting.

The MAV will be convening its State Council Meeting on Friday 19 October 2018. The State Council is the body consisting of all the representatives of Councils which are financial members of the MAV, and the role of the State Council is to set high-level strategic directions for the MAV.

The State Council enables member Councils to put forward motions for consideration.

Only Council’s appointed representative is able to vote on its behalf at the State Council. Council’s MAV representative is the Cr Alex del Porto and substitute representative is Cr Grinter.

Key issues
It is proposed that the following motion be put forward to the State Council Meeting:

Motion - Aged Care Assessment Services

*That the MAV advocates to the State Government and requests urgent advice regarding the funding arrangements for aged care assessment services, as current funding is due to expire in June 2019. Urgent advice is required to assist with planning and upcoming budget preparations for local councils.*

Rationale:
*The State Government manages assessment in Victoria through local government on behalf of the Commonwealth Government. Residents are required to undergo an assessment to determine eligibility prior to accessing services. Councils are at risk of losing qualified and experienced staff and 2019/2020 budget preparatory work will be significantly impacted if a decision regarding ongoing funding is delayed.*
**Recommendation**

That Council submits the following motion to the MAV State Council meeting to be held on 19 October 2018:

**Motion - Aged Care Assessment Services**

*That the MAV advocates to the State Government and requests urgent advice regarding the funding arrangements for aged care assessment services, as current funding is due to expire in June 2019. Urgent advice is required to assist with planning and upcoming budget preparations for local councils.*

**Support Attachments**

*Nil*

**Considerations and implications of recommendation**

**Liveable community**

**Social**

The aged care assessment service is vital to assist members of the community to gain support to stay at home, and to provide appropriate care packages.

**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**

It is intended that the proposed motion will be circulated amongst member Councils prior to the State Council Meeting, and Bayside will seek support from neighbouring Councils to support the proposed motion.

Councillors will be advised of the adopted motion following the MAV meeting.

**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 2016.
Legal
There are no legal implications associated with this report.

Finance
There are no financial implications associated with this report.

Links to Council policy and strategy
The proposed motions relates to Goal 7 within the Council Plan with specific reference to the strategic objective “Where health issues are identified and addressed at root cause.”
10.19 COUNCIL ACTION AWAITING REPORT

Executive summary

Purpose and background
This report presents to Council a schedule of actions pending for the period to 21 August 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 ↓
<table>
<thead>
<tr>
<th>DATE OF MEETING</th>
<th>ITEM</th>
<th>COUNCIL RESOLUTION</th>
<th>DIVISION</th>
<th>COMMENTS/STATUS</th>
</tr>
</thead>
<tbody>
<tr>
<td>24/05/16</td>
<td>10.2</td>
<td><strong>Sandringham Village Streetscape Masterplan</strong></td>
<td>DCPCS</td>
<td>In the event that the bus route changes in Bay Road, 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.</td>
</tr>
<tr>
<td>24/05/16</td>
<td>10.7</td>
<td><strong>Childrens' Sensory Garden Investigation</strong></td>
<td>DERI</td>
<td>A further report will be provided to a future Council meeting.</td>
</tr>
<tr>
<td>21/06/16</td>
<td>10.3</td>
<td><strong>Bayside Public Transport Advocacy Statement</strong></td>
<td>DERI</td>
<td>Further updates on the Bayside Public Transport Advocacy Statement will be provided to Council for adoption for any new advocacy issues when they arise.</td>
</tr>
<tr>
<td>28/02/17</td>
<td>10.4</td>
<td><strong>Potential Land Purchase</strong></td>
<td>DCorp</td>
<td>A further report will be submitted to Council following the negotiations.</td>
</tr>
<tr>
<td>DATE OF MEETING</td>
<td>ITEM</td>
<td>COUNCIL RESOLUTION</td>
<td>DIVISION</td>
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<tr>
<td>25/7/17</td>
<td>10.9</td>
<td>Bayside Environmental Sustainability Framework 2016-2025 Annual Progress Report</td>
<td>DERI</td>
<td>A report will be submitted to the August 2018 Council meeting.</td>
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<tr>
<td>22/8/17</td>
<td>10.3</td>
<td>Brighton Secondary College Synthetic Hockey facility - Management Committee Financials Update</td>
<td>DERI</td>
<td>A report was presented to the July 2018 Council meeting. Completed</td>
</tr>
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<tr>
<td>24/10/17</td>
<td>10.1</td>
<td>Amendment C151 – Hampton East (Moorabbin) Structure Plan</td>
<td>DCPGS</td>
<td>A report will be submitted to Council following the Minister for Planning’s decision in 2018.</td>
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<tr>
<td>24/10/17</td>
<td>10.16</td>
<td>HMVS Cerberus – Heritage Works Permit Update</td>
<td>DERI</td>
<td>A further report will be presented to a future Council meeting following Heritage Victoria’s assessment of the Planning Application.</td>
</tr>
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<tr>
<td>21/11/17</td>
<td>10.1</td>
<td>National Disability Insurance Scheme</td>
<td>DCPGS</td>
<td>A report is included on the agenda on this matter under the heading of “Building Inclusive Communities Funding Update”.</td>
</tr>
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<tr>
<td>DATE OF MEETING</td>
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<td>COUNCIL RESOLUTION</td>
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<td>COMMENTS/STATUS</td>
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<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-Pennytale Structure Plan: Survey Results and Next Steps</strong>&lt;br&gt;1. Defers the Adoption of the Pennytale 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 Pennytale Action Group;</td>
<td>DCPCS</td>
<td>A report be submitted to the September meeting of Council.</td>
</tr>
</tbody>
</table>
### Council Resolution

