WRITTEN STATEMENTS
ORDINARY MEETING OF COUNCIL
18 August 2020
Item 10.1 Elsternwick Park Nature Reserve - Proposed Management

Model (page 7)

1. Ms Elizabeth Walsh
2. Dr Jo Samuel-King (on behalf of the Elsternwick Park Association)
3. Ms Julie Beatty

Item 10.2 Heritage Assessment of the Beaumaris Arts Group Building (page 11)

1. Ms Cheryl Taylor
2. Mrs Fiona Austin (on behalf of Beaumaris Modern)
3. Ms Cate Rayson (on behalf of Save Beaumaris Art Group Studio)
4. Mr Greg Plumb
5. Mr Jamie Paterson

Item 10.3 Amendment C163bays - Pennydale Structure Plan - Update (page 15)

1. Dr Rob Saunders
2. Mr Derek Screen (on behalf of Pennydale Residents Action Group)
3. Mr Fraser Gibson
4. Mr David Rothfield (on behalf of Bayside Climate Crisis Action Group)
5. Mr Jeremy Hewett

Item 10.4 Hampton Public Land Masterplan - Outcomes of Community Consultation (page 25)

1. Mr Tony Shepherd (on behalf of Hampton Neighbourhood Association)

Item 10.5 Inquiry into Homelessness in Australia - Joint Submission

No Written Statements received.

Item 10.6 Bayside Environmental Sustainability Framework 2016-2025 - Annual Progress Report

No Written Statements received.
**Item 10.7**  
Updated Street and Park Tree Management and Significant Tree Management Policies  
(page 29)

1. Dr Rob Saunders  
2. Mr Derek Screen (on behalf of Pennydale Residents Action Group)  
3. Mrs Caroline Lawton  
4. Mrs Kylie Charlton  
5. Ms Simone Boileau

**Item 10.8**  

No Written Statements received.

**Item 10.9**  
Translation of the Bayside Planning Scheme to the new Format Planning Scheme

No Written Statements received.

**Item 10.10**  
Brighton Secondary College Synthetic Hockey Facility - Management Committee Financial Update

No Written Statements received.

**Item 10.11**  
Annual Community Grants 2020/21

No Written Statements received.

**Item 10.12**  
Bayside 2050 Community Vision Final Panel Report

No Written Statements received.

**Item 10.13**  
Response to petition to construct a covered structure for all weather at Landcox Park  
(page 39)

1. Mrs Gemma Carman
Item 10.14  Request to Ban Parking During Afternoon Peak Periods on East Side of
Beach Road Between Orlando Street and Linacre Road Hampton

1. Mrs Shelly Turek
2. Mr Trevor Loffel
3. Mrs Judy Pavlou
4. Mr Darren Gendala
5. Ms Kerry Osler
6. Mr Michael Oakes
7. Ms Annie Barton
8. Ms Lynda Morris
9. Mr Gavin MacMillan
10. Mrs Sarah Couper
11. Mrs Linde Mohr
12. Mr Andrew Evans
13. Ms Georgina Lovel-Alderson
14. Mrs Barbara Turner
15. Mr Russell Jones
16. Mrs Jennifer Hoyle
17. Mr Michael Kafoa
18. Mr Richard Hart
19. Ms Sally Manson
20. Mr Lachlan Robertson
21. Mr Robyn Patrick
22. Mr Martin Barrett
23. Mrs Lindy Fagan
24. Mrs Shirley Walker
25. Mrs Marg Batt
26. Mrs Michelle Addison
27. Mrs Sarah Allen
28. Mr Geoffrey Fagan
29. Mrs Lisa Oertle
30. Mrs Cherry Thompson
31. Dr Arlene Harriss-Buchan
32. Mr Tony Batt
33. Mr Peter Corfield
34. Mr Tony Shepherd
35. Anonymous Submission
36. Mr John Balmer
37. Mr Michael Fennessy

Item 10.15  Hampton Hill Mural Restoration

1. Mr Tony Shepherd (on behalf of Hampton Neighbourhood Association)
Item 10.16 Lease proposal for part of Banksia Reserve Pavilion (page 63)

1. Mr Ian Thomas (on behalf of Beaumaris Lawn Tennis Club)
2. Mr Terry Lucas (on behalf of Beaumaris Football Club)
3. Mrs Georgina Scott (on behalf of Beaumaris RSL Committee)
4. Mr Shayne Benedict (on behalf of Beaumaris RSL)

Item 10.17 Proposal to enter into a lease for Grace Heart Community Church )

No Written Statements received.

Item 10.18 Proposed discontinuance and sale of road adjoining 79, 81 & 83 Willis Street; and 48, 50 & 52 Mills Street, Hampton (page 68)

1. Mr Ashley James

Item 10.19 Proposed discontinuance and sale of right of way (ROW) adjoining 107 & 109 Willis Street; and 74 & 76 Mills Street, Hampton

No Written Statements received.

Item 10.20 CONTRACT CON/20/52 Construction of Thomas Street Playground

Written Statements not permitted to this item

Item 10.21 CONTRACT CON/20/75 Elsternwick Park Oval 4 Sportsground Reconstruction - Budget variation and Chief Executive Officer Delegation (page 70)

1. Ms Marilyn Gross
2. Ms Amanda Levi (on behalf of Bayside Dog Alliance)
3. Miss Jenelle McKenzie
4. Mrs Judy Farrugia
5. Miss Dianne Anderson
6. Mr Oskar Hakansson
7. Mr Greg Smith
8. Mr Kevin Howard
9. Mr Keith Thompson
10. Ms Glenys Fraser
11. Mr Alan Fletcher
12. Mr David Fonda (on behalf of Elsternwick Park Community Alliance Inc.)
13. Mr David Atkins
14. Dr Philip Popham
15. Dr Jo Samuel-King (on behalf of the Elsternwick Park Association)
16. Mr Daniel Phelps
17. Mr Jarrod Hall (on behalf of East Brighton Vampires Junior Football Club)
18. Ms Jessica Batt
19. Mrs Leeann Weir
20. Ms Gail Stainton
21. Mrs Fiona Bull
22. Mr Darren Mitchell
23. Ms Jan Smallman
24. Mr Hanna Elmouallem
25. Ms Jen Bishop
26. Ms Claire Pallot

**Item 10.22** CONTRACT CON/20/82 Moorabbin West, Hampton East and Sandringham Oval Reconstruction

Written Statements not permitted to this item

**Item 10.23** Council Action Awaiting Report

No Written Statements received.
Item 10.1
Elsternwick Park Nature Reserve
Proposed Management Model
1. **Ms Elizabeth Walsh**

From the committee of FoNW Inc.

After many hours of input, it is encouraging to finally have a management model prepared by the council and EPNR panel which the FoNW Inc. committee hope will be passed at the council meeting on 18th August. Readiness for physical works in the northern section and progress have been eagerly awaited. We hope the management model will now allow the possibilities of the future ideas and transition toward community leadership to be put into reality.
2. Dr Jo Samuel-King (on behalf of the Elsternwick Park Association)

ELSTERNWICK PARK ASSOCIATION’S SUBMISSION ON ITEM 10.1: PROPOSED MANAGEMENT MODEL FOR THE ELSTERNWICK PARK NATURE RESERVE

I write on behalf of the Elsternwick Park Association to express our support of the proposed management model for the Elsternwick Park Nature Reserve.

This proposed management model has been a long time coming. Councillors, you will recall that in July 2018 you set up the Elsternwick Park Nature Reserve community reference panel and charged as with the task, not only of providing input into the reserve masterplan, but of recommending future management model. This is exactly what we have done.

We thought long and hard about what we wanted the reserve to achieve and what management model would best suit those goals. The three future goals for the reserve as we saw them were:

1) Habitat or biodiversity-this was voted as THE most important future goal for the reserve
2) Soft amenity-that amenity that is hard put your finger on-beauty, a sense of wild space
3) Community involvement. Particularly important in this regard was the opportunities for social inclusion-not just ordinary volunteering, but involving disadvantaged groups in volunteering and skills development opportunities.

I have a particular interest in this third goal. I know how important meaningful volunteering can be to the most marginalised members of our community. My own patients, who generally cannot stand the humiliation involved in being forced to do meaningless work for work for the dole, love the work that they can do at West Gate Park. I am looking forward to this group of people, as well as many others, contributing towards creating a truly wonderful nature reserve.

We then looked at which management model would best achieve these goals. The one we have picked, has been hand picked to be able to best facilitate these goals. In particular, it will allow for us to raise funds and involve corporate and work for the dole types of volunteering, so as to best achieve our third goal.

Finally, what we also love about this model is its collaborative structure. It will involve close and ongoing team work between council staff and community members. We know this structure can work because we have already tested it. The community reference panel has been a huge success, as can be attested by the quality of the Elsternwick Park Nature Reserve Masterplan as well as the experience of all involved. What is slightly different about this structure is that we have added a councillor into the team and we are very much looking forward to working with whichever councillor takes up this fantastic role.

Finally, if we were to add one thing it would be to add representatives from both City of Port Phillip (CoPP) and Melbourne Water (MW) to the future management model. Perhaps this could be considered when CoPP and MW firm up their financial commitments to the reserve.

Jo Samuel-King
Elsternwick Park Association president
3. Ms Julie Beatty

Submission on Item 10.1: Proposed Management Model for the Elsternwick Park Nature Reserve

I am writing as a volunteer for the Bayside Council community and as a resident of Port Phillip Council in support of the proposed management model for the Elsternwick Park Nature Reserve.

The Elsternwick Park Nature Reserve community reference panel identified three future goals for the reserve including 1) habitat and biodiversity; 2) soft amenity (a sense of wild space for sights, sounds, smells); and, 3) community connectedness and social inclusion.

I support the community reference panel's recommendation for a hybrid management model because it creates the greatest potential for success to achieve these goals and is the most innovative way in which to attract and grow non-Council revenue over the long term beyond the execution of the Masterplan.

There is also recent precedence that hybrid management models continue to be integral to the success for developing and sustaining newer nature reserves and unique urban parks in Melbourne including Westgate Park and in the Chain of Ponds Collaboration for Moonee Ponds Creek.

Indeed, the evolution of management models deployed across the Melbourne metropolitan area has shifted through the decades from advisory committees chaired by Councillors toward hybrid management models to reflect the diversification of stakeholders beyond the jurisdiction and local community; the widening socio-economic diversity across communities generally and in Bayside and Port Phillip Councils; and so a recognition that a collaborative approach to engagement and decision-making for the nature reserve is required to create more and better options and sources of revenue that add social, capital and natural value that together align with the goals for Elsternwick Park Nature Reserve.
Item 10.2
Heritage Assessment of the Beaumaris Arts Group Building
1. Ms Cheryl Taylor

I commend council’s previous decision to not proceed with the demolition of the Arts group building and instead employ an expert to assess the heritage value of the studios. The report that has now been completed is comprehensive and detailed. It is a victory for supporters of saving the studios, Bayside residents and council. The recommendation now is that council applies heritage controls to the Beaumaris Memorial Community Centre as part of the mid-century modern heritage study to be prepared in 2020/21. Given that the Arts building has been assessed as significant in its own right, is there a process that would allow the BAG building to be added to the 19 properties that form the, yet to be ratified Amendment C178bays, thus bringing forward the desired protection?

2. Mrs Fiona Austin (on behalf of Beaumaris Modern)

Beaumaris Art Group Building

Beaumaris Modern would like to thank Bayside council officers and councillors for undertaking the Heritage Study of the Beaumaris Art Group building.

The study has shown the BAG building is significant on a number of levels.

Including as a cultural place, special association with a particular community, special association with a group as well as being of architectural significance.

Beaumaris Modern is concerned the delay in heritage listing might have a negative impact on the proposed renovation to the building. We would like council’s assurance that the important features of the Beaumaris Art Group Building, identified in the heritage report, are incorporated and recognised in any new work, additions and changes to the building.

We also want to ensure the design process and renovations and restoration to the BAG building is completed in a timely manner as Beaumaris Modern have identified a growing community of artists and community members keen to be involved in Beaumaris Art Group.

Now the heritage report has been completed, we encourage Bayside Council to establish a schedule of design development, community engagement, tender process and a building schedule.
3. **Ms Cate Rayson (on behalf of Save Beaumaris Art Group Studio)**

Our group, Save Beaumaris Art Group Studio would like to thank Bayside Council for undertaking the Heritage Assessment of the Beaumaris Art Group Studio.

The outcome of the assessment has vindicated the principle points of our lobbying of council since mid-2019, that the BAGS building holds considerable historic, cultural, architectural, social and local significance.

It represents a signature, tangible and long-standing feature of Beaumaris as a destination that has attracted, inspired and nurtured creative people for centuries.

Now that the building’s significance has been formally identified and acknowledged, our responsibility is to ensure that any changes to the building are carefully and expertly considered. We need to feel confident that they will be implemented by an appropriate team who can demonstrate an understanding of and ability to protect the building’s existing creative spirit.

In 1965, this building was specifically designed and built to nurture artistic potential. Almost 60 years later, its creative fire needs to be reignited and fanned into life once again, for today’s wider community and for generations to come.

4. **Mr Greg Plumb**

Now that Council has a detailed heritage assessment of the Beaumaris Art Group building with very specific recommendations concerning any proposed alterations to the buildings, isn’t the architectural brief now completely different to the original proposal for a demolition and new build? Shouldn’t a new tender process occur to ensure we gain the best possible design team with specific skills and experience in heritage renovations?
5. Mr Jamie Paterson

Tuesday 18 August
Submission: request to be heard

Item 10.2: HERITAGE ASSESSMENT OF THE BEAUMARIS ARTS GROUP BUILDING

Dear Councillors,

This agenda item is deceitfully misnamed. The key recommendation before you is NOT relating specifically to the heritage assessment of the Beaumaris Art Group (BAG), but is recommending that Council applies heritage controls to the Beaumaris Memorial Community Centre (BMCC).

This recommendation was submitted to Council at the November 2019 ordinary meeting, but the Urban Strategy department (managed by Dr Hamish Reid), extracted the citation and statement of significance for the BMCC from the broader heritage assessment on Council-owned buildings by Context heritage consultants. No reasonable justification was provided by Councillors or Officers for this exclusion.

This excluded citation was released due to an FOI request by Beaumaris Modern immediately following the November meeting and made public and shared with Councillors.

The follow-up report into the specific heritage considerations relating to the BAG, was due to be published in February this year. This timeline is published in both the minutes of the November meeting and on Council’s website. It is inexplicable that this report has been delayed until August 2020. It is also inexplicable that the recommendations were not mentioned in last week’s Planning Application report or discussion relating to the redevelopment of the Frank Reade (Sports) Pavilion, which is one of the
Item 10.3
Amendment C163bays
- Pennydale Structure Plan – Update
1. Dr Rob Saunders

Dear Councillors

It is disappointing to have the Pennydale Structure Plan abandoned after all we have been through, but unfortunately it seems that is necessary to avoid confusion at this stage.

In supporting the recommendation to abandon the plan, I would like to acknowledge the huge amount of work Bayside strategic planning staff have put into this project over several years, and also the high level of support that the Pennydale community provided during its development.

I believe the Vision statement in the document still has the full support of the vast majority of Pennydale residents:

“A family-friendly neighbourhood with green and leafy streets, access to excellent transport, shopping and open spaces, with a range of medium density housing to meet the needs of a range of demographics and life stages, while retaining the area’s valued neighbourhood character and amenity.”

I hope there can be other ways to implement some of the excellent ideas that emerged from the detailed analysis and in-depth consultation during the development of the plan.

