



Agenda

For a meeting of the

General Committee

to be held in the Council Chambers, Civic Centre,
Boxshall Street, Brighton

on

Tuesday, 16 October 2007

at 7:00 PM

Chairman: **Cr Andrew McLorinan**

Councillors: Cr Alex del Porto
 Cr Clifford Hayes
 Cr John Knight
 Cr James Long
 Cr Andrew McLorinan
 Cr Michael Norris
 Cr Terry O'Brien
 Cr Kristin Stegley
 Cr Derek Wilson



Members of the gallery

Your attention is drawn to Section 121 of Council's Meeting Procedure Local Law No 1.

Section 121 The Chair's duties and discretions

In addition to other duties and discretions provided in this Local Law, the Chairman's role is to facilitate efficient formal meeting procedures to provide a democratic decision process for the Council. The Chairperson should also encourage informed and relevant discussion and robust debate amongst Councillors, to ensure that all views are exhausted prior to a motion before the meeting being put to the vote.

During the meeting the Chairperson:

- (a) must not accept any motion, question or statement which appears to the Chair to be derogatory, defamatory or embarrassing to any Councillor, member of Council staff, ratepayer or member of the public
- (b) may demand retraction of any inappropriate statements or unsubstantiated allegations
- (c) must call to order any person who is disruptive or unruly during any meeting
- (d) must ensure silence is preserved in the visitors' gallery during any meeting
- (e) must call to order any member of the public gallery who approaches the Council / Committee table during the meeting
- (f) may, in the event of unruly behaviour by members of the gallery or Councillors, adjourn the meeting until such time as decorum has resumed in the Chamber.

A person who disrupts a meeting or behaves in an unruly manner, and who fails to come to order when called to order, is guilty of an offence.
(Penalty – 2 Penalty Units).

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

In the absence of an Authorised Officer the Chairman may cause to be removed from a meeting any Councillor or other person who has committed such an offence.

Your cooperation is appreciated

Chairman of Committee

Schedule of meetings

Ordinary Meeting of Council / Approvals Committee	Tuesday	28 August 2007
Approvals Committee	Tuesday	11 September 2007
General Committee	Tuesday	18 September 2007
Ordinary Meeting of Council / Approvals Committee	Tuesday	25 September 2007
Approvals Committee	Tuesday	9 October 2007
General Committee	Tuesday	16 October 2007
Ordinary Meeting of Council / Approvals Committee	Tuesday	23 October 2007
Public Holiday	Tuesday	6 November 2007
Approvals Committee	Tuesday	13 November 2007
General Committee	Tuesday	20 November 2007
Ordinary Meeting of Council / Approvals Committee	Tuesday	27 November 2007
Annual Meeting	Thursday	29 November 2007
Approvals Committee	Tuesday	4 December 2007
General Committee	Tuesday	11 December 2007
Ordinary Meeting of Council / Approvals Committee	Tuesday	18 December 2007

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BAYSIDE CITY COUNCIL

GENERAL COMMITTEE MEETING

TUESDAY, 16 OCTOBER 2007

4.1 Bathing Box and Boatshed PolicySally Naughton, Leasing Coordinator
File No: SUB25040

Purpose of the Report

To consider the draft 'Bathing Box and Boatshed Policy' and to commence public consultation.

Background

In November 2005 Council considered a report and resolved as follows:

1. *That Council prepare a management plan for Dendy Street Beach incorporating considerations of options for increasing the number of bathing boxes.*
2. *That Council refer to the 2006/07 budget for consideration and the provision of resources required to prepare a management plan for Dendy Street Beach.*
3. *That interested stakeholders to the process be notified of the above decision accordingly.*

There are 94 bathing boxes and boatsheds located within the Bayside Beach Reserves, four of which are used for commercial purposes. The bathing boxes and boatsheds are predominantly located on Council owned land on Dendy Street Beach. The other 12 boatsheds are on Crown land of which Council acts as a Committee of Management.

Currently Local Law 4 Division 3 – Bathing Boxes provides conditions for the occupation of these premises.

Prior to any consideration to move forward with investigations to carry out infill of bathing boxes at Dendy Street Beach, detailed investigations, research and consultation has been carried out to understand the current arrangement to determine the future approach to the management of all bathing boxes and boatsheds within Bayside Beach Reserves.

In order to provide guidance for Council officers, the Brighton Bathing Box Association (BBBA), the licensees and the general public, a policy has been developed that documents the ongoing management of bathing boxes and boatsheds and recognises the iconic status of the bathing boxes at Dendy Street Beach.

A copy of the draft Bathing Boxes and Boatshed Policy is attached.

Consultation

Preliminary consultation has been carried out with the BBBA and the Department of Sustainability and Environment (DSE) in relation to the draft Policy and the subsequent proposed implementation of the document. Both groups are supportive of the adoption of a policy and have provided initial comments on the draft document. The BBBA have indicated that they will provide detailed comments when public consultation is invited.

Detailed consultation will be carried out with a substantial number of stakeholders in relation to the draft Policy, including the following groups:

- BBBA;
- DSE;
- Boatshed and bathing box licensees;
- Brighton Lifesaving Club;
- Friends of Brighton Dunes;
- Ninth Brighton Scouts Group;
- Brighton Historical Society;

- Conservation groups;
- General community.