**Item 10.19 – Reports by the Organisation**

<table>
<thead>
<tr>
<th>Item</th>
<th>Date of Meeting</th>
<th>Remarks</th>
</tr>
</thead>
<tbody>
<tr>
<td>10.5</td>
<td>19/6/18</td>
<td>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 infrastructure improvements at Elsternwick Park Ovals 3 and 4, and other sport grounds allocated to it.</td>
</tr>
<tr>
<td>10.6</td>
<td>19/6/18</td>
<td>Seasonal Sports Infrastructure Contributions Framework. A report will be submitted to Council at the October 2018 meeting.</td>
</tr>
<tr>
<td>10.8</td>
<td>19/6/18</td>
<td>Black and Well Street Car Park Feasibility Study. A report will be submitted to the October 2018 meeting of Council.</td>
</tr>
</tbody>
</table>

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.
<table>
<thead>
<tr>
<th>DATE OF MEETING</th>
<th>ITEM</th>
<th>COUNCIL RESOLUTION</th>
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<th>COMMENTS/STATUS</th>
</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 annually to Council at the August meetings until the year 2028.</td>
</tr>
<tr>
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<td></td>
<td>That Council:</td>
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<tr>
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<td></td>
<td>2. Receives a report on the annual progress of the implementation of the Integrated Transport Strategy 2018-2028 at the conclusion of each financial year.</td>
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</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></td>
<td></td>
<td>That Council receives a further report no later than 30 June 2019, with options for Council’s ongoing role in relation to disability inclusion, advocacy and planning beyond the cessation of the Building Inclusive Communities funding in June 2019.</td>
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</tr>
<tr>
<td>19/6/18</td>
<td>10.19</td>
<td>Amendment C150 – Retail, Commercial and Employment Strategy 2016</td>
<td>DCPGS</td>
<td>This item is included in the July meeting agenda.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>That Council defer the consideration of Amendment C150 for one meeting cycle to enable further discussion concerning the Laminex site in Cheltenham.</td>
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</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: 274 - INSTALLATION OF WATER FOUNTAINS

I hereby give notice that I intend to move at the Ordinary Council Meeting to be held on 21 August 2018 at 7:00pm at the Council Chambers, Civic Centre, Boxshall Street, Brighton the following Notice of Motion:

Motion

“That Council investigate the feasibility of installing 2 water fountains in each of the Major Activity Centres, 1 water fountain in the grounds of the Brighton and Beaumaris libraries and 1 external water fountain at all new Pavilions where there isn’t one already, and each fountain to have provisions for water bottle refills and a dog drinking bowl.”

Cr Alex del Porto

Support Attachments

Nil