Examples of things I hope are not lost as a result of taking this administrative step include:

- To provide a range of housing typologies to cater to all ages and circumstances, and meet expected population growth demands (page 19)
- Investigate the feasibility of constructing a shared pedestrian and bicycle path along the southern side of Park Road, providing connectivity for pedestrians and cyclists to the Bayside Business District, Cheltenham Activity Centre and Cheltenham Park as well as to the wider bicycle network (page 24)
- Advocate for a shared pedestrian and bicycle path along the Frankston Railway line... with the construction of a pedestrian overpass bridge across Bay Road (page 24). I note that a substantial section of this path already exists, with a newly widened shared path constructed by LXRp between Park Rd and Heather Grove; a new railway crossing at the bottom of Heather Grove; and a good existing link along a quiet back street (Jean St in Kingston) to Southland station.
- Once the level crossing has been removed at Park Road, undertake a traffic study to investigate the impact it has had on traffic movement and the road network across Pennydale (page 24)
- Advocate to VicRoads to upgrade the Bay Road/Graham Road intersection to a signalised intersection (page 24)
- Require shop-top development on Bay Road to provide access from the existing laneways to minimise vehicular crossovers and movements on Bay Road (page 24)
- Continue to implement the existing Residential Parking Scheme Policy 2016 (page 25)
- Enhance greening throughout the streetscapes within the neighbourhood, through canopy tree planting and landscaping (page 28)
- Encourage residents to plant on their nature strips, in line with Bayside City Council nature strip planting requirements (page 28)
- Advocate for the retention of railway vegetation and screening where possible (page 28)
• Maintain leafy character of residential streets through large tree planting and landscaping (page 28)

Yours sincerely
Dr Rob Saunders
2. Mr Derek Screen (on behalf of Pennydale Residents Action Group)

Bayside Council Meeting Tuesday August 18th 2020

10.3 AMENDMENT C163BAYS - PENNYDALE STRUCTURE PLAN – UPDATE

Pennydale Residents Action Group (Inc) response

Dear Councillors

The Pennydale Residents Action Group (Inc) (PRAG) wishes to advise that under the circumstances before us, we fully support the recommendation of Council Officers to **ABANDON** the Pennydale Structure Plan 2018 (Structure Plan).

Whilst it is disappointing that the Minister has rejected the Structure Plan, the information that was obtained from the work done for it has meant that the time and effort put into the process by all parties will not go to waste, and will be able to be utilised to implement many of the higher as well as lower level ideas and suggestions that it contained.

A lot of time and effort was put into this Structure Plan over several years by Council Officers and the Pennydale Community, and we wish to acknowledge those Officers, not only for their time and expertise, but also their willingness to work with and listen to the community, answer all questions put to them, as well as being available and friendly for the community to deal with. I would also like to thank the Pennydale community for willingly taking part in all aspects of this process and asking the questions of the Council Officers and listening to and accepting the responses.

The PRAG and the Pennydale community continue to be ready, willing and available to work collaboratively with Council into the future for all matters pertaining to the Pennydale area. The vast majority of the Pennydale community still support the Structure Plan’s VISION STATEMENT of “A family-friendly neighbourhood with green and leafy streets, access to excellent transport, shopping and open spaces, with a range of medium density housing to meet the needs of a range of demographics and life stages, while retaining the area's valued neighbourhood character and amenity,” and hopefully this can be achieved through the implantation of many of those items from the Structure Plan such as:
- Investigating the feasibility of constructing a shared pedestrian and bicycle path along the southern side of Park Road to eventually link the Nepean Highway with Sandringham;
- Further work on the Shared User path linking Mordialloc with Highett via a bridge over Bay Road on the Southland side of the railway bridge;
- Traffic Lights on the intersection of Bay Road & Graham Road;
- The formalisation of traffic lanes along the Pennydale stretch of Bay Road between the railway line and Graham Road;
- Enhancing and maintaining the greening of and leafy character throughout the streetscapes within Pennydale through canopy tree planting and landscaping;
- Continuing to implement the existing Residential Parking Scheme Policy (2016);
- Undertaking a traffic study to investigate the impact the Level Crossing Removal has had on traffic movement and the road network across and surrounding Pennydale and making appropriate changes as necessary;
- The requiring of shop-top development on Bay Road to provide access from the existing laneways to minimise vehicular crossovers and movements on Bay Road;
- Investigate additional safe crossings across Park Road for access to Cheltenham Park;
- plus many others.

We look forward to continuing to work with the Bayside City Council into the future and we are always available to work towards making Pennydale an even better place for our residents to live.

Yours sincerely

Derek Screen
President, Pennydale Residents Action Group (Inc)
3. Mr Fraser Gibson

10.3 Amendment C163 Pennydale Structure Plan (PSP) Petition request to write to Minister for Transport for shared paths, Bridge over Bay Road and station access.

The petition requested Bayside City Council (BCC) write to the Minister for Transport requesting Petition items 2, 3 and 4 (items 3 a, b and c in BCC report recommendations) be incorporated into the current Cheltenham Level Crossing Removal Project (LXRP) works for completion along with the current project. The December date for a report on feasibility is not necessary and may miss the opportunity for Council to get this vital infrastructure built.

With regard to the items under Recommendation item 3 we advise

3a a shared path, connecting Cheltenham to Sandringham with shared zones and bicycle paths facilitated through the Park road Level crossing removal project.

The October 2018 Pennydale plan (PSP) states:

- Investigate the feasibility of constructing a shared pedestrian and bicycle path along the southern side of Park Road, providing connectivity for pedestrians and cyclists to the Bayside Business District, Cheltenham Activity Centre and Cheltenham Park as well as to the wider bicycle network.

The Bicycle Action Plan 2019 item 1.5 has identical wording, to be completed in ‘Medium” time frame.

Item 1.18 states “consider options for an improved cycle route Cheltenham station to Sandringham activity centre” with a “long” time frame.

This shared path would obviate the need for Bicycle paths on Bay road, and would be far more likely to actually get built.

Unless LXRP design and construct the first section exiting Cheltenham station along Park Road now it will be difficult and costly to demolish bus stop and other obstacles at a later time. The feasibility study is likely to say the lack of the first section on Park road makes the project a non-starter.

3 b Advocate to Minister for Transport to instruct LXRP to construct a shared path level crossing and extend the path from Heather Grove to Southland, with a bridge over Bay road to enable connections between Cheltenham, Southland and Highett.
The PSP states:

- Advocate to VicRoads for a safe pedestrian crossing across Bay Road near the Frankston railway line bridge either in the form of a pedestrian overpass bridge or a signalised pedestrian crossing. This would allow safe and controlled movement across Bay Road, to and from Sir William Fry Reserve and the proposed shared pedestrian/cycling path along the Frankston railway line corridor.

NB VicRoads is no longer responsible for SUP’s on the Rail corridor. The Minister for Transport is responsible and the Cheltenham LXRP designated areas map shows they have authority for works along the rail corridor and over Bay road. The PSP also states:

- Advocate for a shared pedestrian and bicycle path along the Frankston Railway line from Park Road to Bay Road, providing a safe and continuous route to and from Southland Railway Station and Shopping Centre and from Bay and Park Road, with local access to residential areas wherever possible, for example with the construction of a pedestrian overpass bridge across Bay Road.

The Bicycle Action plan 2019 states:

The opportunity to fulfill these actions id now, and a request to the Minister for Transport to for LXRP to extend the SUP is urgent, as it is extremely unlikely there will ever be another government department with major project status and authority for the designated areas on the rail corridor to complete this work.

3 c advocacy to the Minister for Transport to instruct LXRP to extend the footpath adjacent to Heather Grove to the north with a ramp up onto the western platform 1 of Southland station.

This would provide a safe convenient 24/7 access for pedestrians, people with disabilities, families with prams etc straight on and off the trains. A drop off point in Heather Grove and bicycle storage would make this accessible for all and an alternative whilst the 60 Tulip Grove station entry is investigated. This access would also provide a possible 3 story development area with little impact on local housing. It can be built by LXRP now at relatively low cost and completed within the current project.
• Investigate future support for the opening of an additional station entrance at 60 Tulip Grove to allow access to the station from the western side of the railway line and encourage use of the station and sustainable transport modes by local residents.

These items were raised with BCC transport officers in meetings and letters from early in 2018, thus the utility and value to the community are well known. There is no need for feasibility study as that would be done by LXRP. The requests to the Minister must be sent forthwith as it will take some time to get a response and for LXRP to commence work.

Fraser Gibson CPEng. on behalf of the Petitioners
4. Mr David Rothfield (on behalf of Bayside Climate Crisis Action Group)

Governance Officer
Bayside City Council

Dear Officer,

RE: Ordinary Council Meeting 18 August 2020

Agenda item 10.3: Pennydale Structure Plan

We request the following statement be distributed to Councillors and recorded in the minutes.

Councillors may be aware that BCCAG has been advocating for the accelerating of plans for extending and upgrading shared use pathways and improved facilities for the use of low emissions mobility devices. Such actions should form part of Council’s soon to be adopted Climate Emergency Action Plan.

We therefore strongly support the recommendation by the Organisation on page 106 of the Agenda papers, calling for the Pennydale Structure Plan to be rescinded, and for Council to receive a report at the December Ordinary Meeting on the feasibility of

1. a shared user path, connecting Cheltenham to Sandringham with shared zones and bicycle paths, and whether this can be facilitated through the Park Road Level Crossing Removal project;
2. advocacy to the Minister for Transport to instruct the Level Crossing Removal Project to construct a shared user path level crossing and extend the path from Heather Grove to Southland, with a bridge over Bay Road to enable connections between Cheltenham, Highett and Southland;
3. advocacy to the Minister for Transport to instruct the Level Crossing Removal Project to extend the path adjacent to Heather Grove north with a ramp to the western platform at Southland Station;
4. how Council may progress the access and movement actions from the Structure Plan in the absence of a Structure Plan.

As recommended, we also support considering opportunities for the landscape and vegetation elements from the Public Realm section of the Structure Plan through other strategic work, including the neighbourhood character policy review and the urban forest strategy.

We therefore call on Councillors to vote in support of this recommendation from the Organisation.

Kind regards,

David Rothfield
President
5. Mr Jeremy Hewett

In respect of the above matter listed on the agenda for tomorrow night’s meeting, I request that you consider the following matters.

1. Abandoning the Pennydale plan leaves the entire Growth Zone (GRZ) subject to 3 story developments in accordance with the standard ResCode provisions. We want to avoid random developments and costly VCAT Challenges. Please advise how Council would respond to applications for 3 story townhouses or apartments anywhere in the Cheltenham -Southland GRZ area.

2. DEWLP have advised that the Council is responsible for the Activity Centre boundaries, and the proposed boundary on the rail line is not accepted. Is Council proposing the new Activity Centre includes the entire area between Bay road and Park Road and the rail line?

3. Will Council consider a plan for the Bay Road, Reserve Road, Weatherall and Charman Road area including the Growth Zones and Activity Centres and likely future Rail infrastructure as considered in Option2 and response to Petition? This would at least alert residents to the developments and allow feedback, whether or not parts of the plan become DEWLP approved.

4. Will Council immediately open a “have your say” for a Cheltenham Southland area with a questionnaire to allow residents to respond on access and movement and built form for the future of the area?

5. The original Structure Plan put to councillors in June 2018 would have undoubtedly been approved by DEWLP for inclusion in the Bayside Amendment Scheme had it been put forward as proposed planning amendment C163. Instead, Councillors decision to conduct a further consultation phase, exclusively with the leadership of the Pennydale Residents Action Group (PRAG), which indisputably resulted in a Structure Plan in conflict with the Melbourne 2017-2050 Plan as mandated by DEWLP. Inevitably, DEWLP rejected the propose structure plan, which was not only foreseeable but entirely predictable. Given that PRAG’s position regarding local planning is plainly in complete conflict with State planning policies, which Council is under a statutory obligation to comply with, will Council concede that continuing to negotiate exclusively with PRAG has not worked and consider cancelling its Community Representation Agreement with PRAG and instead correspond directly with residents?
Item 10.4
Hampton Public Land Masterplan
Outcomes of Community Consultation
1. **Mr Tony Shepherd (on behalf of Hampton Neighbourhood Association)**

   Bayside City Council Ordinary Meeting – 18 August 2020  
   Item 10.4 Hampton Public Land Masterplan – Outcomes of Community Consultation

   **Summary:**  
   Hampton Neighbourhood Association (“HNA”) strongly supports the Recommendation that Council;  
   1. Applies for Federal Government funding to undertake a more detailed feasibility of the potential multi-deck car park at the Service Street car park;  
   2. Continues work to progress the Hampton Masterplan having regard to the feedback received alongside funding considerations to implement its recommendations; and  
   3. Receives a report at the 15 December 2020 Ordinary Meeting of Council enclosing the final Hampton Masterplan for consideration.

   **Background:**  
   The Committee of the Hampton Neighbourhood Association (“HNA”) is supportive of Bayside Council’s draft Masterplan for the Centralised Community Precinct in Hampton and would like to thank Council for seeking HNA input throughout the consultation process.

   1. The HNA is supportive of the multi-deck car park in the existing carpark for the following reasons:  
      - The carpark is a Commonwealth funding commitment for $4 million for use within the current term of this Commonwealth Parliament and Hampton should not lose the opportunity for this investment  
      - Carparking is essential because the catchment area of the Hampton Street Retail Precinct is larger than reasonable walking distance for shoppers and users of essential banking, post, pharmacy and medical services  
      - Rail commuter parking is essential to minimize uncontrolled all-day commuter parking spreading into surrounding residential streets  
      - With the planned relocation of the current rail commuter carpark to the south west side of the rail line with the VicTrack/DHHS redevelopment, additional commuter carparking on the east side is essential  
      - The Service Street carpark is the best option available from the various Council carparks adjacent to Hampton Street

   With the increase in vehicle movements associated with a multi-deck carpark, there is potential to impact residential amenity. To mitigate any potentially negative effects, HNA support for the carpark is dependent upon:  
   - Architectural design, cladding and tree retention that enhances rather than degrades the Hampton neighbourhood environment  
   - Traffic planning and management to ensure safe and efficient movement of traffic and pedestrians
2. The HNA is supportive of the continued progression of the Hampton Masterplan without further delays and request that there is a concerted effort to consolidate and firm up the funding options as soon as possible for the following reasons;

- The masterplan process represents a once in fifty-year opportunity for a major improvement in the facilities for the Hampton Community. The current facilities are old, not fit for purpose and will need substantial upgrades in the next ten years to be compliant with regulations.

- HNA recognises that the Masterplan represents a large new investment in Hampton that, when properly planned and with community user input, can bring new and better facilities for new and existing users of these older scattered buildings and benefit an entire community.

- HNA does support the sale of the proposed council owned land to support the funding of the centralised community precinct. This support is dependent on:
  - Existing users of any buildings to be sold to continue with their quiet enjoyment of their existing premises until the new building is ready for use
  - Council prepare a financial plan so that there is a clear strategy to fund delivery of the Masterplan, and so that the proceeds of the sale of land in Hampton are applied to improvements in Hampton.
  - Council conducting a final review when the community precinct is complete to confirm that any land proposed to be sold is genuinely not required for current or foreseeable future circumstances

- A centralised facility will allow for young and old to mix and this should have a positive community outcome

- The inclusion of the Playhouse site in the redevelopment will allow for increased scale/facilities for all users of Council provided infrastructure

- The Community and all other users, will have access to improved shared facilities including undercover carparking, visitor toilets, fully manned reception and concierge services, office services and equipment, building security, meeting rooms and large secure indoor and outdoor play spaces

- HNA also believes strongly that Hampton is the poor cousin within Bayside with other suburbs and their community facilities having received substantial investment whereas Hampton has largely been overlooked.

- HNA also strongly supports the creation of community green space in the Thomas and Service St car park areas as well as part of the Hampton Hub space on the west side of Hampton Street.

3. The HNA welcomes the reporting back to Council in December with the final Masterplan for consideration by Council.

We are understanding of the Covid-19 recent delays but note that the Community is very excited by the Hampton Masterplan and eager for not only the final report to be delivered, but also to have some certainty in the funding and timing for delivery of this project.
The Hampton retail strip and MAC is looking very tired and many shops have been shut so we certainly need some positive news and certainty to attract shops, shoppers and new long-term residents to the Hampton Community.

Regards

Tony Batt
President
17/08/2020
Item 10.7
Updated Street and Park Tree Management and Significant Tree Management Policies
1. Dr Rob Saunders

Thank you Councillors for reading my submission. I am pleased to see recommendations emerging from what has been a long process, and I support much of what this proposal contains. However, I do not believe the current set of recommendations go far enough. Healthy mature canopy trees on private land add significantly to public amenity through their habitat value, by providing shade (reducing skin cancer) and by helping to mitigate the urban heat island effect, amongst many other benefits. Research has also shown that they add to the value of properties, indirectly enhancing rate revenue for councils.

Trees identified for removal by developers have previously required council approval if their value exceeds $30,000. I support the idea of reducing this figure in order to help safeguard more of the mature and well-established trees that are positively contributing to our streetscapes, while still providing developers with a level of flexibility. However, I do not believe the proposal adequately addresses the real problems of removal of all healthy mature canopy trees from development sites, and the increasing incidence of illegal removal of trees.

In situations where the removal of multiple trees is requested, developers should be required to show how they have considered alternatives that retain the most important trees in their design and proposed construction methodology. Healthy mature canopy trees in set-back areas should have particularly stringent conditions applied to their removal, as in almost all instances the technology exists to work around them. Council fees and other systems need to be structured to encourage this approach.