Discussion

It is considered that there are a number of issues that need to be addressed prior to further investigations being carried out in relation to any potential infill of bathing boxes at Dendy Street Beach, as referred to in the Council resolution of November 2005. These issues are considered in further detail below.

Draft Policy

The draft Policy deals with issues such as: -

- allowable uses;
- licensing of bathing boxes and boatsheds and how licenses may be revoked;
- transfers;
- maintenance requirements; and
- considerations to infill of bathing boxes at Dendy Street Beach.

The draft Policy provides for all licence agreements with occupiers of bathing boxes on Council land to be for a term of nine years, rather than an annual licence as provided for in Local Law 4. It is considered that a nine-year term not only provides more security of tenure for licensees but is also more cost and time efficient for Council officers to administer. It is also considered that a licence would be more difficult to renew on an annual basis as it would be a challenge for Council officers to obtain signed renewals from each licensee every year.

Although the draft Policy has been prepared on the basis of a nine-year licence, it is acknowledged that an alternative argument has been put forward in support of an annual licence being the preferred term. Should Council prefer the current practice, that is, an annual licence which expires on 30 September each year, then such a condition can be incorporated into the draft Policy before it is released for public comment.

It is important to note that the draft Policy deals with an essential mechanism for ensuring that all licensees maintain the premises in a good condition throughout the term and that the condition of the premises does not have a negative impact on the foreshore reserve. The draft Policy provides Council with the right to terminate the licence upon one month's notice if the licensee fails to comply with a notice to repair or maintain a bathing box or boatshed by a specified date. This provision is important as it allows Council the flexibility to terminate a licence agreement with a licensee at any time during the term if a licensee fails to comply with the terms and conditions of the licence agreement, including its maintenance obligations.

Policy management

It is proposed that Council provide authority to the BBBA to manage the bathing boxes and boatsheds on Council's behalf and in accordance with the draft Policy. It is proposed that the BBBA will carry out the day to day management of the bathing boxes and boatsheds including, annual inspections, requests to carry out repairs and recommendations to Council in relation to transfer of licences. These responsibilities will be documented in a formal management agreement to be entered into between Council and the BBBA. After public consultation is carried out in relation to the draft Policy, officers will work with the BBA to formalise the responsibilities of the BBBA in the management agreement.

Licence agreements

After adoption of the draft Policy, officers will commence negotiations with all occupiers of bathing boxes and boatsheds for the purpose of them entering into licence agreements with Council for their occupation of a bathing box or boatshed.

Infill

It is considered pertinent that Council adopt the draft Policy and prepare the licence agreements prior to any infill and subsequent licence of a bathing box at Dendy Street Beach. This will ensure that (among other things) a new licensee takes occupation of the new bathing box with a clear understanding of their rights and obligations.

The infill of bathing boxes at Dendy Street Beach will be reported further to Council after these matters have been considered.

Proposal

To note the draft "Bathing Box and Boatshed Policy" and to allow for the release of the draft Policy for public comment.

Implications

Council Plan

This proposal is consistent with the aspirations of the Sustainability and Environment Goal of the Council Plan, in particular aspiration 2.1.3:

"Bayside's natural and built environment is protected and enhanced through the commitment of the Council and the community in a complimentary manner".

Policy

The draft Policy has been developed to provide guidance for Council officers, stakeholders and the general public in regards to the management of bathing boxes and boatsheds and to ensure the foreshore reserve is suitably managed.

Environmental

The adoption of the draft Policy and Council's program to manage bathing boxes and boatsheds on the foreshore reserve ensures that the iconic status of the bathing boxes and boatsheds is recognised and the foreshore reserve is maintained in a way that provides a safe and attractive area of open space for the enjoyment of the community at large.

Recommendation

That Council approve the draft Bathing Box and Boatshed Policy for the purposes of public consultation.

Purpose of the Report

The purpose of this report is to advise Council of the latest research regarding young people in Bayside and to seek that Council note the results of the Youth Strategy 2005-2007 and the results of the Youth Action Plan 2006-2007. In addition to this, the purpose of the report is for Council to endorse the release of the draft Youth Strategy and Action Plan 2007-2010 and Youth Policy 2007 for public comment.

Background

In 2005, Council developed the Youth Strategy 2005-2007 with an Action Plan, which was implemented over that period. The review of this strategy and action plan is Appendix one in this report. In 2006, Youth Services developed an Action Plan to cover the period from July 2006 to June 2007, which incorporated research that was released in early 2006 that was undertaken by the Centre for Adolescent Health. The review of that Action Plan is Appendix two.

In 2007, Council's Youth Advisory Group revised the Youth Policy, which is Appendix three. Furthermore, Youth Services has now developed a new Youth Strategy 2007-2010 and Action Plan in response to a number of issues highlighted via consultation held with young people, parents and service providers.

Discussion

Review of Youth Strategy 2005-2007 (appendix one)

The review of the Youth Strategy 2005-2007 report showed a number of key achievements, which include the following:

- Report on key risk and protective factors for young people in Bayside completed and presented to Council.
- Counselling and Individual Support targets exceeding targets.
- That the needs of young people are continually being reviewed; with a range of responses implemented in order to best meet the identified needs.

When the research was completed by the Centre for Adolescent Health in late 2005, Youth Services redesigned both staffing structure and service delivery to incorporate the needs of young people outlined in the research. Appendix one provides further information.