Worryingly, just as the vital importance of trees is being recognised, we are seeing substantial and increasing numbers of healthy mature canopy trees being removed from set-back areas in development sites WITHOUT PERMITS. Worryingly, council seems to be powerless to stop this. I know of multiple instances within the last 12 months just within my neighbourhood. The evidence required for prosecution means that council also effectively throws the responsibility for vigilance onto residents. Then, even when residents provide photos, videos and other supporting documentation to assist council staff with their prosecutions, the fines involved are inadequate to discourage these breaches. More needs to be done to force compliance, and to encourage changes in design or construction methods to accommodate healthy established trees.
To give just one recent example, the tree pictured (right), an Australian native Manna Gum (*Eucalyptus viminalis*) with a height of 22 metres, crown spread of 15 metres, and DBH in excess of 700 mm was removed from 6 Davie Avenue Cheltenham (Pennydale) on 13 July without a permit. It is evident from the photo that the limbs of the tree were sound, and aside from some easily manageable grazing by possums the tree was in good health.

Its removal was reported to council staff while it was happening. We were told at the time the tree had a permit, but were informed one month later that the permit was actually for a different tree. Despite having photographic and videographic evidence including registration numbers of the vehicles used by the tree loppers, we have been told ‘nothing can be done’ in this instance.

This is a disgrace, and an indictment of the system of permit management in operation in Bayside.

Clearly the permit system is being treated as a joke by developers. At worst they are fined a minimal amount, while much of the time they simply ‘thumb their nose’ at council and residents, knowing they will most likely get away with it.

The minimum that should be done is to impose fines equivalent to the value of any tree illegally removed. Another step that I believe could be achieved through council bylaws and regulations is to put the onus of proof onto the developer, to show that any tree cut down illegally was NOT removed at the direction of the developer. Sites are generally fenced and secured by developers anyway, and clearly there are no other people removing large trees without developers’ knowledge.

Several other councils use a bond system to manage trees on development sites, but this idea seems to have been rejected by Bayside as ‘too much work’. I would like to see a cost-benefit analysis provided in relation to this conclusion, given that such a system is clearly workable elsewhere.

My final question for councillors is this: Are you willing to take this issue seriously, or are you prepared to see every tree removed from every development site in Bayside?

Yours sincerely
Dr Rob Saunders
2. Mr Derek Screen (on behalf of Pennydale Residents Action Group)

Bayside Council Meeting Tuesday August 18th 2020

10.7 UPDATED STREET AND PARK TREE MANAGEMENT AND SIGNIFICANT TREE MANAGEMENT POLICIES

Pennydale Residents Action Group (Inc) response

Dear Councillors

The Pennydale Residents Action Group (Inc) (PRAG) is pleased to see an update to these policies but we do not believe under the circumstances that they go far enough.

With council declaring a Climate emergency in 2019 and the preparation for an Urban Forest policy in the works, it is clear that trees are a very important thing for the residents of Bayside. Having said that, it is disappointing to read that no consultation was undertaken with the community in regards to these suggested updates, as they were considered to be minor.

Whilst the suggested changes go some way to improving these policies, there is still a LOT of room for improvement, and there are a number of items that we feel could and should be improved as a part of this update and suggest these below for your consideration:

- Whilst it is great that the policy is updated to the CURRENT National Trust selection criteria for trees to be added to the Significant tree register, I note that these criteria are updated on a regular basis by the National Trust and whilst Council’s policies are only updated every few years (7 years since our last policy update on this), we will find ourselves always behind what is considered current and appropriate by not only other Councils, but also VCAT. Our suggestion would be to add a line that states that the policy utilises the CURRENT posted National Trust selection criteria at any time so that not only will the policy be always up to date, but also all parties from Council officers to arborists, Developers AND VCAT will all be on the same page at the same time.

- It is great to see the Officers suggestion to lower the trigger point required for a permit to be needed to remove a tree from the tree’s value of $30,000 to a value of $20,000. This will greatly increase the number of trees that require a permit to remove them, especially by developers of a property. Whilst this is a great step in the right direction, it should be MATCHED with a change in the
FINES AVAILABLE to hold to account those people who seek to avoid the permit system and simply remove those trees anyway. At the moment the highest fine available is 10 Penalty Units or $1652.20 per tree. For a developer building a multi-million dollar development, this is pocket change and of no concern to them in the short or long term. It is our belief that there should be 3 additions to this policy NOW to assist Council in retaining our much loved and much needed trees from being destroyed:

- Firstly, any tree removed without appropriate permission to do so via permit should be funded the ACTUAL IDENTIFIED VALUE of the removed tree using the existing Council valuation system.
- Secondly, should a tree requiring permit for removal on a building site be removed, damaged, poisoned etc before or during construction, the BUILDING PERMIT should be SUSPENDED OR REVOKED depending upon the severity of the damage or loss of the tree or trees. It is only through SEVERE POSSIBLE detriment such as these that we will see developers cease the removal of trees to make way for a better yield in their developments.
- Thirdly, it should be Council Policy that after a property is sold and a new owner registers with Council as owner for rates purposes that Council officers attend the property to take photos of all significant vegetation (e.g. trees requiring permits for pruning or removal) on the site and filed in their property folio. These photographs can then be used when an application for development is made to Council to check that in the time period before the application was lodged no significant permit required trees had either been removed, lost health all of a sudden, or died in that period of time. A Developer MUST be put on notice that the trees on all properties in Bayside are considered to be important to the community and that it is their responsibility to where possible build to the block purchased including its trees and not to a vacant block that they might want to start from.

- The required level of proof of damage or removal of a protected tree is far too high in Bayside, which makes it nearly impossible to hold to account those who are willing to sacrifice our tree population for their profits. PRAG amongst many others have regularly supplied Council Officers with details of trees illegally damaged or removed over the years, and whilst Council Officers do their utmost to find the evidence required to prosecute or fine these offenders, they are hamstrung by the high requirements of proof. As a result a lot of the time, these offenders get off Scott free. If we are to be serious about
protecting our climate, environment and our trees, we need to be able to give our Council Officers the TOOLS THEY NEED to be able to do their work.

- Whilst we applaud Council for having these policies updated, we also feel that the timeframe BETWEEN updates on such important policies is far too long and should be shortened to every 2 years. The performance of these policies should be assessed at these intervals to ensure it is achieving the amenity and environmental protections the community so clearly expects. Whilst Council has a large number of policies each with their appropriate time period between revisions, setting a more relevant and appropriate time period of 2 years between looking at these polices will not be a burden on the Council or the Council officers, and again, with these policies directly relevant to the Climate emergency, I can see no reason these policy periods cannot be set at 2 years.

Thank you for your time and efforts with this matter.

Yours sincerely

Derek Screen
President, Pennydale Residents Action Group (Inc)
3. **Mrs Caroline Lawton**

Good evening Mayor and Councilors,

Firstly let me thank you for your time and the opportunity to meet with you over the last year to implement this updated policy. As we are all aware the importance of protecting our significant trees is growing by the day. Each week in Beaumaris we are losing more and more of our important canopy trees that provide our community and our wildlife with an extensive number of health benefits, all of which you are familiar with and mention in this updated policy.

We have met many time to discuss how Bayside Council will implement new improved measures to enhance its urban forest, protect trees from and during development, select trees that will ensure additional resilience across the municipality and improve neighbourhood character across Bayside.

But at the end of the day the Council has the flexibility to remove trees that are inappropriate for their location.

Personally, last week was not a good week for me or many other residents, when Council voted to remove the 70 year old tree at 88 Reserve and it has saddened many local residents and rate payers. To me it was more than the loss of the tree, but a strong message that development always wins when it comes to the environment. The outcome could have been a win win for all, with good design like you mention in this policy. A magnificent new facility which respected the environment and honored one of Beaumaris's Iconic Tea Trees.

We then lost another majestic tree in Pennydale last Friday. Apparently removed without a permit.

All the policies and words spoken between us mean nothing, if this sort of tree removal is permitted to continue. People say "Oh but it is just one Tree". Well each of those trees adds up, and you can see the effect right now in Bayside. Street after Street is losing Canopy Trees and Habitat. It is not an exaggeration when I say that every week, and sometimes it feels like every day I am woken to the sound of Chainsaws.

Once again, I do commend Bayside Council for the work they have put into this updated Policy, but at this time I cannot feel that those who love and respect the Natural habitat and ecology of Beaumaris and Bayside are fighting a losing battle.

I am more than happy to continue to work with Bayside Council moving forward, and continue to build a relationship that will provide positive outcomes. My feeling is Bayside Council needs to implement a measurable marketing campaign promoting both the Urban Forest and the Significant Tree register. This campaign needs to also target developers and new home builders educating them on our VPO3 and significant trees, if the block they buy is full of trees this is not right block for a development or to employ an architect to design a build that is sympathetic to the environment.

After all, we all stood and applauded Bayside Council when they announced a Climate Emergency just prior to Christmas, yet we continue to see Tree destruction. Most developers and residents who do not understand the significance of large trees always finding a loop hole for profit or personal gain.
Could Council look at providing an incentive to those residents who list their tree as a significant tree. These are the residents that wear the cost to maintain the trees, provide habitat etc etc to the rest of the suburb with the beautiful amenity of their tree, the reason people move to Beaumaris.

It would be great if Bayside Council could become the leader in protection of both Council and Private trees that will benefit generations to come.

At this stage I am personally sad and really worn out fighting the "good battle" speaking up for the Trees and those birds and wildlife that call them home, those who cannot speak, and feel we are losing the battle.

"ONLY WHEN THE LAST TREE HAS BEEN CUT DOWN, THE LAST FISH BEEN CAUGHT, AND THE LAST STREAM HAS BEEN POISONED, WILL WE REALISE WE CANNOT EAT MONEY"

I thank you for your time.

Kindest regards,

Caroline Lawton
President
Beaumaris Conservation Society.
4. Mrs Kylie Charlton

In considering a tree nomination for the Significant Tree register (private land), I believe it is important to take into consideration the neighbours of where the significant trees are located. Significant trees on private land cause neighbourly disputes with damage to neighbours drains, pipes, paving, pools etc.

A nomination for a tree that grows over the boundary title whether be trunk or canopy should require permission of ALL property owners affected by the tree.

We are currently dealing with an enormous tree issue in the Magistrates Court that has grown over our title boundary. This tree will continue to grow and will eventually damage our assets. Technically the tree now also belongs to us as it’s on our land. We pay to have it pruned each year at enormous cost due to the skill requirement of the arborist we are required to use. (>155cms)
As a result, I think the nomination requirement should state language similar to:
a tree can be nominated by the owner, or where there are numerous owners, must be approved by all trees owners or all property owners affected by the significant tree.
5. Ms Simone Boileau

Thank you very much for giving me the opportunity to write to you on the vexed issue of tree removal and their permits. I think that the changes suggested in this update were not minor and warranted public consultation. The current tree removal system is clearly not working and to much onus is on the residents to monitor developers and unscrupulous owners removing trees without permits.

Trees identified for removal by developers have previously required council approval if their value exceeds $30,000. I support the idea of reducing this figure, but I would prefer the amount to be $15,000 and not the $20,000 suggested, in order to help safeguard more of the mature and well-established trees that are positively contributing to our streetscapes. We are still seeing substantial numbers of healthy mature canopy trees being removed from set-back areas in development sites WITHOUT PERMITS. BCC seems to be powerless to stop this. The fines involved are inadequate to discourage these breaches and in fact hardly seem to be punitive. They are definitely not commensurate with gains made by developers or owners from removing them. More needs to be done to force compliance, and to encourage changes in design or construction methods to accommodate healthy established trees.

Several other councils, most notably the Melbourne City Council, use a bond system to manage trees on development sites; I believe that this system would be a much more effective management of a significant problem in Bayside. It would demonstrate a commitment to the stated policy of retaining canopy trees in our municipality. The minimum that should be done is to impose fines equivalent to the value of any tree illegally removed. Another benefit of the bond system is to put the onus of proof onto the developer, to show that any tree removed illegally was NOT done at the direction of the developer.

I also believe that raising the minimum qualification of the Arborist applying to remove the tree to Certificate 4 and not Cert 3 currently acceptable, would not only bring it in line with Kingston Council, we might see a better standard of decision being made.

I also think that all real estate photos of properties showing the trees on properties when it is sold should be kept in the BCC records. This would be invaluable in referring to tree removal issues when properties are sold to developers and the trees mysteriously disappear.

Many thanks for your attention,

Simone Boileau
Item 10.13

Response to petition
to construct a covered structure for all weather at Landcox Park
1. **Mrs Gemma Carman**

My neighbour, Serena Tsang, and I are very happy that the idea of constructing a shelter at Landcox Park is being brought to the meeting this evening after we lodged our petition a few months ago. We would like to take this opportunity to voice our opinion on the 3 options detailed in the agenda. We believe that the BBQ facilities are not required, and believe the second option is best for the beauty of Landcox park and this would also save council $111,000. Thank you again for listening to your community. We wish you all the best with your endeavours to improve the outdoor spaces of Bayside.
Item 10.14
Request to Ban Parking During Afternoon Peak Periods on East Side of Beach Road Between Orlando Street and Linacre Road Hampton
1. Mrs Shelly Turek

Please vote YES to make beach road a no standing zone to stop the bottleneck on beach road -- safer, better traffic flow are important outcome that council can achieve for Bayside residents.

2. Mr Trevor Loffel

In the afternoon when Beach road traffic is forced into a single lane due to parked cars Orlando street becomes a rat run of cars trying to beat the traffic jam. At times the traffic backs up to where Orlando st runs off Beach Rd and then platoons of cars follow each other up Orlando St. We have a group of young neighbourhood children that try and play cricket in Orlando street that must be supervised by an adult as it is needlessly dangerous. It is common to have 30 or so cars use Orlando St as rat run during a short 15 minute game of cricket. Time is spent mostly NOT playing cricket & spent asking cars to slow down. It is obvious they are not Orlando St residents. Could the residents and rate payers of Orlando St please be kept safe and helped by stopping the rat run due to parked cars in Beach Road. It is the ONLY section of Beach Road without afternoon parking restrictions and we have waited years for some common sense to by used.

3. Mrs Judy Pavlou

I would like to support the motion that along Beach Road there be a No Standing, 4:00 to 6:30 pm, Mon to Fri signs on the eastern side of Beach Rd between Orlando St and Linacre Rd Hampton". I am a long time resident of Orlando Street and regularly witness the traffic that diverts and speeds around Orlando Street in peak hour when parked cars force the traffic to slow down due blocking a lane that otherwise could have traffic flowing in peak hour. Its dangerous also for pedestrians and also for bike riders travelling at this time along Beach Road. Its seems completely unreasonable that this section of Beach Road have different rules to all other parts where the roadway is a clearway in peak times. Orlando Street is a fairly narrow Street and when cars are parked on both sides of the street there is room for only one vehicle to get through. Add to that cars flying around corners in a rush to get home with frustrated drivers (after sitting in traffic) and its a recipe for an accident....cars getting smashed into as I’ve witnessed on more than one occasion. There are a lot of young families living in the street and I fear for the safety of the children and also those elderly citizens who might not be able to move out of the way quickly. It makes common sense to make Beach Road a clearway...please vote in favour of this motion.
4. Mr Darren Gendala

The addition of NO STANDING DURING AFTERNOON PEAK PERIODS ON EAST SIDE OF BEACH ROAD BETWEEN ORLANDO STREET AND LINACRE ROAD HAMPTON is LONG OVERDUE and the council should be ashamed for not having seen the problem and dealt with this issue themselves, rather than this requiring a campaign by The People for it to be addressed. It is not acceptable that a selfish few who live on a busy major road should be allowed to inconvenience so many, who travel along the road and sit in this huge bottleneck traffic day, after day, after day saying to themselves "this is ridiculous what is the council doing about it?". Well now is your opportunity to do something about it. Let commonsense prevail.

5. Ms Kerry Osler

I urge Council to please implement no stopping restrictions between 4-6.30pm weekdays on the Eastern side of Beach Rd between Orlando St and Linacre Rd. Please protect Bayside residents from the dangerous situation created when a narrow residential street, designed for residential traffic volumes, is used as a cut through by a high volume of motorists who are, understandably, frustrated by the significant congestion they experience on Beach Road during the afternoon period between 4-6.30pm.