Review of Action Plan 2006-2007

A key action of the Youth Strategy 2005-2007 was to conduct further research into the risk and protective factors for young people in Bayside. This research was completed in late 2005 by the Centre for Adolescent Health, which led to the development of the Youth Action Plan 2006-2007. This Action Plan was comprehensive and incorporated actions from the Youth Strategy 2005-2007 and the recommendations from the research.

Following the development of the Action Plan 2006-2007, Youth Services restructured staffing allocations and service delivery to address substantial issues that the team has been facing around mental health in servicing young people's needs.

Furthermore, changes in service delivery has seen the Youth Services team providing the following core business areas:

- Recreation services incorporating drop-in services, holiday activities and other programs that encourage physical activity in young people.
- Skill development programs that include all youth committees and other programs that build specific skills in young people.
- Support programs including those tailor made for schools and the community.
- Large events incorporating the FReeZA program, art exhibitions and National Youth Week festivities.
- Counselling and Individual Support incorporating early intervention and medium term counselling and support services for young people and their families. This area also includes Youth Services intake and referral service.
- Planning and development ensures that services developed are meeting the needs of young people in the local community.
- Partnerships and networking ensures that stakeholders are working in the best interests of young people.

There have been a number of key achievements highlighted in the Action Plan 2006-2007 which have included the following:

- Networking and partnership building
- Counselling and Individual Support for young people and their families
- Early intervention programs
- Support programs both in the community and schools
- National Youth Week, FReeZA and Body Image funding received from the Office for Youth
- Skill development programs available for young people

Appendix two provides further information on the outcomes of the Action Plan 2006-2007.

Review of Council's Youth Policy 2005

Throughout the development of the Youth Strategy 2007-2010, Youth Services revisited Council's Youth Policy with Council's Youth Advisory Group (YAG). Members of the YAG chose to change a number of the statements in the Youth Policy 2005 to develop the proposed Youth Policy 2007.

The Youth Policy 2005 states a number of rights that young people have within the community. The underlying difference between the two policies is that the Youth Policy 2007 is more detailed in how young people will be valued and supported by Council. The key thinking for the Youth Advisory Group behind the development of the new Youth Policy was that they felt strongly that young people in general are stereotyped and judged because they are young. They felt that they could contribute substantially to Bayside and be equal members of the community.

The new Youth Policy 2007 encompasses the thoughts and feelings of 16 members of Council's Youth Advisory Group who represent young people who live, work or study within Bayside. The proposed Youth Policy 2007 is available in Appendix three.

Youth Strategy 2007-2010

The Youth Strategy has highlighted a number of issues facing young people and has resulted in two key strategic directions for Council over the coming three years. The draft strategy and action plan can be found in Appendix four.

Major issues facing young people in Bayside:

Community consultation was undertaken during the development of the Youth Strategy to research the major issues facing young people in Bayside. This was completed using information collected from the following sources:

- Survey undertaken with young people, parents and service providers
- Focus groups undertaken with young people and service providers
- Data from the Department of Human Services relating to mental health issues
- Data collected from the National Coroners Information System
- Data reported on in the Improving the Lives of Young People in Bayside report developed by the Centre for Adolescent Health
- State and Federal key directional areas regarding young people.

After combining the above data, the Youth Strategy 2007-2010 outlines the following as the key issues facing young people in Bayside (listed alphabetically):

- Accessibility and inclusiveness of service provision
- Agencies working in partnership
- Alcohol and other drugs
- Bullying and peer pressure
- Community connectedness
- Family conflict
- Flexibility and diversity in service provision
- Mental health
- Physical health
- Transition

Appendix four provides detailed information regarding the major issues facing young people in Bayside.

Key strategic directions

Based on the major issues facing young people in Bayside and trends identified in research at a State and Federal level, there are two key strategic priority areas regarding young people in Bayside over the coming three years that require Council's action. These are as follows:

1. Improving health and wellbeing.
2. Improving partnership working and access to services.

1. Improving health and wellbeing

Health and wellbeing covers all areas relating to the health and wellbeing of young people. From the research areas, this covers the following:

- improving body image
- promoting good mental health and reducing instances of mental illness

- reducing cigarette smoking
- reducing instances of bullying (including cyber bullying)
- improving family management and reducing family conflict
- improving experiences around key transition stages
- reducing the impact of peer pressure
- improving healthy decision making
- improving young people's connection to their local community
- reducing the impact of binge drinking and drug use
- improving physical activity
- improving healthy eating

2. Improving partnership working and access to services

Partnerships and access covers areas that include agencies working in partnership and young people's access to services. The areas covered in this section include:

- Council's Youth Services remaining flexible and adaptable to be able to meet the needs of young people in Bayside
- development of a joint agency vision and commitment
- partnership working with schools and agencies
- improving access to services for young people with specific needs.

Proposal

There are a variety of actions and strategies outlined in the Youth Strategy Action Plan 2007-2010 that address the concerns outlined previously. See attachment four for details on proposed actions and performance measures.

Communication

It is planned that the Youth Strategy and Action Plan 2007-2010 and Youth Policy 2007 be released for public comment by utilising the following methods, after initial consideration by Council:

Drafts of both documents to be:

1. available on the website.
2. available at the Corporate Centre front counter, Youth Centres and Libraries.
3. sent to key selected service providers working with young people in Bayside.
4. provided when requested.

Public comment will be sought by an advertisement being placed in the Bayside Leader on Tuesday 23 October and a request being sent to local schools for the advertisement to be printed in school newsletters.

Public comment will be open for 30 days; closing on 16 November and will be reported back to Council.

Implications

The delivery of the Youth Strategy and Action Plan 2007-2010 highlights issues currently facing young people in Bayside and has proposed potential actions associated with the issues.

Council Plan

This document is consistent with the Council Plan 2007-2011:

3.1.1: Bayside has healthy, active, connected and involved local communities that are respectful and inclusive of diverse needs and values.

3.2.12: Further strengthen relationships with schools and other agencies to facilitate partnerships and build community capacity.

3.2.15: Develop and implement the Youth Strategy 2007-2010, including consideration of issues such as mental health, drug and alcohol use, involving consultation with young people, agencies, parents, guardians and carers.

3.2.18: Continue the development of the quality audit process for all areas in Family Services.

Policy

All of the documents presented are consistent with the Youth Policy 2005 and 2007.

Social

It is important that the residents of Bayside are aware of the issues currently facing our young people and recognise the importance in responding to these challenges. While some of the challenges are concerning, the Youth Strategy and Action Plan 2007-2010 highlight a range of strategies for moving forward with our community, Youth Services and other departments within Council.

Financial

The actions outlined in the Youth Strategy and Action Plan 2007-2010 will be funded through the existing budget allocation to Youth Services. The actions were developed in line with the resources that were allocated to the Youth Services section in the 2007-2008-budget year.

Recommendation

1. That Council note the review of the Youth Strategy 2005-2007.
2. That Council note the results of the Youth Action Plan 2006-2007.
3. That Council release the draft Youth Policy 2007 and Youth Strategy and Action Plan 2007-2010 for public comment for a period of 30 days.
4. That a further report on the Youth Strategy 2007-2010 is presented to Council following the period of public consultation.

4.3 Tree Removal Application - 1 Amiens Street, HamptonBill Ryley, Manager Local Laws and Investigations
File No: COR1234**Purpose of the Report**

This report is in response to an appeal against a decision by the delegated officer not to allow a Eucalyptus Viminalis (Manna Gum) tree to be removed from the property at 1 Amiens Street, Hampton.

Background

In accordance with the provisions of Local Law No. 2 – Environment, a person aggrieved by, amongst other things, a decision to refuse to permit the removal of a tree may make a written submission for consideration by the Council. The owner of Eucalyptus Viminalis (manna Gum) at 1 Amiens Street, Hampton has done this. Location details and photographs are included in Attachment 1.

On 31 May 2007 the owner of 1 Amiens Street, Hampton applied to remove two trees from the rear of the property. Approval was given for the removal of one tree being a Cypress tree however the application to remove a large Eucalyptus Viminalis (Manna Gum) tree was refused.

The applicant has previously applied, (and was refused) in August 2004 to have this same tree removed and the concerns put forward by the applicant on this occasion are the same grounds put forward with the previous application in 2004. That is, that the tree is dangerous due to:

- the tree being a source of termites, and
- dropping of limbs.

The property at 1 Amiens Street, Hampton has had permission to remove three trees since 2004 being:

- 19/7/04 – Lilly pilly, semi-mature, fair condition, 11-15 metres high, 11-15 metres canopy
- 19/7/04 – Blue gum, semi-mature, fair condition, 11-15 metres high, 5-10 metres canopy
- 29/6/07 – Monterey Cypress, mature, poor condition, 11-15 metres high canopy.

The basis for the current application in relation to the Eucalyptus Viminalis (Manna Gum) tree is that the tree was dropping limbs into a neighbour's children's back yard play area causing a dangerous situation and potential danger to the neighbour's children.

Council's arborist has inspected and assessed the tree and recommended the application be refused on the basis that the tree is healthy and in sound condition. The owner was notified in writing of the decision and advised that the tree should be inspected annually by a competent and qualified arborist and that a pruning program should be undertaken every two years, also by competent and qualified arborists.

On 12 July 2007 the owner made a written request for the refusal to be reviewed. A supporting request was also made by the neighbour over whose property the tree overhangs. The information supplied by the tree owner, the Council arborist's report and the process were reviewed by the Manager Local Laws & Investigations.

The original decision to refuse the application was affirmed and the tree owner was again advised in writing of the decision. The owner was again advised in writing of the need to undergo a proper tree management and maintenance program by competent and qualified arborists. In addition to this the owner was advised if they did not accept the review decision they could lodge an appeal to have the matter decided by Council and they were invited to include any further supporting information with that appeal.

The affected neighbour was also advised in writing of the review decision.

Discussion

The original inspection and assessment was conducted by Council Investigations Arborist. On this occasion, 19 July 2004, the tree was assessed as:

1. Semi mature age
2. Good condition
3. Good structure
4. Nil damage
5. Recommendation: Pruning, arborist should prune.

A second inspection and assessment was carried out 6 July 2007 by a current Council Investigations Arborist. On this occasion the tree was assessed as:

1. Mature age
2. Good health
3. Fair condition
4. Fair structure
5. Recommendation: Pruning only, arborist should prune

The applicant has supplied 17 pages of written supporting information which has been provided to Councillors under separate cover which consisted of:

- Appeal letter
- Pest control report
- Photo to demonstrate the size of the fallen limbs
- Report and Invoice from Absolute Tree Services Pty Ltd
- Report from Flying High Tree Services