6. Mr Michael Oakes

As a regular daily user of Beach Road between the hours of 4.00 and 5.30 pm I am constantly frustrated by the bottleneck caused by a very small number of vehicles permitted to park on the inside lane of Beach road. Not only does it cause a traffic jam, sometimes reaching back past the New Street crossing, but it also poses a traffic hazard. I have personally witnessed minor collisions and near misses as cars taking the inside lane try to merge with traffic in the outside lane. I have also witnessed abusive language behaviour, threats and abusive gestures, all caused by frustration at the current parking situation. Sooner or later there will be a major accident or a major violent incident.
7. Ms Annie Barton

I am writing to express my strong support for the recommendation for amendments to be made to parking restrictions along Beach road between Orlando Street and Linacre Road, Hampton. The congestion that the current lack of restrictions creates is significant. Allowing traffic to flow freely, in keeping with the rest of the Beach road, would greatly improve this congestion. I sincerely hope that this common sense adjustment will be made.

8. Ms Lynda Morris

I strongly support this application. It would be a relatively simple solution to the cause of a very real problem on a short stretch of road.

9. Mr Gavin MacMillan

Keenly support the recommendation, and do hope it will be implemented.

10. Mrs Sarah Couper

Having contacted council regarding this bottleneck on Beach Road previously. I would offer my full support in implementing No Standing on this section of Beach Road. I understand the concerns of residents of Beach Road but must point out that most appear to have off road parking within their properties and extra parking available on side roads.
11. **Mrs Linde Mohr**

No standing between 4:00-6:30, Mo. to Fr signs on the eastern side of Beach Rd between Orlando St. and Linacre Rd Hampton

12. **Mr Andrew Evans**

Please ban parking on beach road in Hampton during peak hour. It would significantly reduce congestion which has got to be a good outcome. I know it would be an inconvenience for those that live on beach road however the benefit for a much greater number of people needs to be a bigger consideration. There would also be an environmental benefit from the reduced congestion.

13. **Ms Georgina Lovel-Alderson**

I support implementing No Stopping between 4-6.30 weekdays. This will mean two lanes of traffic would flow through during peak hour - as per other parts of Beach Rd. This will also decrease the impact on surrounding streets/amenities, who are currently being used as a cut through option by Beach Rd commuters. This will provide increased safety for bike riders too, which due to the current pandemic will be increased in numbers for transit to (and in this case, from) the city in the months ahead
14. Mrs Barbara Turner

My husband and I are heartily sick of our street being used as "rat run" every working day because nobody leaves their address after side swiping a car parked in our street and removing the mirror.

15. Mr Russell Jones

I strongly support the recommendation to install No Standing signs on Beach Rd during the afternoon peak period. The present system causes a lot of congestion on Beach Rd and diverts a lot of traffic onto Orlando St due to motorists trying to get around the traffic jam on Beach Rd.

16. Mrs Jennifer Hoyle

I keenly support this recommendation, and do hope it will be implemented. At present it is just a few cars parked along this roadway that cause a major delay in traffic flow in afternoon peak times. This implementation would keep traffic flowing smoothly from Port Phillip to Sandringham at those times.

17. Mr Michael Kafoa

I fully support the installation of 'No Stopping' restrictions between 4 -6:30pm on weekdays on eastern side of Beach Road between Orlando Street and Linacre Road, Hampton.
18. Mr Richard Hart

Dear Councillors,
as a regular commuter on beach road, in the later part of the afternoon, I often spend ten minutes
stuck in traffic at this particular bottle neck. Firstly by making it no standing between 4 pm and 7
pm on the southbound lanes, it would alleviate this problem. Further the interval between the
activation of "on" the pedestrian crossing at the end of Small St , could be slightly increased
during these times to facilitate the smooth flow of traffic, from 90 seconds to 180 seconds, this
too would greatly assist.

19. Ms Sally Manson

Dear Council
I am a resident of Orlando St Hampton and am deeply concerned with increasing amount of
traffic in our small street during afternoon/evening peak hour. The obvious bottle neck of traffic
that occurs due to 2 lanes of traffic merging into one just past the northern end of Orlando St and
results in inpatient drivers using Orlando St as a 'rat run'.
The traffic frequently backs up to the New St railway crossing and I can understand that drivers
returning from a days work are impatient to be home, but it is causing a dangerous situation in
our street.
There has been damage to parked vehicles but more importantly I fear for residents safety
especially the large number of children.
I fully support the recommendation to install the No Standing,4-6.30 pm, M-F between Orlando St
and Linacre Rd

20. Mr Lachlan Robertson

I keenly support the recommendation to install “No Standing, 4:00 to 6:30 pm, Mon to Fri signs
on the eastern side of Beach Rd between Orlando St and Linacre Rd Hampton”. This is because I believe the bottleneck of cars merging into one lane is dangerous plus traffic
trying to avoid the bottleneck drive aggressively through Orlando St.
21. Mr Robyn Patrick

I support the proposal to install No Standing signs between Orlando Street and Linacre Rd. It would reduce the traffic bottleneck in that section of Beach Rd, and increase traffic flow, thereby reducing traffic pollution and travel time for all concerned. It will also stop the many frustrated drivers who turn into Orlando St and speed along there to avoid the congestion. They pay no consideration to pedestrians or cyclists, and it had become quite dangerous using that Street, which is supposed to be primarily a residential street.

22. Mr Martin Barrett

As a resident of Orlando Street Hampton, I request that action be taken to reduce or limit the high volumes of traffic detouring through our narrow street in order to avoid the back up of traffic on Beach Road between Orlando Street and Linacre Road during the afternoon peak period. South bound traffic on Beach Road turns left into Orlando Street to avoid the severe Beach Road congestion caused by vehicles travelling in the left lane having to merge into traffic in the one right lane to avoid vehicles parked in the left lane. Beach Road is an arterial road; Orlando Street is a narrow residential street, not designed to accommodate speeding vehicles which occasions uncivil behavior (not giving way, as local residents do, to oncoming vehicles), noise and pollution. The claim on page 366/461 in the Executive Summary that "..., the current traffic speed and volumes in Orlando Street are appropriate for a local road." was certainly not valid on the afternoon of Thursday 11 June 2020, when in the ten minutes from 4:07 to 4:17, 38 vehicles were counted travelling south towards Small Street. That very small time sample equates to a rate of 228 vehicles per hour; surely NOT appropriate for a local road!
I request that Council implements "No Standing" or "No Stopping" restrictions between 4:00 to 6:30pm on weekdays on eastern side of Beach Road between Orlando Street and Linacre Road Hampton.

23. Mrs Lindy Fagan

I thoroughly support councils recommendation to install No Standing signs for 4-6.30pm on Beach RD, to ensure smooth traffic flow during the evening peak, and I thank you for your thorough report.
24. **Mrs Shirley Walker**

I fully support Bayside City Councils recommendation for the following reasons:
1) In consideration of traffic flow on an arterial road “it is illogical to have two inbound traffic lanes operational in the morning to be reduced to one lane for the section identified in the recommendation in the afternoon.
2) Southbound afternoon traffic on the arterial Beach Road diverts into Orlando Street a narrow winding residential street due caused by illogical reduction in traffic flow on Beach Road.
3) Reduced vision on Orlando Street which is narrow and winding creates a safety hazard for pedestrians including children, elderly and cyclists.

25. **Mrs Marg Batt**

I support the no parking between Orlando St and Linacre Rd this will improve traffic flow at peak times. It will also make Orlando St much safer as it is being used by Speeding cars to miss the current single lane situation on Beach Rd. Orlando St has become extremely busy and unsafe during peak periods.

26. **Mrs Michelle Addison**

My husband and I have lived on Orlando Street for 16 years and each year this problem has progressively gotten worse and more dangerous. We have hundreds of cars cutting through Orlando Street avoiding the back log caused by parked cars on Beach road parked between Orlando & Linacre rd. I keenly support recommendation & hope it will be implemented.

Michelle & Angus Addison

27. **Mrs Sarah Allen**

I strongly support the recommendation to to install “No Standing, 4:00 to 6:30 pm, Mon to Fri” signs on the eastern side of Beach Rd between Orlando St and Linacre Rd to eliminate the bottleneck caused during peak traffic times.
28. **Mr Geoffrey Fagan**

Dear Councillors, I urge you to fix the Beach Rd Bottleneck at last. This problem has been festering for at least a decade, and has now grown to intolerable levels. The holdup of the evening peak traffic on a normal afternoon reaches back to Orlando St routinely. If the work day is also a beach day, over 25 deg and sunny, the backup reaches back to the railway gates at New St.

No wonder that all drivers get impatient, and those with the shortest fuses charge off down the single lane "short cut" of Orlando St. Or race up the inside lane of Beach Rd, and cut in aggressively at the first parked car blockage.

No more buck-passing, and hoping that someone else will fix it! I totally support the recommendation from the BCC Environment/Traffic officers, in recommending BCC installs the no parking signs, especially since the affected residents can park on the other side of Beach Rd during evening peaks.

29. **Mrs Lisa Oertle**

I strongly support the recommendation to ban parking on the east side of Beach Road during peak periods between Orlando Street and Linacre Road, Hampton. Our residential car count clearly showed there is hundreds of vehicles circumnavigating Beach Road during peak periods due to car parking restricting the roadway to one lane, especially on hot days favourable to beach visits, with many vehicles using Orlando Street as an alternative roadway. It is dangerous to residents’ families in this usual quiet residential street and I have personally had my parked car on Orlando Street this year crashed by traffic swerving to pass one another in what is often a single lane road.

30. **Mrs Cherry Thompson**

I keenly support this recommendation, and do hope it will be implemented as the amount of cars travelling along Orlando Street between these hours has become dangerous and makes the street very congested.
31. Dr Arlene Harriss-Buchan

Dear Sir / Madam

We support the recommendation to install “No Standing, 4:00 to 6:30 pm, Mon to Fri signs on the eastern side of Beach Rd between Orlando St and Linacre Rd Hampton”. We understand that the Council’s own officers support this too (see their 10 pg report starting on on pg 365 of the agenda papers for 18th Aug.

Your sincerely - Arlene Harriss-Buchan and Damian Harriss

32. Mr Tony Batt

My wife and I strongly agree with the Council officers recommendations that Council installs ‘No Stopping’ restrictions between 4 - 6:30pm on weekdays on eastern side of Beach Road between Orlando Street and Linacre Road, Hampton.
This should allow Beach Rd traffic to flow more freely during afternoon peak hour and lessen the risk of safety issues with the rat running thru Orlando Street.

33. Mr Peter Corfield

I support Option 1, it will ease traffic congestion, improve safety of all, reduce carbon pollution caused by motor vehicles.
34 Mr Tony Shepherd

Submission of Support

Bayside Council Ordinary Council Meeting 18 August 2020

Item 10.14 - REQUEST TO BAN PARKING DURING AFTERNOON PEAK PERIODS ON EAST SIDE OF BEACH ROAD BETWEEN ORLANDO STREET AND LINACRE ROAD HAMPTON

I am in support of item 10.4 as the current situation is unsatisfactory and unsafe both for the bikes and pedestrians using Beach Road and Orlando Street. (Which runs parallel to this section of Beach Road)

The parked cars in the outbound lane on Beach Road during peak periods causes the traffic to bank up as far back as South Road on occasions.

This results in cars turning left into Orlando Street to avoid the bank up and travel at speed down Orlando Street and then re-join Beach Rd at the intersection of Hampton Street and Beach Road.

Orlando Street is a quiet street with many parked cars and is not suitable for the constant fast traffic, which the parking on Beach Road creates.

Pedestrians find it difficult and dangerous crossing Beach Road through the banked-up traffic and also watching for traffic traveling at speed inbound down beach Road.

Bike riders travelling through the traffic and parked cars also find it difficult and unsafe.

Drivers waiting in the long line get frustrated and are often pushing to get through endangering bike riders and pedestrians.

The installation of no standing signs during peak hours will create a safer environment for all concerned.

Tony Shepherd
35. **Anonymous Submission**

**STATEMENT TO COUNCIL MEETING, MONDAY 17 AUGUST: Item 10.14 – ‘No Stopping’ on Beach Road**

The proposal for ‘No stopping’ should be rejected by Council:
- The report is based on pre-COVID data and should be postponed until after lockdown.
- The report contains serious errors, omissions and contradictions.
- The DoT figure for traffic volume seems to be grossly in error.
- The Orlando Street petition is inadmissible under Council processes yet is widely quoted.
- Potential solutions for solving traffic issues in Orlando Street are not discussed.
- Council documentation contains numerous sweeping claims that are not evidence-based.
- Affected Beach Road residents have been denied their democratic rights under lockdown.

**The ‘No stopping’ issue**

- What problem is Council trying to solve: Orlando Street traffic or Beach Road peak hour?
- Is the Council trying to solve a problem that may not exist in the future?
- Instead of a freeway to Frankston, why not reclaim all of Beach Road as a scenic boulevard for all?

There are options (given below) which can be implemented immediately for:

(a) solving the problems of Orlando Street, while
(b) improving the amenity of Beach Road residents, and
(c) improving traffic flow

**COVID-19 lockdown is not the time to be looking at this proposal**

- Traffic volumes have plummeted and are unlikely to return to 2019 levels.
- Change in workplace practices will mean significantly diminished traffic – this meeting is by video!
- Already businesses are quitting CBD office blocks; ‘peak hour’ might be history.

**The report in the agenda is not balanced**

- It considers the problems of Orlando Street residents.
- It considers the problems of commuter traffic heading towards Frankston.

However:

- The report assumes that ‘loss of parking’ is the only issue for Beach Road residents.
- It fails to mention the safety and amenity issues of the affected Beach Road residents.
- It fails to consider the safety of pedestrians including families and children who cross Beach Road, such as opposite the Hampton Live Saving Club, without using the pedestrian lights.
- It does not acknowledge the detriments for people wanting to use the foreshore and beaches.
- It ignores the value of Beach Road as a scenic boulevard and as a route for commuter cyclists.

**Are the traffic volume figures quoted in the report and to Beach Road residents grossly wrong?**

- The report seems to quote a total of 1,300 vehicles travelling south during afternoon peak hours.
- The Council letter to residents quotes 1,200 vehicles per hour for this section of Beach Road.

- A figure of 1,200 (or 1,300) hundred vehicles an hour cannot possibly be correct.
- These figures mean traffic is moving at 60 kph on average or higher – drivers breaking the law?
- [Note: Southbound traffic is effectively in one lane due to the parked cars and numerous cyclists. Vehicles safely spaced at 50 metres apart, travelling at 60 kph in a single lane means that the number of vehicles passing a given point in a given hour will number 1,200.]
- However, peak hour traffic does not move nearly that quickly as in peak period anywhere.
- Thus, the true traffic volume figure must be much lower than 1,200, and well below the threshold.
- What is quoted by DoT needs to be confirmed – is it an actual measurement or is it a guess?

And importantly:
- The report should be using post-COVID traffic volumes for decision making, not old data.

**Beach Road residents have been denied their democratic right to meet and discuss**

- Affected Beach Road residents received a letter from Council on 20 July.
- It used emotive terms based around safety to coerce residents to support the proposal.
- Under lockdown conditions it was not possible for residents to meet and discuss the issue.
- They were asked to complete a questionable, one-question survey and send it in.

Council must accept that community consultation by residents has been compromised and denied to them.

The report says p. 369: “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.”

However, is it true that Beach Road residents’ rights have not been breached or infringed upon?

**Beach Road residents were misled by Council - There is NO SAFETY ISSUE caused by the parked cars!**

- The letter to residents said there were “significant complaints to DoT and Bayside City Council regarding road safety on this section of Beach Road of a weekday evening”.
- But evidence of complaint numbers and time periods are not given in the report!

- Residents were encouraged to send back a survey about ‘No stopping’ on the basis of safety issues caused by their parked cars.
- p. 365 of the report mentions “dangerous merging of traffic”.
- However, par. 6 on p. 366 of the report contradicts all this and admits no safety issues.
- It says, “DoT has advised that there are no recorded accidents that relate to parked vehicles during the afternoon peak period in this section of Beach Road”.

- In fact, there were three accidents between 2014 and 2019 (possibly all northbound).
- Accident data - confirmed by CrashStats Support at DoT – show one accident in 2015 and two in 2017 (none classified as serious). There were zero accidents in 2014, 2016, 2018 and 2019.
- Whether zero or an average of one accident every two years, there is no evidence of a safety issue.

**The survey responses by Beach Road residents are misconstrued in the report**

Only 17 supported ‘No stopping’ out of 78 (or was it 79?) letters sent. The report then defies all accepted protocols for survey results by assuming that the 44% who did not respond are of no consequence.

Was there a follow up of non-responding households? Did all households receive the letter? ...

**Speed kills**

The report frequently mentions safety of commuters but ignores the safety of residents and pedestrians, a major concern for them, not as misrepresented in the report as just “amenity and/or loss of parking”.