Analysis Of Supporting Information

The supporting information supplied by the applicant and neighbour does not provide sufficient evidence to warrant the removal of the tree. Of the four arborists and tree professionals consulted as quoted by the applicant:

- Two did not supply reports
- Absolute Tree Services
 - The report recommends removal of the tree but does not validate reasons for removal.
 - The report contains conclusions which are not based on detailed discussion that is expected in a report of this kind. One can assume that the conclusions are based on the Generic Tree Assessment Form and observations made on the day.
 - The report recommendation is to “remove tree due to heaving of the ground”. There is no indication that the heaving of the ground is in anyway related to the tree other than to indicate the ‘heaving mound’ as on the opposite side of the lean of the tree. A tree on a lean is not in itself hazardous.
 - There is no discussion nor quantification of the risk posed by the tree.
- The report from Flying High Tree Services refers to structural issues in the canopy only and does not state or infer that the tree requires removal.

The Dawson's Pest Report indicates that although treated, the likelihood of reinfestation is high. There is no indication this situation will change following tree removal.

Other Considerations

The tree has streetscape, general amenity and overall tree canopy value. The tree is highly visible from a number of places in the area. Attachment 1 includes photographs.

A Department of Primary Industries guideline lists the *Eucalyptus Viminalis* as a bird attracting tree. It lists pollinators of the tree as follows:

“Birds such as Red Wattlebird, Yellow-tufted Honeyeater and White-plumed Honeyeater take nectar from flowers (Earl et al 2001), Birds, bees, insects (Bonney 2003).

Small mammals (Feathertail glider, Sugar glider & Eastern Pygmy-possum known to pollinate *Eucalyptus* spp. Turner, 1982).”

Comparative Application

In May 2006 an application for removal was made for removal of a large peppercorn tree in New Street, Brighton on the same grounds of it being dangerous due to dropping of limbs. In that case a limb much larger had fallen than the samples provided in the current application. Again in the previous case the owner was advised to maintain an annual tree inspection and maintenance regime.

Proposal

The *Eucalyptus Viminalis* (Manna Gum) tree should be retained. It is healthy and in sound condition. The decision to refuse permission for its removal is consistent with Council's Tree Protection on Private Property Policy 2006.

Consequently, it is considered that Council should reaffirm the decision to refuse permission for the removal of the tree.

Implications

Council Plan

Goal two – Environment – of the Council Plan relates to this issue. This goal is concerned with enhancing Bayside's environmental sustainability and community amenity.

Policy

The recommendation is consistent with Council's Tree Protection on Private Property Policy 2006.