- The report advocates for more traffic and which is faster moving.
- The police constantly warn that speeding is synonymous with increased danger.
- The lack of traffic lights along much of Beach Road encourages speeding.
- Parked cars slow traffic and provide safety barriers, a fact well-known by urban designers.

- Removing measures (such as parked cars) will divert more vehicles onto Beach Road.
- Residents and their visitors will face more hazardous conditions in trying to exit or enter their properties - the parked cars allow some safety and help slow the traffic.

- Hundreds of pedestrians, including families and children, who cross Beach Road other than at the lights will face more hazardous conditions - the parked cars provide them with safety.

**The problems faced by affected Beach Road residents**

- Under the proposal, residents cannot park their cars during the ‘No stopping’ period.
- Nor can their visitors or tradespeople.
- The impacted period is not just 2.5 hours – add two hours or more at each end.

- The nearest side streets may be 350 metres away, and possibly 500 to 1,000 metres (each way) to a convenient parking spot in a side street (Orlando, Small, or Linacre Road).
- Beach Road residents and visitors will increasingly park in Orlando Street.
- Residents will need 3 hours or all-day parking. Where are the nearby streets with such parking?

- In fast traffic it is not possible for residents to exit their driveway and head to Brighton.
- And it is still very dangerous just trying to turn left to go southwards; the parked cars help.

- Residents returning northward and trying to turn into a driveway run the risk of being rear-ended from fast flowing traffic from the south.

- Parked cars slow the traffic, drivers stop to open a gap to help residents exit or enter driveways.
- The pedestrian lights at Edgecliff (Orlando Street) and Small Street also vastly increase safety by allowing occasional breaks in the traffic when the lights turn red.
The problems faced by pedestrians crossing Beach Road

- Numerous pedestrians use the lights at Edgecliff or at Small Street.
- However, it is 700 metres between the two sets of lights but only 50 metres across Beach Road.
- Numerous pedestrians (including families and children) who are somewhere between the two lights, do not walk back to use the safe crossings but duck and weave through the traffic to cross.

The problems for Beach Road, Orlando Street and other residents turning north on to Beach Road

Anyone living south of the railway line has no safe place to enter Beach Road to travel north.

In fast flowing traffic it is almost impossible to turn right to head north along Beach Road at:

- Orlando Street, Small Street or Linacre Road.

The only safe option in busy traffic (at various times of the day) is to head south and do a turn in a car park, or go into Bridge Street at Caltex and do a legal U-turn or go into Jetty Road and do a legal U-turn.

Proper traffic lights at Small and Orlando would solve this problem for all and help commuter traffic.

The problems for commuter traffic

- Peak hour traffic is slowed by the pedestrian lights at Edgecliff (Orlando) and Small Street.
- They turn red too frequently due to the large number of pedestrians crossing the road.
- The short activation period between light changes is the reason the traffic builds up.
- If these lights were converted to proper timed traffic lights, vehicle flow would be improved.

- Residents and those not crossing at lights directly would get predictable breaks in traffic.
- However, pedestrians crossing at the lights would have to wait longer.
- Commuters heading towards Frankston have other route choices (South Rd, Bluff Rd, Nepean Hwy).

What is Council’s long-term vision for Beach Road?

If pre-COVID traffic ever returns:

- ‘No stopping’ on the eastern lane will mean two lanes southward instead of one.
- Traffic volume will increase dramatically and it will travel much faster, often over the 60 kph limit.
- It is well-known that providing better traffic access is quickly filled with increased volume.
- The bottle-neck problem might not be solved.
- Yet safety for Beach Road residents and pedestrians will be significantly compromised.

The Orlando Street petition is inadmissible

- The Orlando Street petition does not meet any of Council’s key petition requirements.
- It is not even a petition to Bayside City Council.
- There is no record of people’s addresses.
- Much of the commentary on the petition website is sadly acrimonious – Bayside Council could have avoided this by taking steps to fix the problems in Orlando Street earlier (see solutions below).
- Yet the petition is fully quoted in the Council report.
- Some of the quotes are incorrect or misleading.
- p. 371 “advocated for by over 1200 residents”. Residents from Bayside or as far as Frankston?
- Most of those who signed probably do not live in Bayside.
- A post on the petition webpage on 6 March, by the petition organiser, said: “While the first 100 might have been residents and friends of Orlando St, the next 900 are primarily commuters ...”
- The report says, “More than 1200 users of this arterial road signed an online petition”.
- This is not true as (about) 100 residents of Orlando Street by definition don’t use the road.
- They would turn off Beach Road into Orlando at the northern end, before reaching the stretch.
- Yet they wish to change the parking and amenity for those who live further south on Beach Road.
- The petition organisers live in Orlando Street. They gained signatures from commuters by parking a vehicle at the northern end of the affected strip in peak hour.
- Yet the problem they were really trying to solve was traffic issues in their street.
- Has Bayside Council and DOT confirmed the petition does not violate Change.org’s terms and conditions, in regard to someone starting a petition to (a) solve their problem (Orlando traffic) by (b) enticing others to unwittingly sign for another reason (commuting time)?

Orlando Street has a 12-hour a day traffic problem that needs fixing

- Strangely the report states that Council’s investigating officers consider “current traffic speed and volumes in Orlando Street are considered appropriate for a local road”.
- But, in fact the street has significant traffic problems the whole day, not just Beach Road peak hour.
- Traffic is too speedy, the street is narrow.
- However, there is no evidence in the report that peak hour traffic exacerbates the problem.
- In fact, the street does not provide a useful shortcut for drivers who want to get ahead of the traffic further along Beach Road. It is the logical route to Hampton Street shops.

Orlando Street has 170 plus properties, including 70 at Edgecliff apartments exiting directly into it.

To travel anywhere in peak hour, all residents are likely to have to travel south along Orlando.

Solutions to help Orlando Street and Beach Road residents now:

In Beach Road:
- Install proper traffic lights at Orlando where it meets Beach Road
- Install proper traffic lights at Small Street and Beach Road.

In Orlando Street:
- Install chicanes / speed humps / traffic islands (e.g. Thomas Street; Beach Road Mentone).
- Set a speed limit of 40 kph or even 30 kph.
- Make it a “local traffic only” street.
- Make it illegal to turn left into it from Beach Road between 4.00 and 6.30 (except for locals).
REQUEST TO BAN PARKING ON BEACH ROAD DURING AFTERNOON PEAK PERIODS

We are residents of the Orlando Street Heritage Precinct and prior to the COVID-19 restrictions, we had become increasingly alarmed at the increase in dangerous traffic flow along the street during weekday evening peak periods. This has been clearly shown to be caused by congestion on Beach Road wherein 2 lanes of traffic travelling from the City have to merge into 1 lane at Orlando Street, become banked up and drivers choose to divert left into Orlando Street. That merger and resultant congestion are caused by one or more cars parking on the east side of Beach Road between Orlando Street and Linacre Road.

We have lived on the corner of Railway Crescent and Orlando Street for over 20 years and the volume of traffic, particularly at the relevant period, has escalated to unsafe levels, with cars travelling too fast for a narrow suburban street that has bends and cars parked on both sides. There are numerous families and children living in the street with pedestrian traffic busiest at the same time as the evening peak "rat run". This has increased since PTV’s closure of the Grenville Street Pedestrian Rail Crossing, which prevents access from schools and shops and requires pedestrian traffic to access the local area from the Station through the busy Railway Crescent/Orlando Street intersection. Personally we have difficulty accessing our driveway during the afternoon peak period and our amenity is diminished by the speeding cars, aggressive and distracted drivers, noise, pollution and safety concerns.

We have read the Executive Summary and Attachment and are aware of complaints made to Council arising from parked vehicles on the east side of Beach Road causing traffic to bank up due to the merger and use adjacent local streets to avoid the hold ups. We also note that the Department of Transport has advised that current afternoon peak hour traffic volumes meet the threshold to implement parking restrictions and accommodate two outbound traffic lanes at this location and that the most appropriate form of parking signage is "No Stopping".

Accordingly we strongly believe that urgent action needs to be taken before there is a serious incident and the obvious and easy solution would be to implement "No Parking" restrictions on weekdays between 4.00pm and 6.30pm along the eastern side of Beach Road between Orlando Street and Linacre Road. The consequent provision of two traffic lanes would improve traffic flow on Beach Road during weekday outbound peak periods, improve overall safety and assist in alleviating traffic congestion and delay.

Therefore we strongly support the Option 1 Recommendation to install part time "No Stopping" restrictions during weekdays between 4 - 6.30pm along the eastern side of Beach Road between Orlando Street and Linacre Road in Hampton as an alternative to Clearways.

John & Marg Balmer
37. Mr Michael Fennessy

Dear Councillors,

i would like to express my frustration over many years which has been caused by the traffic bottleneck on the east side of Beach Road in Hampton after 4pm until around 7pm. Along with a significant number of local Bayside residents and friends we have all experienced a large number of frustrating and dangerous situations on the return trip home from the city after work. Beach Road as you know has two lanes that are always used by cars on the afternoon run home through Hampton, Sandringham, Black Rock and Beaumaris. The traffic itself comes to a standstill every week night due to parked cars being permitted to park on the road. Significant traffic delays occur and frustrations boil over for all drivers and cyclists. Many drivers sit and enter the right lane early as it is the polite way to behave. Then unfortunately many other drivers try to effectively queue jump by driving up the left hand lane to take over cars and then barge their way back into the right lane only to add to the frustration and angst of drivers trying to show proper etiquette. This behaviour has lead to many arguments between drivers as well as cyclists. Drivers trying to jump the queue in the left inside lane and sometimes at speed also pose a physical threat to pedestrians and cyclists. The amount of time added to the journey home is significant and could be reduced if a ban on parking was implemented between the afternoon/evening high traffic hours. I also ride a bike along beach road and i don't feel safe when presented with this bottleneck. It’s a high hazard area and it will cause injury of not rectified. I do appreciate as a cyclist that there is no parking along this same stretch of road on weekend mornings but as a car commuter i feel that we are being prejudiced. We need to protect and respect both cyclists on weekends for leisure/exercise as well as car commuters coming home from a hard days work.

i trust that you will listen to my concerns as these are shared by many residents in the Black Rock and Beaumaris area where i live.

Thanks, Michael Fennessy
Item 10.15
Hampton Hill Mural Restoration
1. **Mr Tony Shepherd (on behalf of Hampton Neighbourhood Association)**

Bayside City Council Ordinary Meeting – 18 August 2020
Item 10.15 Hampton Hill Mural Restoration

Summary:
Hampton Neighbourhood Association (“HNA”) strongly supports the Recommendation to allocate $10,000 for the restoration of the Hampton Hill Mural and would like to express the appreciation of its members for the pro-active approach taken by Council and Council officers.

Background:
1. In March this year HNA met with Council officers to raise the poor condition of the vacant retail shops and stalled development sites in Hampton Street. HNA fully understands that property development markets and retail tenancy markets go through cycles like everything else and that eventually the development sites will be completed, and the empty shops tenanted. However, HNA believed this may take some time and in the interim asked that Council have a focus on the poor condition of some premises and in particular:
   - Graffiti
   - The cleaning and screening of vacant interiors that are covered in rubbish and building debris
   - The maintenance of hoardings and removal of posters and graffiti

2. In early July HNA reviewed progress and wrote expressing appreciation to Council on the substantial and obvious improvement. HNA noted that the only location that was still in obviously poor condition was the façade in the environs of 470 Hampton Street or the Hampton Hill Mural.
3. HNA members are very pleased to see continuing action and focus in a period that is going to be financially challenging for Hampton Street Traders.

Tony Shepherd
Secretary
Item 10.16
Lease proposal for part of
Banksia Reserve Pavilion
1. Mr Ian Thomas (on behalf of Beaumaris Lawn Tennis Club)

WRITTEN SUBMISSION FROM BEAUMARIS LAWN TENNIS CLUB (BLTC)

ITEM 10.16: LEASE PROPOSAL FOR PART OF BANKSIA RESERVE PAVILION

Introduction

Beaumaris Lawn Tennis Club (BLTC) supports the Beaumaris Football Club (BFC) and Beaumaris Cricket Club (BCC) proposal to lease the entire first floor and part of the ground floor of the Banksia Reserve Pavilion. Our support is conditional upon a satisfactory sub lease being agreed between the BFC/BCC and the BLTC. Our discussions with the BFC and BCC so far have been positive and they have indicated that our requirements for a ‘tennis space’ and various other operational requirements can be met.

Space designated for tennis

The Heads of Agreement between the BFC/BCC and the BLTC has been signed by all parties and it shows the area on the first floor that will be assigned to the tennis club under a sub lease.

We believe this will go a long way to addressing BLTC members’ concerns that the tennis club has lost its soul and needs to regain a place to call its own. An area set aside for tennis will enable us to deck out the space with a tennis theme and with tennis memorabilia. A designated area will be far more enticing for like-minded people to socialise and to entertain visiting teams and their supporters. The balcony is essential for viewing matches and for parents watching their kids at coaching.

We acknowledge that from time to time the football or cricket clubs will need to use the space on special occasions or for functions. We do not foresee this being an issue with appropriate advance notice. After all, we are all sports clubs with similar goals and objectives.

Operational arrangements
The tennis club’s main requirements have been provided to BFC/BCC and appear as attachment A in their proposal. It is intended that they be referenced in the sub lease and they will become legally enforceable. To date, none of these requirements has been a show stopper for the BFC/BCC and we are confident that they will all be adopted.

The sub lease will be entirely separate from the tennis club’s lease over the courts and downstairs change rooms. We are informed that is the way the Council wants to structure it rather than have all tennis areas on the one lease, which would be our preference.

Under the sub lease, the tennis club will pay a yearly amount to the BFC/BCC for use of the designated area on the first floor. The BFC/BCC has accepted tennis’s offer to pay $2,500 as the annual rental at commencement of the term. The tennis club will receive no income from bar operations. Any bar purchases made by tennis club members will contribute to BFC and BCC revenue during their respective seasons. As a trade-off, BLTC will not incur any costs of operating upstairs with the exception of a small contribution to the electricity costs required to provide power to the ‘tennis area’ and any costs associated with BLTC specific functions.

BLTC is regarded as one of the strongest tennis clubs in Victoria in terms of its membership, competition teams, junior development and coaching programs. We have always been able to support ourselves financially and only earlier this year we spent $50,000 resurfacing our hardcourts and adding 2 special-purpose Hot Shots courts. COVID-19 will no doubt put a dampener on some of our plans. However, we believe the new leasing arrangements are essential for the revival of the Banksia Reserve pavilion and an appropriate sub lease with tennis will see the facility more appropriately fitted out and far better utilised.

Ian Thomas
President BLTC

On behalf of the BLTC General Committee
2. Mr Terry Lucas (on behalf of Beaumaris Football Club)

Bayside Council – Council Meeting 18 August 2020
Submission for Agenda Item 10.16 – “Lease proposal for part of Banksia Reserve Pavilion”

On behalf of the Beaumaris Football Club, we would like to highlight that the proposal being considered by council was put together through a united effort of the Beaumaris Football Club, the Beaumaris Cricket Club and the Beaumaris Lawn Tennis Club. We also had valuable input from the RSL. I would publicly like to acknowledge the support and cooperation given by the various committee members of the four clubs in finalising the proposal. I would also like to thank a number of council officers who provided valuable assistance during this process.

All clubs have learned from the past and we believe our new operating model will not only be successful, but will make better use of the entire facility. We are confident that this will attract more people to the facility for the benefit of all clubs.

While the proposal process has been a lengthy and time consuming one, it has allowed all the clubs to express their views and identify their needs. As a result, the relationship between all the clubs has never been stronger and we believe that our proposal will not only meet the needs of all three sporting clubs, but also the Beaumaris RSL and the wider community.

We attached a number of Letters of Support to our proposal that represented a wide range of people in our community. We are also buoyed by the fact that so many of our members have recently put up their hands to volunteer, knowing that their efforts will directly benefit the clubs.

We look forward to operating the facility when restrictions are lifted. It has been a very difficult time recently for all the clubs and their players and members. It will be great to have a positive result to announce to all our members and to start detailed planning for the re-opening of the Banksia Reserve Pavilion.

Yours Sincerely

Terry Lucas
President - Beaumaris Football Club
14 August 2020
3. Mrs Georgina Scott (on behalf of Beaumaris RSL Committee)

Dear Mayor Clarke Martin and Council.

I would like to confirm on behalf of the Beaumaris RSL committee in my capacity as Secretary that a letter was sent to Council on Monday 16th of August detailing our conditions of support of the proposal. The committee requests recommendation 11 be amended according to the points made in the letter.

Regards
Georgina Scott

4. Mr Shayne Benedict (on behalf of Beaumaris RSL)

On behalf of the Beaumaris RSL Sub-branch members in my capacity as President I request an amendment be made to recommendation 11. in the report to address the points made in the letter sent to Council on Monday 16th of August. Our sub-branch has been attending the facility every week since it opened and we have enjoyed the atmosphere and being part of the community. As you all know we are in search of a long term home and still believe there is opportunity for that to be implemented in this new building. We thank the Clubs and Council for all the efforts made to date and believe the further work planned will bring a positive outcome for the whole community.

Yours Faithfully,

Shayne L. Benedict
President BRSL
**Item 10.18**

Proposed discontinuance and sale of road adjoining 79, 81 & 83 Willis Street; and 48, 50 & 52 Mills Street, Hampton
1. Mr Ashley James

To Council Members,

I would like to make a request that council postpones the vote on the above mentioned sale of land adjoining my property. As the owner of 50 Mills St Hampton, which is a boundary to this proposed land sale, I would like to be given an opportunity to participate in the sale process.

I acknowledge council started the process in November 2019, and that I became the owner of 50 Mills St Hampton on 29th June 2020.

Given no communication has been received by me regarding the sale from council, I request a postponement, until such time that I be given an equal and equitable opportunity to participate in this sale.

Thank you for the opportunity to express my concerns and opinions relating to this matter.

Regards,

Ashley James

On behalf of Ashley and Karen James
Title holders of
50Mills St
Hampton
Item 10.21

CONTRACT CON/20/75

Elsternwick Park Oval 4 Sportsground Reconstruction - Budget variation and Chief Executive Officer Delegation
In regard to the above item: it is our strong view that for the physical and mental wellbeing of our community that any proposed works on Oval 4 be put on hold whilst any Covid 19 lockdown restrictions are in force.

Additionally and separately we wish to express our great concern at the enormous budget overrun for this project, which is now more than double the original estimate. All the reasons cited for the overrun are matters that were clearly foreseeable. These should have been properly taken into account in the first place. It is essential that there be proper oversight of the ongoing costs for this project and it is clearly not appropriate that the matter be solely left to the discretion of the CEO. There should not be a delegation of authority to him.

The Covid 19 restrictions have brought to the fore the extraordinary importance of having open spaces accessible for Bayside residents. This is what Lakeside Green and Oval 4 provide. The usage of these has increased enormously since the restrictions commenced. The most casual observation will confirm this. Further, with the closure of the children’s playing areas and the skateboard park there are more small children running around or on bicycles on those areas than ever before. There are more people walking, exercising and walking their dogs.

If Oval 4 were to now close then all of these activities would be forced onto Lakeside Green. Social distancing, especially during its peak periods, would become extremely difficult if not impossible. In such circumstances people could well become hesitant to go to the Park. It should and must be a priority for the Council to provide as much open space as possible for the community while the social restrictions are in place.

With home schooling and working from home there is clearly an increased demand for open recreational areas over most of the day. The importance of this cannot be underestimated. It is well documented and understood that the isolation imposed by the Covid 19 restrictions is having a serious deleterious effect on the mental health of many people. As a psychotherapist I (Marilyn Gross) see the increase in stress, depression and anxiety on a daily basis. I stress the usage of the ovals allows for a feeling of connection and community, essential in these difficult times.

It would be intolerable for Council to do anything that puts the health and wellbeing of its community at risk, and the risks here are grave indeed. The project, while it should be reconsidered in light of the additional costs, must at the least be put on hold.

Marilyn and Louis Gross
2. **Ms Amanda Levi (on behalf of Bayside Dog Alliance)**

The BDA strongly argues that the project should be placed on hold due to the current pandemic and the state of disaster we are all experiencing. We are in a time of crisis. Now is not the time to be restricting access to open space.

The BDA is not questioning the resolution of September 2018; we are however questioning the timing of the works and the lack of thorough justification for an additional $925,000 of Bayside rate payers money, given the unforeseen pandemic.

Now is simply not the time to limit access to open space and when so many in the community are struggling financially it sends exactly the wrong message to approve such a massive increase in costs.

The BDA requests that the Oval works be placed on hold until such a time that the current pandemic conditions have calmed. We understand there is a limited window for turf planting, however the current needs of the community must outweigh a project that could easily be postponed for 8-12 months.

In support of this request, we offer:

- Parks, as open space are experiencing unprecedented usage as people work from home, home school or have become unemployed;
- The current conditions restrict travel to a person’s immediate neighborhood park within a 5km radius, limiting the ability of people to travel. This will place pressure at other locations, may of which are already experiencing congestion eg. Dendy Park and Hurlingham.
- Parks and grounds are already experiencing peak usage by dog walkers and passive users, the closure of Oval 4 at the same time EPN is undergoing works, will place undue pressure on already crowded spaces;
- Item 10.12 is the BAYSIDE 2050 COMMUNITY VISION FINAL PANEL REPORT. In particular the report specifically identifies; ‘increase and enhance open space’; ‘transport, walkability and rideability’ and ‘community feel and direction’ as key themes. The overarching Community Panel Vision statement as “Bayside in 2050 leads the way demonstrably as a diverse, healthy and liveable place. We value economic and cultural progress, environmental sustainability and protection of open spaces and coastline, and we nurture inclusiveness, safety, accessibility, community vibrancy, creativity and innovation.” Further themes throughout the document consistently promote open space for health and wellbeing.
- At a time when the health and wellbeing of Bayside residents is potentially fragile, where mental health is being compromised in pandemic conditions and where unemployment is at an all-time high, how can council justify closing a significant portion of open space simply to turf it?

Further, at a time when some people are genuinely suffering, financially and psychologically, how can council justify approving a budget blowout of $925,000 when council revenue impacts are as yet unknown. Whether or not Bayside has the funds now for this project is not relevant to the community. What is of relevance, is the perception of effective money management at this time.

The BDA requests that Councillors do not endorse this item, we need open space now more than ever before.

Please send a clear message to your constituents that you understand their fears about their own finances (including their ability to pay rates when they fall due). Demonstrate this understanding by not agreeing to profligate use of funds. Show that you stand in solidarity with the local community to ensure that their limited opportunity for exercise and fresh air will not be curtailed by you in this time of crisis.
3. **Miss Jenelle McKenzie**

Dear Mayor, Councillors, CEO and Council staff,

Firstly, I would like to thank you for your efforts in actively taking steps to mitigate the impact and spread of COVID-19 pandemic for Bayside and neighbouring Municipalities.

As a member of the Community, along with many others share the distress of trying to live alongside the COVID-19 crisis.

Now more than ever, people experiencing financial hardship, mental health issues, isolation, loss of jobs and further questions on job security, Elsternwick Park South has been our Saving Grace, our Peaceful Serenity.

To be able to walk freely in the park that stands for open space with its natural flora and fauna landscape is priceless.

As a big advocate for the park I have formed many friendships sharing the same passion.

Many of them are extremely anxious, agitated and very distressed about the park being taken over by construction during this pandemic crisis. Like myself cannot understand why works would play apart in this present time when the park is heavily utilised more than ever.

With people not just from bayside also neighbouring municipalities working from home, home schooling, trying to look after their health and wellbeing and facing extremely difficult times.

The ever-evolving COVID-19 pandemic is here to stay, with no vaccine in sight and people’s livelihoods are at state.

So, I put to you Mayor and Councillors why in a state of emergency is it seen as critical to fast track work on Oval 4 in the middle of a crisis and to limit open space and justify for an additional $925,000 in costs.

We don’t know what the future holds, but your decision tonight with Item Number 10.21- Budget variation and CEO delegation should be a vote against this motion.

It is in the best interests of the Community who are legitimately looking to you to say no.

Thank you kindly.
4. Mrs Judy Farrugia

In regards to the 10.21 agenda item to bring forward the start date of the proposed ground and light tower works for Elsternwick Park South Oval 4 redevelopment. I would like to bring to the councils attention that recent figures commissioned by the Australian Sports Foundation on the challenges facing the community sporting clubs in post Covid-19.

Has the Council looked into this study?

Has the Council physically surveyed the current use of the park (since March of this year to now) during the Covid-19 pandemic. Hundreds of people are using the park everyday and more so on the weekends for fitness, general well being and mental health during these stressful times.

Does Bayside Council want to be seen that they do not care about their rate payers during this pandemic?

At the moment no community sport is taking place and the priority should be on the general public using the park. The priorities of another sporting oval should be put back or even dismiss the whole plan.

The blow out of costs in the budget have already taken place and nothing has even constructed. This needs investigation and revaluation if this a feasible project for now and the future.

The cost of the pavilion hasn't even been taken into consideration and also Melbourne Water's recommendation of the building height for the flood levels. The cost of a pavilion will be much more and cost rate payers more due to the height requirements for the flood levels to be safe.

The Pavilion should not be built on the New Street side and should be reconsidered as per the original plans at the 19th September 2018 meeting.
5. Miss Dianne Anderson

I wish to object to the recommendations made in the above agenda item. I am concerned that the process is already too hasty and speeding up the tender allocation process and commencement of works and foregoing the oversite of the council will lead to inefficiencies and further cost overruns. The reasons for the inadequacy of the original budget for lighting and reconstruction are cursory at best and I would expect that you would require further information before authorising a budget increase as recommendation 1 suggests. The agenda item report makes it clear that the situation with Melbourne Water and drainage that is obviously required are yet to be resolved. The item also notes that there are concerns about the budget for the sports pavilion. Given the spectacularly inaccurate budgeting for the sportsground and lighting upgrade for Oval 4 it is likely that the sports pavilion is also underbudgeted for. The report notes that whole of site planning is critical but appears to be recommending a piecemeal approach by approving a tender and commencement of works on the redevelopment project before issues with each of the three projects involved are fully scoped and budgeted. It possible that issues with the sports pavilion may have implications for location of lighting and the drainage and upgrading of the oval itself; the drainage issues may have implications for the location of infrastructure and the design of the pavilion and lighting. This piecemeal approach to planning and running the project that the agenda item recommends is problematic. A full understanding of the issues to be overcome, the costs of all aspects (including the pavilion) how the oval reconstruction, lighting and pavilion interrelate does seem critical to delivering the project within budget and with the best outcome. Putting the cart before the horse and rushing the process could see the oval sown only to need to be dug up again.

I would urge you to take the time required to allow an integrated and fully informed approach to the project as a whole in the interest of the best outcome for the community and to reject the recommendations.

6. Mr Oskar Hakansson

Objecting to the relocation of the pavilion from the original 2018 site plan to New Street. It is too significant a change and needs an amendment to the original passed motion.
7. Mr Greg Smith

Dear Mayor and Councillors,

Re item 10.21 Oval 4 Reconstruction-Budget Variation and CEO Delegation

I would contend that with a projected budget blow out of 128% or $925,000 to award a contract on the sole recognizance of the CEO and with no due diligence of Councillors on an unseen report would be highly irresponsible in the eyes of ratepayers.

I would also contend that there is no need to ensure that Winter sports can be played on this site during 2021 at all as there is no guarantee that sports will be re-instated during the projected time line, and a reasonable probability that they will not.

The report to award Contract CON/20/75 should still follow the standard procedure and be vetted by the due diligence of all Councillors once the full report has been tabled and can be viewed and assessed.

The timing of fast tracking this approval will have a deleterious effect on the use of the park as a whole during the time of COVID19.

In fact, Council’s stated response to COVID 19 (Your rates at work 2020/21) states “in 2020/21 we will continue to support our community and re-establish social connections across our community”

This being said, and given Council avowing it will “make decisions in a way that any person whose rights will be directly affected by a decision will be entitled to communicate their views and have their interests considered” a decision to fast track this procedure will be more likely to fragment an already fragile human condition.

I would entreat Council to not only wait and perform due diligence on this report once it is tabled, but in the interests of the community at large, to seriously consider a further extension of any works start date until a clear COVID 19 free state of affairs is declared by the Government and allow the community to use the area concerned-now highly accessed, used, and enjoyed for respite during the pandemic until such an all clear is mandated.
Dear Mayor and Councillors,

I have serious concerns over Agenda item 10.21 for the Ordinary Council meeting on 18 August, 2020, titled “CONTRACT CON/20/75 ELSTERNWICK PARK OVAL 4 SPORTSGROUND RECONSTRUCTION - BUDGET VARIATION AND CHIEF EXECUTIVE OFFICER DELEGATION”.

The organisation is seeking an additional $925,200 from the Open Space Reserve towards the Elsternwick Park Oval 4 Sportsground Reconstruction and Lighting Project. The original amount estimated was $724,800, (budget was $799k) so this request brings the total to $1,650,000, which is 106% over budget. Given that the budget was only approved by Council some ten weeks ago, it begs the question how or why the original estimate was so materially inaccurate and calls into question the competence of the Officers responsible for this project.

This makes the Officers’ second request even more concerning. Officers are seeking a delegation from Council for the Chief Executive Officer to award a Contract up to $1.1 million WITHOUT it coming to a Council meeting for approval, as per the standard process. This means Councillors will get no information about the tender submissions and would have no opportunity to scrutinise the contract before it is awarded.

Given that the tender period doesn’t close until AFTER the Council meeting, this sends a new price signal to any supplier who has not yet submitted their response to the tender. This is not in the interests of Bayside rate payers. It also potentially disadvantages organisations who have already submitted their tender response.

Note also that the design drawings shows the drainage for the oval running into a Melbourne Water drain below the surface of the park, however MELBOURNE WATER HAVE NOT YET GIVEN APPROVAL for this, which raises the question, should the tender process have even begun given that the design specifications will be changed if Melbourne Water denies access to its drain.

It appears that Officers are trying to rush the project through for some reason and wanting to bypass normal Council procedures, thereby subverting the high standards of probity and accountability in Council’s procurement activities.

Before voting on any motion to approve the Officers’ request for delegation, I urge you to consider whether this would put you in breach of your own Procurement Policy 2020, specifically key probity fundamental:

“Sound decisions based on valid assessment of responses against agreed and transparent criteria”

This principle echoes exactly what residents and rate payers expect of you as a Councillor, but how can you meet this principle if you grant the CEO delegation when the tender process is not yet complete?

I urge you to vote AGAINST any motion that includes the requested CEO delegation.
9. **Mr Keith Thompson**

Pleasing to see the recommended option which I support and look forward to it being implemented.

10. **Ms Glenys Fraser**

I urge councillors to reject both of these requests for:-
1. additional funding of up to $925,000, and
2. delegation to the CEO of the power to award the contract after conclusion of the tender process
for the reconstruction of Oval 4 and construction of light towers at Elsternwick Park South.

I oppose both of these requests, for the following reasons:
1. given that the requested budgetary increase has been published before the tender process has been concluded, the probity and fairness of the entire tender process to date has been fatally compromised. This is because in publishing the extraordinary budgetary blow-out whereby the recently authorised budget of $724,800 has been increased to $1.6 M, tenderers who have already responded may have been disadvantaged and tenderers who have not yet responded, may be advantaged by this assymetrical access to information;
2. extraordinary budgetary blow-outs of this order, ie 127% ought to be the subject of careful and comprehensive scrutiny by Council, not the CEO, in accordance with Councils' duty to exercise probity in a sound and transparent manner in respect of procurements;
3. delegation of the power to award the contract up to the value of $1.1 M without it being considered by Council in the light of all information explaining the budgetary blow out, the outcome of the tender process, and the timing of the award of the contract
4. the timing of the budgetary allocation and tender process is premature given that Melbourne Water's approval is required before any design specifications can be finalised.
11. Mr Alan Fletcher

Dear Councillors,

I have grave concerns about Council approving this resolution for the following reasons:

Budget

An increase of $925,200 is 127% increase to original budget.

Such a huge budgetary over run would suggest that the original decision to use Oval 4 in Elsternwick Park was rushed without necessary environmental and logistic assessments being performed. Council simply cannot accept such an overrun of costs without full examination of the site’s suitability when compared to alternatives and/or proper scrutiny of the budget. Council has a responsibility to ratepayers to ensure the project is fiscally responsible.

Health

Resolution 10.21 proposes that construction would commence on September 21st when the Victorian community will still be in either Stage 4 or Stage 3 lockdown. During these periods unprecedented demands have been made on Lakeside Green and Oval 4 for recreation and exercise. It is unfair and inappropriate to take this substantial open space away from a community at a time when Victorian’s exercise and fresh air options are so limited, particularly for children. The real issue here is, why the haste? If the proposal in 10.21 is accepted Oval 4 will be ready for football by July 2021. If Council judges the contracts at its September meeting the opening of the oval will be delayed. I say, so what? Community football is likely to be disrupted by COVID into 2021 anyway. This development is for the future. There is no need to rush simply to, possibly, gain a couple of months of use in 2021.