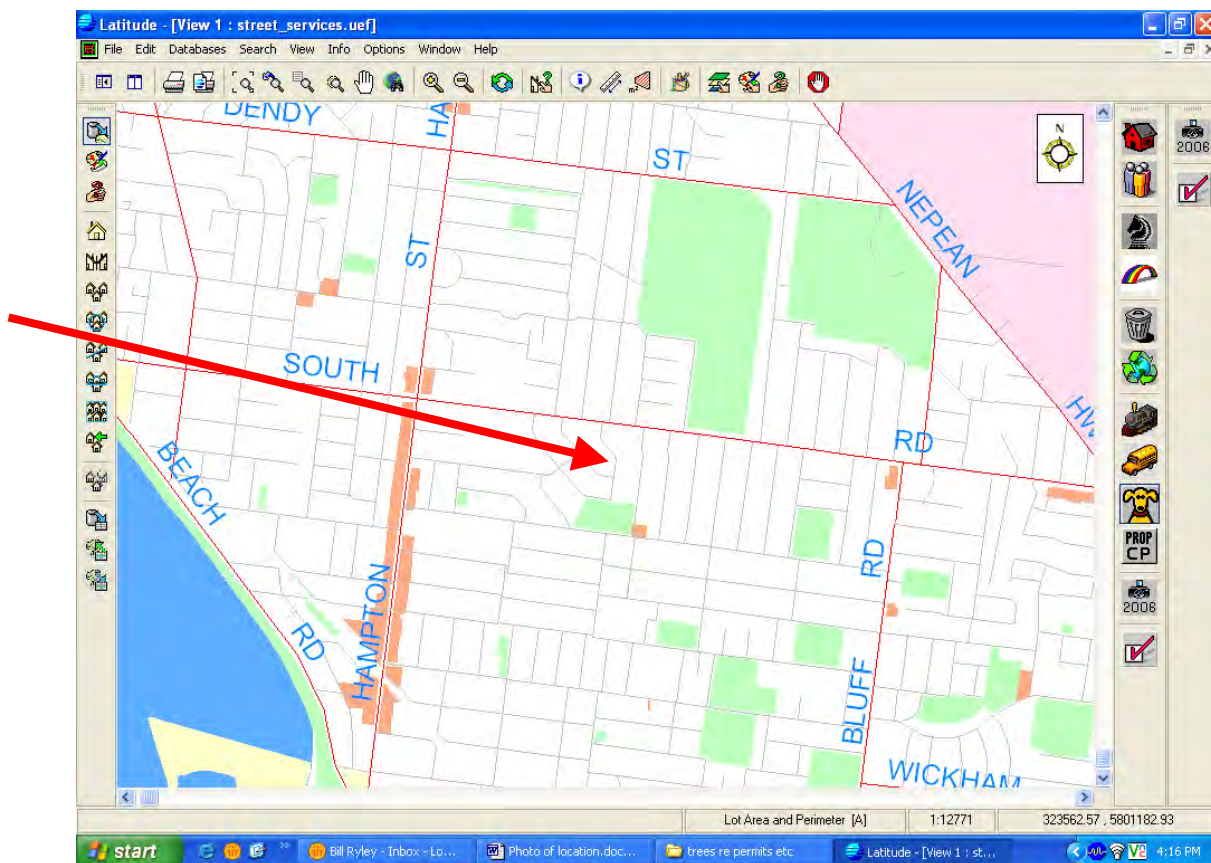
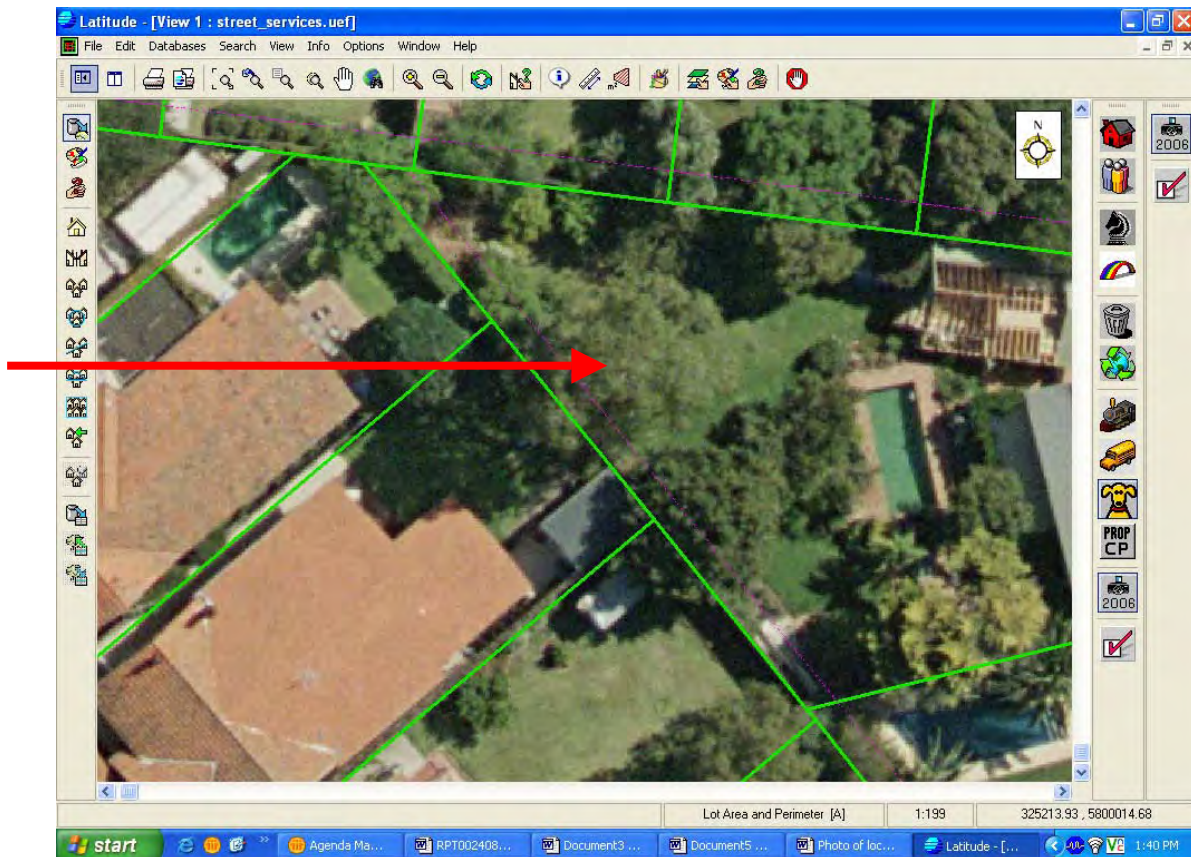
Legal/Legislative Requirements

This matter is being considered in accordance with the provisions of Local Law No.2 – Environment.

Recommendation

1. That the decision by the delegated officer not to allow a Eucalyptus Viminalis (Manna Gum) tree to be removed from the property at 1 Amiens Street, Hampton is affirmed.
2. That the applicant and neighbour be advised in writing that:
 - a) the refusal of permission to remove the Eucalyptus Viminalis tree is affirmed;
 - b) a competent and qualified arborist should inspect the tree annually;
 - c) it is likely that during regular maintenance a competent arborist would identify any hazardous limbs; and
 - d) a weight reduction pruning, crown inspections and maintenance pruning program should be implemented immediately and then carried out every two years thereafter to successfully retain the tree in the landscape and minimise further safety issues. This pruning program should be undertaken by competent and qualified arborists with a minimum qualification of:
 - i. Advanced Certificate of Arboriculture; or
 - ii. Certificate IV in Arboriculture.

Attachment 1





4.4 Demolition Application - 46 Bay Street, BrightonAngela Meinke, Manager Planning
File No: COR/1404

Purpose of the report

For Council to note the action taken by Council Officers regarding 46 Bay Street, Brighton, and to adopt a formal position for future demolition applications.

Background

Council's Building Department was notified on 21 September 2007 of the proposed demolition of the existing dwelling at 46 Bay Street, Brighton.

The property has been identified in the Inter War and Post War Heritage Study as being of heritage significance, and recommended for inclusion in a heritage overlay.

This study is currently being finalised and it is anticipated will be reported for formal consideration by Council in November 2007.