Sincerely

Alan Fletcher
12. Mr David Fonda (on behalf of Elsternwick Park Community Alliance Inc.)

Item 10.21 August 18, 2020.
Agenda BCC re Budget delegation for Oval 4, Elsternwick Park

Good evening Councillors. My name is David Fonda. At the outset I would like to declare what might be perceived a potential conflict of interest in speaking against this motion. In the lead up to the September 2018 Special Council Meeting each of you visited our home which abuts Lakeside Green on Elsternwick Park South.

However, I am not presenting this paper in my personal capacity but as President of Elsternwick Park Community Alliance Incorporated (EPCA) which was formed in December 2018. Our stated objectives is to represent the interests of park users from the municipalities of Bayside, Port Phillip and Glen Eira. Whilst not our preferred outcome, we have accepted the September 2018 decision and have looked at ways to work with Council for the best possible outcome for Elsternwick Park South.

However, we have concerns about the proposed motion to item 10.21 giving extended delegation of spending to the CEO at this time. Our concerns relate to Covid related matters and budget matters as follows.

1. As warmer weather approaches and then the school holiday comes more children will be “coming out to play”. Oval 4 is place of choice now because of large number of dogs on LG.
2. As covid19 restrictions ease to Stage 3, and hopefully eventually later to Stage 2, we will see larger numbers coming out “to play”. Kids and young adults play in various size groups kicking and throwing and running and chasing.
3. The oval on LG is unsuitable for this as is the surrounding area which is undulating in the few small open areas and covered with canopy in other small areas. And extensively used walking paths travers all this.
4. Closing off oval 4 would push more dogs to Lakeside Green (LG) which already is very crowded in the current environment. Lakeside Green has large numbers of dogs off leash at various times during the day but especially at the extremes and all through the weekend. Lakeside Green is inappropriate place for kicking footballs, playing soccer , throwing frizbies, running, training etc.
5. That leaves only the Nature Reserve which is unsuitable for these activities. The area is undulating and carved with narrow paths. The areas adjacent to the paths is deliberately being left untouched. Works are soon to commence in the northern section with areas to be fenced off.. When wet, the paths are muddy and in summer the area is known for snakes. The Nature Reserve is totally inappropriate place for kicking footballs, playing soccer , throwing frizbies, running, training etc.
6. In “at best” scenario oval 4 will not be ready till July at earliest, two thirds through the 2021 junior football season. So in reality the football teams will have to some how manage alternative venues as they do now. In order to address this short term delay, BCC might consider curbing membership
to teams from outside from Bayside until this Oval 4 is ready. Also look at other temporary strategies of negotiating with schools for use of ovals etc

7. Delaying works on Oval 4 will ensure the immediate needs of our community are being addressed at this time of crisis. **The ultimate development of Oval 4 will address the needs of the football community later and into the future.**

8. Priority of BCC at this difficult Covid time is to support and heal our community. Organised football will always be there, and can be accommodated in other, if not ideal, ways. But mental health issues is a matter of urgency and priority NOW.

9. By the way, just today, the Prime Minister and Premier announced more funding for mental health and increased domestic violence being experienced in this Covid environment.

10. You may ask what is the difference doing the works now or later? Either way the oval will be closed for 10 months. Well now we have a **community wide crisis and need which MUST be the priority for oval 4.** Later as the community recovers the need of the smaller football community can be addressed. This does not minimise or trivialise football but rather acknowledges **WHAT IS THE PRIORITY NOW.** That’s what good Managers are expected to do, and in this case with the support of their Council.

11. I cannot comment about what happens at distant locations from Elsternwick Park, or in areas in Bayside that may be less privileged with open space. But I can assure you if I was there I would be arguing just as vigorously for their cause, now and into the future. This is to the very heart of your 2050 vision which is being presented on August 18. (item 10.12) which states that Bayside will "increase and enhance open space. Bayside will ensure open space and its protection and amenity is a priority for 2050".

12. The short term needs of kids and women playing football can surely not outweigh the needs of our community. Leave them Oval 4 for the moment and they will still be able to play sports. Everyone is hurting – families working from home, home schooling, school leavers in crisis with exams and uncertain future, domestic violence, mental health issues, increased suicides, unemployment, lost fortunes and businesses. Where does it end?. Does Council think that just because Bayside is a more wealthy municipality it is immune to these challenges.

13. And for a moment allow me to put on my medical hat. Covid will not be contained till whenever an effective vaccine is found. That still in indeterminate. And we will be in and out of various stages of "lockdowns" till then. **We need to keep open space open and available just as the health system did with hospitals and ICU to respond to the crisis and needs.** It’s about priorities and I realise we all see and set them differently.

14. And besides all the above matter related to Covid implications we have concern with the process of due diligence. We expect there will be an explanation of budget blow out being offered but even this it seems is not finalised. In less than eight weeks since the June budget there has been a blow out of $925,000(125%). Management are asking Council to delegate authority to the CEO to proceed for sake of delaying its presentation at next month’s meeting.
15. Given these most unusual circumstances – budget blow out, significant matters still not sorted, and a request for delegation without now detailed oversight is a grave concern to us. Having the oval ready a few months earlier towards the end of next year’s football season can never justify this process of due diligence.

16. We do not understand how the tender process can be proceeding when drainage from Oval 4 is still not addressed and one option is diverting drainage to New Street. This option has never been suggested or raised with these residents who are already in a flood prone area.

17. Management have advised that the planned pavilion which will exceed $1.5 million, will not have to be advised to the community as building permit requirements can all be handled internally. Residents are already most distressed by the announcement of the pavilion location and now being told there is no requirement for external notification further raises significant concerns to us. This is notwithstanding three overlays in this area and concerns about water and drainage.

In summary,
1. We urge Council to reflect closely the greater need of our entire community and especially the children of our community at this most sensitive Covid time and take strong affirmative action to defer work on Oval 4.
2. We propose you defer works for three months and reassess the Covid situation.
3. We urge your Officers to look at creative alternatives (some suggested above, see #6 above) to cater for short term football needs next year.
4. We ask that Council does not extend funding delegation requested to CEO on this occasion till further information is brought to a later meeting. This would include explanations of how the budget projection in just six weeks between June 2020 and mid August 2020 could blow out by 125%.
5. We expect there will be an explanation of the “blow out” costs but what we are seeking to understand how the senior management could get it so far wrong in such a short time and then expect to be afforded delegation to fast track the project with still unanswered questions.
6. Notwithstanding the perceived urgency to fast track the oval 4 project various matters remain unclear as outlined in the briefing including water drainage which requires a third party involvement. Hence it is unclear to us how meaningful these tenders can be or the associated costs. Hence we request Management to take a step back, complete their proper work up of this complicated location, then get quotes to bring to Council to understand and consider.
7. We seek undertaking that New Street residents will be consulted regarding drainage from the oval especially if diverting drainage to New Street is chosen, a proposal that has never been suggested or raised with these residents already in a flood prone area.
8. We seek assurances that Management will notify the community in a timely fashion with regards to all aspects of the pavilion development BEFORE permits are applied for and granted internally.

David Fonda
President, Elsternwick Park Community Alliance Incorporated.
13.  Mr David Atkins

We are writing to lodge a number of objections associated with items in Section 10.21 of the agenda.
Firstly, we are alarmed at the works blowout of nearly $1 million, just for the laying of turf and power for the lighting installation on Oval 4. How can this blowout possibly be justified and approved.

The date driven proposal to authorise the Chief Executive Officer to award the contract, circumvents the normal council review and approval process, due process and proper governance. It is fraught with danger and must be rejected.

Finally, the proposed commencement date in September 2020, resulting in the Oval 4 area being fenced off for 12 months, will remove a critical area of open space being used by residents to exercise during the COVID-19 restrictions.

We consider these funds would be better spend in support of mental and physical health of the wider Bayside community during this global health an economic crises, and the Oval 4 reconstruction should be postponed until the future of the crisis is a little clearer.
14. Dr Philip Popham

Submission to Bayside Council: proposed Elsternwick Park Oval 4 reconstruction.

Council Meeting scheduled (as at 10:15 15/08/20) for 18/08/20

Meeting agenda item 10.21 (to incorporate petition from agenda item 7.1), “Oval 4 reconstruction–
Budget variation and CEO delegation

I wish to raise objections to the item.

1. The budget variation for lighting is dramatic; an initial estimate of $725k has apparently now
been increased by $925k to a final estimate $1.65m, a 230% increase. How has this occurred,
what are the reasons for the increase and what due diligence is Council providing to ensure that
this is justifiable, appropriate and acceptable?

2. What extra value is to be derived from the increased budget request?

3. I note that the projected timeline for the proposed lighting installation has been brought forward
to 21/09/20, which has prompted a motion to permit the CEO to approve the increased cost
without further discussion. I object to approval being granted without further due diligence, the
result of which should be communicated by Council.

4. The proposals suggest that Oval 4 will be subject to work and fenced off from public access
between October 2020–October 2021. Council will be aware that park usage and parking access
issues have increased substantially during the current phase of the COVID-19 pandemic; such
use is likely to continue certainly into 2021 as public mobility restrictions are (hopefully)
gradually reduced. Restricting access to a large public space which allows exercise whilst
practising social distancing is problematic.

5. I note that this does not include an updated budget for the proposed pavilion, the plans for which
were only communicated to local residents in the last week. The matter of pavilion site,
construction and its elevation above ground level have yet to be resolved.
15. Dr Jo Samuel-King (on behalf of the Elsternwick Park Association)

ELSTERNWICK PARK ASSOCIATION’S SUBMISSION ON ITEM ITEM 10.21 -ELSTERNWICK PARK SPORTS GROUND BUDGET VARIATION

I write on behalf of the Elsternwick Park Association to lend our support to our friends and neighbours in and around Elsternwick Park South.

We are living through very difficult times:

As you are aware, we opposed the redevelopment of oval 4 in 2018. I was in hospital at the time and recall watching that fateful meeting via livestream. I was struck by how important this space was to so many, many people and how heartfelt the community opposition was to this decision.

Now it is 2020 and a very different and difficult time. We are in the middle of a COVID pandemic and many families are struggling. Many residents are working from home, home schooling and cabin fever is a real issue. Families and individuals are really, really struggling from mental health perspective. Major mental health challenges are right here at our doorstep-on New Street. I see it every day at my medical clinic just around the corner from oval 4.

Oval 4 is currently being used, not for organized sport but as a vital release for families to kick a footy, exercise their dog, or just get out of the house for that precious one hour per day. It is too easy to say “they have plenty of space” However, it is vital, in order to contain COVID-19 that people have room to spread out. Every hectare matters.

We have other concerns also about this decision to fast track the oval 4 redevelopment:

Procedural fairness:

This decision intimately affects people’s lives, and yet it appears to being pushed through, without even the opportunity for residents to speak.

Equity:

Organised sport benefits only a tiny fraction of our community. My understanding is that it is less than 10% of the community play organized sport. And yet, a very large percentage of the Bayside Council’s budget is already allocated to organized sport. We do not believe it is reasonable or equitable to allocate an extra $925,000 towards such a tiny fraction of the population.

Lighting and its effect on microbat activity:

Lighting is known to effect microbat activity. The Elsternwick Park Association in collaboration with Bayside Council is conduction a twelve-month baseline fauna survey in the EPNR. Early data from these surveys have confirmed the presence of four species microbats in the reserve. These species are likely to be also found in Elsternwick Park South and are likely to be affected by this development.

We have extended our microbat survey, in collaboration with Bayside Council to include observations of microbat activity in Elsternwick Park South. However, because these works are being rushed through, without our prior knowledge, we have not had the opportunity as yet, to look at the data in relation to Elsternwick Park South, nor to liaise with Bayside council officers on how best to manage this important issue.
We request that we be given this opportunity.

Regards,

Jo Samuel-King

On Behalf of the Elsternwick Park Association
16. Mr Daniel Phelps

My statement opposing the motion put forward under Item 10.21 is in two parts;

1. Community concerns on timing of planned grounds works

The request to reallocate close to $1m of ratepayer funds from the ‘Open Space Reserve’ to fence off several acres of Open Space for a minimum period of 10 months during this global pandemic is a highly contentious issue for the wider community. The cross section of Bayside, Glen Eira and Port Philip residents that will be displaced from 21 September when another fence is erected around a much loved local amenity is the same demographic whose future interests Bayside Council voted to protect when the council resolved to activate Oval 4 into a formal sports ground back in 2018. Families and children of all ages who want a space to freely pursue recreational activity and social connection at a time when the impact of home schooling, closure of playgrounds, skate parks and playcentres, cancellation of organised sport, closure of gyms and studios, working from home arrangements and the congestion on existing tracks and paths have seen hundreds of people move to the Oval 4 space every day.

The issue tonight is not about requesting the council to turn their back on their decision from 2018. It is simply about making the appropriate decision to pivot accordingly in response to a once in a hundred year health and economic crisis that has heaped so much destruction on the mental states of residents. It seems highly unfair that the council would deny public access to this open space for at least 36 weeks from September 2020 during the height of COVID restrictions, all for the sake of potentially being able to use the newly laid turf for the final 8 weeks of the 2021 home and away football season. Surely a more empathetic approach would be to delay the planned works til late June 2021 - thereby allowing thousands, if not tens of thousands, of the community access to Oval 4 for the next 10 months of COVID restrictions and rolling lockdowns – with the aim of having the new turf ready for the 2022 season to kick off on 1 March 2022.

It’s a compromise between the current and future users of the space, that still results in the best win:win outcome for all stakeholders. If the council stands by their ‘duty to listen to every resident’ and their ‘commitment to support the community through COVID-19’, then on purely economic terms the motion being presented tonight under 10.21 to reduce supply of open space at a time that demand is so high must surely be opposed?

If this community argument still does not resonate, then I request that the motion is at least opposed on the grounds documented below, and deferred to a future date when all information required to make an informed and democratic decision is available.

2. Due diligence required on $925k budget overspend and CEO Delegation of Authority to award contract without council vote

The original funds allocated to the EPS Oval 4 ground and light works was $725k, however the costs are now projected to be $1.65m. An overspend of this size should surely receive an appropriate level of oversight and due diligence before the matter can be brought to the council. By recommending that council delegate authority to the CEO to award the contract to a maximum value of $1.1m in the 18th August meeting, there is no opportunity for the council to hold the relevant operational teams accountable. At a time when individuals and businesses across the country are under incredible financial strain brought about by this global pandemic, we feel it is only fair and reasonable to request that BCC provide full fiscal transparency on this project in no earlier than the September council meeting before it is put to the council for consideration as per the standard process.
Furthermore, Item 10.21 alludes to further budgetary concerns on the pavilion capital expenditure. The Oval 4 redevelopment should be treated as a singular project, and hence the total budget for all areas of capital works relating to the redevelopment project should be reviewed in totality, rather than in isolation of each other. So this should be further justification for the council to defer any consideration of the budget variation until such time that all relevant information is made available.
17. Mr Jarrod Hall (on behalf of East Brighton Vampires Junior Football Club)

Monday 17th August 2020

Re: Elisternwick Park Oval #4

To the Mayor and Councillors,

I understand you are meeting on Tuesday August 18th to consider deferring the construction of amenities and upgrade to Oval 4 at Elisternwick Park. We understand the reason for this is to allow passive recreation users sufficient space during the Stage 4 COVID restrictions.

The East Brighton Junior Football Club, representing 900 children and approximately 750 local families, is opposed to any delay, deferral or halting of the proposed upgrade.

The upgrade will occur on a small part of the Elisternwick South and North precinct. The Clubs position has always been there is enough space to share with all park users; be it exercise, passive recreation, dog walking, informal play, or organised sport.

This year has presented an unprecedented challenge to the fabric of community sport. For the children at our Club, the opportunity to train and play at the Vampires is critically important to their overall physical and mental well-being. Curtailing appropriate access to facilities is not the way forward.

The Council has a responsibility to the broader economic wellbeing by maintain its infrastructure spending. With the havoc the pandemic is causing to the Bayside community now is not the time to withdraw spending on capital works. The council must contribute to ‘kick starting’ the economy post Covid. Halting is not an option.

We ask you to think back to the Sept 18th, 2018 Special Meeting of the Bayside Council. The coach of the girls’ cricket team asked, ‘How long to the girls in my team need to get changed behind a tree with another girl holding up a towel for privacy’. Girls should not have to wait another season for basic change rooms.

The decision was made in September 2018, the vote called, tenders issued and now is the time to proceed.

On behalf of the East Brighton Vampires JFC and Membership.

Kind Regards

Jarrod Hall
President
Email: president@govampires.com
Mobile: 0437 091 984
One further point I would like to add and be considered is that the petitioners allude to the long term financial viability of community sports Clubs. I would like to draw the Council’s attention to the fact all of the sporting Clubs in the Bayside area that I spoke with (across codes) were able to offer refunds to their members. I won’t speak on behalf of other Clubs, however, the East Brighton Vampires JFC were able to offer our members a 70% refund on their 2020 fees. This can only highlight the financial strength and long term viability of our Club and others in the LGA.

I would also like to add that anecdotally the parents in our community are telling us that given their children have not been able to participate in community sport this season they cannot wait to get their children back into formalised sport.

On behalf of the Club I’d to take this opportunity to thank the Bayside City Council for all of their support during an extremely difficult year.

Kind Regards

Jarrod Hall
President
East Brighton Vampires Junior Football Club
Mobile: 0437 091 984
Email: president@govampires.com
Website: www.govampires.com
18. Ms Jessica Batt

This statement is to express my grave concern around Item 10.21 in Tuesday night’s Council meeting agenda.

I am pleading with all councillors to please respect our community interests at this devastating time whilst we are living through the COVID-19 pandemic. As such, I am asking for you to vote against the delegation of authority to the CEO to approve the $1.1m contract that will bring forward the planned Oval 4 works to 21 September, which will see closure of the oval for 10 months.

As a mother, I am devastated with the pandemic that is unfolding and our family is struggling with the restrictions that are going to be here in some form or another at least until we have a vaccine. I have young children and the impact of the closure of daycare, playgrounds, skate parks and play centres, in addition to not being able to see friends, family or loved ones has been devastating for our family, especially our children. However with so many limitations on how we can live our life, we have been immensely enjoying Elsternwick Park South Oval 4 for it’s wide open space (not available at Elsternwick Park North) enabling us to socially distance from others, kick a ball amongst us and run freely and recharge our very worn down mental batteries. I am not sure if you have visited the park recently but it is used by thousands of people daily, from all walks of life, and is evidently a place that is bringing joy to our community where they can enjoy socially distanced exercise, recreation and get a dose of vitamin D!

If the oval is fenced off from September for up to 12 months, we cannot begin to tell you how this will impact not only our family, but the significant number of families and individuals who like us are enjoying the open space and desperately need it for our mental wellbeing. How do we tell our children why there is another place in our community that is now closed and fenced off? The government’s COVID-19 restrictions are inevitable but they are depressing. However if the Council decides to close down Oval 4 for reasons that are not COVID-19 related, then it will be the nail in the coffin, whilst also demonstrating just how un-empathetic our Council is.

Although the Council are saying that oval works need to commence now in time for the tail end of the football season in 2021 winter, I am extremely doubtful of community sport resuming at it’s normal levels in 2021 as clubs will struggle to stay afloat (reduced funding, lower participation rates etc) based on recent research that has been conducted. Also we should all expect restrictions to come and go, just look at New Zealand’s quick response to enforce stage 3 restrictions shutting things down again. And even in Sydney yesterday they have banned inter-school sport immediately to prevent the spread of the virus. Community sport could continue to be shut down but open space will always be needed.

The future of this pandemic is still so uncertain, but one thing we can be certain about is the community’s need for open space. The Council has recently put up signs about social distancing on the Bay Trail in response to community concern from residents on path etiquette and lack of social distancing. It seems crazy that the same Council is considering removing the open space we are so fortunate to have.

With this in mind, I am pleading with you to vote against the decision to delegate authority to the CEO in Item 10.21 at the Ordinary Meeting of Council on Tuesday 18 August 2020.
Please carefully consider if the timing is right to start the work given the unprecedented global crisis and please make the right decision to protect the interests of the community.

19. Mrs Leeann Weir

I am a resident of New St directly opposite Elsternwick Park. This written statement is in relation to Agenda Item 10.21 and we request Bayside City Council to postpone the construction of the re-development of Oval 4 until Victoria is out of lock down due to Covid-19 due to:

* the impact Covid-19 has had on the community
* We all need public open spaces due to Stage 4 restrictions and closing down a quarter of the public park will reduce the amenities the public can use
* We live directly across from Elsternwick Park and since the first lock down, the amount of people using the park has increased dramatically, including our own use
* People are adopting pets now more than ever for company and mental health reasons and the off leash dog park is heavily used and the use has increased since lock down
* The playgrounds cannot currently be used so that also reduces the capacity of use of the park down dramatically - please don't reduce it further
* Covid-19 is impacting sport and it doesn't make sense to begin construction of a football oval and pavilion when we may not see a return to normality and team sport until a vaccine is found - 2021/2022
* The money on beginning construction of Oval 4 should be spent on assisting local residents with Covid-19 issues both from a mental health a financial perspective. We all know the impact Covid-19 has had on mental health and Bayside City Council should support their residents through this unprecedented time

We are asking Bayside City Council to postpone the construction of the redevelopment of Oval 4 due to the important and serious points made above.
Dear CEO, Mayor & Councillors,

My husband and I are extremely dissatisfied with the recommendation for further rate payer’s money to be spent on Elsternwick Park Oval 4 & for it to bypass standard process.

In today’s world we do not understand why OVAL 4 is stated as a “critical” project & one that requires urgency to push it through without the normal due process. With the current COVID-19 pandemic & Melbourne Stage 4 lock down organised Sport cannot be played & it is unknown how Sport and in what format it will return & when. We do not understand why this Oval would be developed in a time when it is clearly needed for the Community for passive recreation.

Indeed, there are no foreseeable negative impacts to delaying the development. In fact, there are huge positives for the community in preserving the Park as is for the foreseeable future as we as a community negotiate our way through COVID-19 & its aftermath.

Let us also not forget there are 2 other ovals that have had huge upgrades at a cost to rate payers in the direct vicinity – Oval 1 & Oval 2 only metres away in Elsternwick Park North that are ready for use.

In fact, this may well be the appropriate time to re-consider the development of Elsternwick Park South at all.

We are also very concerned of the mention of the FLOOD impacts & how developments of this Oval will affect neighbouring residents. The mention in 10:21 of a “pump” into New Street is a massive concern, as during the last flood the water drained from the Park directly into the New Street service road causing damage to property. We need to remember that Elsternwick Park in its current state is a retarding basin and has been designed to protect residents. We assume therefore that Bayside City Council will be able to guarantee residents that any work on the Oval 4 & subsequent Pavilion development will not impact homes in future floods.

We do not agree with +120% increase in costs to continue with a development that is currently not needed & this money could be spent much more wisely within the community.

The shortfall in costs is attributed to a variety of further inclusions many that could have been foreseeable. Let us note that BCC has been building Ovals for decades & subsequently upgrading them, therefore it would be foreseeable that BCC has the capacity to budget accurately. We also note that for the Oval works to happen an access road is needed for the site. Is this the same access road that is required for the Pavilion and do we know where this will be located.

The Agenda item 10:21 also pre-empt & mentions that there are concerns about the budget for the new sportsground Pavilion. It was resolved that a “basic” pavilion be constructed – however we now learn that it is proposed to be 300sqm site. In comparison to other Pavilions in Bayside this seem to be very big for just a training ground & for no permanent home club. We wonder why it can be so big for such a basic need.
If the recommendation proceeds, are we to understand that the same budget adjustments will be made in regards the Pavilion location costs –i.e. there are 2 options with varying costs – therefore it would be reasonable to assume that the more costly option, i.e. Option 1 (South/west) with less impact on residents could proceed.

In summary,

1) we urge you NOT to expedite the development of Elsternwick Park Oval 4

2) revisit all budgeting costs associated with Elsternwick Park South & to provide rate payers with realistic costs of where their rate payers money is being spent.

3) review the Community’s new needs in 2020 & beyond. – considering COVID impact

Your sincerely,

Gail Stainton
21. Mrs Fiona Bull

1. The current timeframe for the commencement of the light tower construction and ground works (playing surface only) is 14 October 2020, with the Oval 4 area being fenced off until 1 October 2021.

As a local community member who has canvassed this closure date with many people in the surrounding area, we implore you to delay considering covid restrictions. There is no question this area is constantly & consistently used by all – dogs, children, families, elderly etc. It should be noted that many who use this area are unaware of this closure should this be further communicated there would be significant opposition to the timing. The canal path, the beach path etc. are already crowded such that closure of the park will only make social distancing impossible and managing mental health particularly challenging.

2. The original budget for the light tower construction and the ground works (turf) was $725k. These costs have blown out by $925k, with projected cost of works now $1.65m. And this doesn’t even include the pavilion!

We absolutely oppose the approval of this level of cost variation. It is obscene & distressing to see such exorbitant excess funds be funneled into this project when the broader community is seeing increased homelessness, financial distress and rising unemployment. Everyone is clear that the year(s) ahead are going to be extremely challenging and that money will be needed to support those in need. How can we possibly allow humans in our community suffer extreme hardship in lieu of a footy field? A sporting ground that is unlikely to be required for a significant period given covid restrictions.

3. In order to bring forward the timeline to start the works to 21 September, which will allow the surface to be played on by 1 July 2021 (in time for partial winter footy season), the Recreation department is requesting that the council approve the $925k budget variation with no additional due diligence, and secondly delegate authority to the CEO to award the contract in their August meeting, rather than it going to the September council meeting for councilor vote.

There is a never an appropriate time to remove due diligence. This has been proven to be fraught with grave errors time and time again. On such a contentious project, during such a challenging time, with such enormous variations before the project work even commences all the usual review processes are required. Delegating authority to CEO only is opposed.
22. Mr Darren Mitchell

REF 7.1 – to be dealt with in conjunction with 10.21

PETITION FOR COUNCIL TO FORMALLY RESPOND TO THE SIGNIFICANT CHANGES THAT HAVE OCCURRED SINCE THE SEPTEMBER 2018 COUNCIL RESOLUTION TO REDEVELOP ELSTERNWICK PARK SOUTH OVAL 4

REF: AGENDA ITEM 10.21

10.21 CONTRACT CON/20/75 ELSTERNWICK PARK OVAL 4 SPORTSGROUND RECONSTRUCTION - BUDGET VARIATION AND CHIEF EXECUTIVE OFFICER DELEGATION

In referencing 7:1 (to be dealt with in conjunction with 10.21), a new Pavilion location has also now been identified, contrary to that communicated to the public back in 2018 (CROXON RAMSAY site map). If indeed “extensive consultation was undertaken in 2018 to determine the extent of the development to the reserve”, may I state that myself and many other residents are blindsided by the latest Pavilion news.

If indeed the Pavilion site was meant to be “indicative” this should have been clearly communicated & been part of the consultation – to my understanding the location was a fait accompli during the consultation process.

In general, I’m very concerned that residents are just not aware of all the changes that are happening on their doors step.

I have not received a single letterbox drop communicating the changes, this is contrary to receiving information for other projects some close, some far within the Bayside City Council area.

With these drastic changes I believe BCC needs to re-think & review the communication process & re-engage the community so that feedback can be given.

Yours sincerely,

Darren Mitchell
23. **Ms Jan Smallman**

It is hard to believe that Council is planning to close oval 4 to the public for up to 12 months in the middle of a pandemic when open space for exercise and recreation is in such demand. I trust that Council will delay this closure. Cost of this resurfacing has more than doubled and spending an extra almost $1,000,000 is not a good use of funds that could be used to support residents.

24. **Mr Hanna Elmouallem**

Dear Mayor and councilors

Considering the current economic situation we are going through and the fact that bayside City Council decided on a 2% rate increase in 2020/2021 FY, I find that the recommendations in Item 10.21 should be reconsidered.

It appears to me that the scope of work tendered (project documentation including engineering drawings and specifications) was not adequately finalized before issuing of tender. The difference between Council budget allocation and the recent cost estimates should ring alarm bells on this project hence it is critical of you as our representatives not to rush into authorizing the award of this contract without further detailed review.

As you know this project falls within a flood zone and it appears as if Council don't have the relevant approvals from Melbourne water to allow discharge of the sports ground drainage system. I find the proposal to install pumps and discharge water to new street to be optimistic as further approvals from other authorities will be needed for this to happen.

This brings to question again the scope of works and potential blow out of budget once again.

I recall that on the 23 June 2020 there was a notice of motion to fund at cost of $ 42,000 the replacement of the Hurlingham Park tennis Clubhouse structural floor that was damaged by termite infestation (Item 13.1) I watched the lively debate that happened that night and would expect that a project shortfall and contract worth over a million dollars to be treated in a similar manner and not just given the green light without full assessment and consideration.

finally, I have to say that in my experience, the timeframe provided in item 10.21 doesn't add up and I find it hard from a scheduling point of view not to be able to compress or fast track the delivery to achieve similar open for use date.

I cant see a reason to rush this matter and respectfully ask you to reconsider the recommendation and provide this project with the scrutiny and transparency that ratepayers expect.
25. Ms Jen Bishop

BACKGROUND
In an economic, social and political environment of crisis, the Victorian Govt has declared all of Melbourne and surrounds in a “State of Disaster”. This is the most catastrophic level of seriousness for Victorians health.

The damage to the economy is unprecedented with unemployment levels about to hit 10% and citizens including Bayside residents risk losing their homes and under severe mortgage stress, mental health issue and suicide risk.

Further, residents have such limited movement and options for recreation, exercise, connection with other humans that our local parks like Elsternwick Park South are our last bastions of hope and respite for ALL people not just one subsection of the community.

In addition the NUMBER 1 priority of the Victorian government and the legal direction of the Victorian government is:
A. Maintain a social distance of 1.5 metres at all times (this is the most effective measure of preventing COVID19.
B. Do Not leave your local area
C. Maintain hygiene by wearing masks, handwashing and not mixing with people outside your local area

Maintaining health and safety by ensuring social distancing is mandatory and critical in Victoria at this time. By pushing ahead with these works until residents can safely socially distance is a high risk strategy for Bayside Council.

Keeping our residents including nurses, doctors, health care workers safe at this time is critical. As is managing the HUNDREDS of people dying in Victoria in the Critical Care ward or ICU.

What is NOT critical at this time is approving in advance a budget of 1 million dollars for turf redevelopment for a site that was rejected for football by 4000 local residents in a petition 2 years ago. Unfortunately Bayside have listed this work as critical. The community would say it is not.

if the redevelopment was not supported by the community in 2018, it certainly is not considered "critical" now with our friends, neighbours and grandparents dying by the hundreds from Covid 19 weekly.

to approve without financial rigour or probity an additional 1 million dollars as "urgent" or "critical" is viewed as inappropriate, and not reflective of appropriate governance in a "world that has changed"

The Prime, Minister, the Premier and the Federal reserve Bank Governor have all reviewed there budgets and reallocated their budgets according to community and societal need.

Our community recommend voting against this rushed and unscrutinised increase in budget as it is inappropriate, does not reflect community need, sentiment or the radically changed fiscal or social environment in which we all now live.

Please support our community and reallocate this 1 million dollars to residents that are in need during Covid 19.
26. Ms Claire Pallot

Dear Major and Councillors,

I am writing in relation to item 10.21 – Oval 4 Reconstruction – Budget Variation and CEO delegation.

In your 2020 Procurement Policy doc/20/63758, Point 6.2.3 it outlines under social sustainability that communities need to be consulted and engaged and that you must provide social benefits which include public health and wellbeing. This oval is a critical resource for bayside residents, especially now that we are trying to manage life in a pandemic.

This park is where my son and I, along with so many families spend our hour walking in the fresh air, allowing our dogs to run. With social distancing it has been critical having both ovals open, to adhere to the governments restrictions put in place to protect our vulnerable members of the community and reduce further spread causing economic impact to both large and small businesses.

Therefore the proposed closure of this park for 10+ months will have a devastating impact on the mental health and wellbeing of the community, and will increase the risk for those more vulnerable. As such whilst we manage through these times, I ask that you delay any works on this park, which would result in closing oval 4, in the interest of public health and wellbeing.

In relation to point 6.3.6 CEO delegation, it clearly states that the council must approve expenditure over $500k. The original budget was $725k, these costs have already blown out to $925k, a flagrant demonstration of poor governance. As such it is irresponsible and terribly concerning that the recreation department, would propose against the councils own Procurement Policy only signed June 23, 2020 to enable a CEO to award a contract without any due diligence, rather than going to the September council meeting for councillor vote.

We are in unprecedented times, and would ask that you consider the health and wellbeing of the Bayside residents and delay works on oval 4. Further, given the overspend, I ask that the CEO is not permitted to award the contract, rather ask that appropriate due diligence is undertaken, a report completed so that it can then go to councillor vote.

Regards,

Claire Pallot