Discussion

There are currently no controls in the planning scheme to prevent the demolition of the dwelling at 46 Bay Street, Brighton.

Council's Building Department was notified on 21 September 2007 of the proposed demolition, and has fifteen (15) days to respond, failing which there is a deemed consent. The fifteen days expire 15 October 2007, ie. prior to General Committee.

The options available under the Building Act are:

- (a) Consent to demolition noting that no planning permit is required, or planning permit required and obtained.
- (b) Consent to proposed demolition refused as planning permit required and not obtained.
- (c) Suspension of application for building permit for demolition advising that application has been made to the Minister for Planning for an amendment to the Planning Scheme and that application for building permit for proposed demolition is suspended pending further notification.

In relation to previous heritage studies, Council had an adopted position, having considered the study, of seeking Ministerial Amendment for identified properties where demolition notifications were received prior to interim controls being introduced.

Council direction is now sought in this instance, as there is no formal policy to instruct staff in the case of the Inter and Post War Heritage Study recommendations.

In the matter of 46 Bay Street, Brighton, and having regard to the time constraints, Council Officers, after informing Councillors, have suspended the demolition application, written a covering letter to the applicant outlining the above circumstances, and have applied to the Minister of Planning for interim control.

Proposal

It is proposed that where demolition applications are received for properties identified for heritage inclusion through the Inter and Post War Heritage Study, that option (c) – suspension of application be adopted and the Minister for Planning requested to introduce interim control to protect such property pending formal consideration by Council of the study report.

Implications

Council Plan

The policy will assist in achieving Goal 2 of the Council Plan, in ensuring the quality and excellence in the delivery of land-use planning and development control.

Recommendation

1. That this report on Demolition Applications be received.
2. That Council note the action taken by Council Officers regarding 46 Bay Street, Brighton.
3. That where demolition applications are received for properties identified for heritage inclusion through the Inter and Post War Heritage Study, that option (c) – suspension of application be adopted and the Minister for Planning requested to introduce interim control to protect such property pending formal consideration by Council of the study report.

4.5 Shared Path South - Completion of the Bay Trail in Bayside

Amy Weir, Environment Research Officer
File No: COR1500

Purpose of the Report

This report proposes a preliminary alignment for initial discussion and consultation with key stakeholders for the Shared Path South (SPS). It also proposes the establishment of a SPS Steering Committee and SPS Advisory Committee to guide this project.

Background

Approximately 850 metres of Bay Trail remains to be completed in Bayside. This final section is located between Cromer Road and Charman Road in Beaumaris and terminates at the Bayside/Kingston City Council border.

The project aim is to install a 2.5 metre shared path with minimal environmental impacts. Over the past 18 months, research has been undertaken to inform a proposed conceptual alignment. This research includes an indigenous archaeological survey, several vegetation surveys, on-site tree plotting and preliminary path option mapping with GPS equipment, and extensive consultation with VicRoads to confirm their requirements for lane widths and potential future preliminary road design options for Beach Road.

Completion of the shared path will provide safe and continuous off-road access for the entire length of the Bayside municipality for recreational cyclists, roller-bladers, wheelchairs, prams and pedestrians.

It is also consistent with the Parks Victoria 'Linking People and Spaces Strategy' (2002).

VicRoads recognises that Beach Road is a popular route for commuter and on-road cyclists. VicRoads considers it preferable to provide for wider kerbside lanes to allow vehicles and cyclists to share the road safely. As such VicRoads considers it is inappropriate to reduce the current existing pavement width of Beach Road, and that it would be desirable for Beach Road to comprise of four lanes (two lanes each way) in the future.

An approximate building envelope of four metres is required to construct the shared path. This allows for a 2.5 metre wide path with buffer zones on each side. The 2.5 metre width is considered the minimum width for this type of path by both Bicycle Victoria and the Ausroads Guide to Traffic Engineering Practice (Part 14 Bicycles). It is also consistent with the remainder of the shared path in Bayside.

A preliminary alignment has been proposed for further discussion with key stakeholders. This alignment proposes that the shared path remain as close to the line of the back of kerb ("back of kerb") as possible while meandering through some of the coastal vegetation, creating a similar environment to the section of the shared path in front of Trevor Barker Beach Oval.

This preliminary alignment has been determined from extensive on-ground field surveys and selected to avoid significant species of indigenous trees growing immediately back of kerb.

Consultation

It is considered that an internal SPS Steering Committee should be established to oversee the project and that a SPS Advisory Committee also be established to provide advice and guidance to the SPS Steering Committee.

It is proposed that the SPS Steering Committee consist of the Ward Councillor (Moysey Ward) – Cr John Knight, other available Councillors and relevant Council staff.

It is proposed that the SPS Advisory Committee consist of representatives from key stakeholder groups who have a particular interest in the SPS project. To date, the following have been identified for inclusion in the SPS Advisory Committee:

- Bayside Bicycle Reference Group (BBRG)
- Beaumaris Conservation Society (BCS)
- Bicycle Victoria (BV)
- Department of Sustainability and Environment (DSE)
- Parks Victoria (PV)
- VicRoads

It is recognised that other stakeholders or interest groups may become known during these initial discussions and that there will be an opportunity for them to be involved at the appropriate time.

It is considered that the project is now at a point where on-site discussions are required with these key stakeholders and other relevant agencies.

In order to facilitate this, it is proposed that a preliminary alignment ought to be marked out on-site to initiate discussions with the SPS Advisory Committee. The outcomes of these discussions would then inform the preparation and development of concept plans for broader public community consultation.

Various consents will be required with the relevant authorities. Further consultation with indigenous representatives and/or the relevant Registered Aboriginal Party (RAP) will also be required under the *Aboriginal Heritage Protection Act 2006*. These have not yet been sought.

Discussion

Although the proposed preliminary alignment is consistent with the original recommendation of the Black Rock/Beaumaris Foreshore Masterplan (2000), there may be an expectation from some sections of the community that there is still an opportunity for Beach Road to be narrowed and for the shared path to be constructed wholly on the road reserve immediately back of kerb.

Discussions held with VicRoads suggest that narrowing Beach Road in the future is unlikely. Without the narrowing of Beach Road, the shared path will need to be constructed back of kerb with some encroachment into the foreshore reserve to accommodate the four-metre construction envelope as per the initial recommendation of the Black Rock/Beaumaris Foreshore Masterplan (2000)

Further surveys of the vegetation located immediately back of kerb along this section of Beach Road have been undertaken to determine the species and number of trees that would need to be removed should the shared path be constructed immediately back of kerb. This included all tree species growing within the four-metre construction envelope from back of kerb. A summary table of this survey is at [Attachment 1](#). Where individual species could not be determined due to the large number (five or more individuals) and impenetrable nature of the vegetation, the type was determined as a 'stand' of vegetation.

These surveys indicate that a large number of significant trees will be removed should the shared path be constructed immediately back of kerb. As such, it is considered that an initial conceptual alignment that meanders through the coastal vegetation to avoid these significant trees is preferable.

It is proposed that prior to developing any detailed concept plans for broader public consultation, that the proposed preliminary alignment for the shared path from Cromer Road to Charman Road be marked out on-site for consultation with SPS Advisory Committee.

Marking out and walking the proposed alignment in conjunction with these key stakeholders will assist the SPS Steering Committee to develop a draft plan for broader public consultation that has the ownership of these key stakeholders.

As part of this project, the existing coastal cliff-top pedestrian path will also be considered as part of an overall precinct plan for the site. This will include linkages with the new shared path. It is proposed that the coastal path will remain as a pedestrian path with a review of the path alignment in some sections, and some potential rationalisation of lookout points, to address erosion, safety and indigenous archaeological issues.

Proposal

It is considered appropriate that Council note this report, including the proposed preliminary alignment for the Shared Path South (SPS) for initial discussion with the SPS Advisory Committee and other key stakeholders, and that Council approve the marking out on-site of the proposed preliminary alignment for the shared path from Cromer Road to Charman Road for consultation purposes.

Communication

Discussed under 'Consultation'.

Implications

Council Plan

Completion of the shared path is listed as a short-term commitment under Goal Four: Safety and Physical Infrastructure:

4.2.9. *'Complete planning, consultation and design of the southern section of the Bay Trail Shared Path.'*

Policy

Completion of the shared path in Bayside is consistent with the Parks Victoria 'Linking People and Spaces Strategy' (2002):

'Close the gaps in the Bay Trail at Middle Brighton Baths, Beaumaris and McCrae'.

It is also consistent with the recommendations of the Bayside Bicycle Strategy and the Black Rock/Beaumaris Foreshore Management Plan (2000):

'Install the missing link to the bike path, by narrowing Beach Road as a first preference, between Cromer and Charman Roads to allow for the continuation of the bike path to run parallel with the foreshore reserve. If this narrowing is not permissible at all locations, then the bike path should straddle the edge of the road and part of the foreshore reserve as necessary'.

Social

The shared path is heavily used in Bayside by both pedestrians and cyclists as well as people with prams and rollerbladers. The shared path also makes many areas of the Bayside foreshore accessible to those who may have a physical disability as the shared path surface allows for ease of access for wheelchairs and other walking aids as compared to the unmade surfaces of the coastal pedestrian pathways.

The completion of the shared path in this location provides the last remaining 'missing link' of the Bay Trail in Bayside, enabling safe off-road access from Brighton to Beaumaris. It also adds a significant link to the Bayside coastal trail network, which promotes recreational and tourism opportunities for visitors and residents alike.

Environmental

The foreshore reserve from Cromer Road to Charman Road is heavily vegetated in sections with vegetation of varying significance and quality. There are a number of species of indigenous trees on-site – coast banksia (*Banksia integrifolia*), she-oak (*Allocasuarina verticillata*) and black wattle (*Acacia mearnsii*), as well as large stands of coast tea tree (*Leptospermum laevigatum*) and boobialla (*Myoporum insulare*). The vegetation survey conducted by Ecology Australia in November 2006 identified specific trees as significant and recommended that the shared path construction avoids these species.

Construction of the shared path will require the removal of some vegetation, regardless of whether the alignment is meandering through the coastal vegetation or immediately back of kerb.

The preliminary conceptual alignment has been suggested to avoid significant trees on the kerb edge that would be lost if the path was to be located immediately back of kerb. This proposed alignment 'meanders' through the vegetation creating a similar environment to the section of the shared path in front of Trevor Barker Beach Oval in Sandringham. The conceptual 'meandering' alignment proposed to date will retain a much greater number of tree species than an immediate back of kerb alignment.

There is also an opportunity to provide for 'net gain' vegetation improvements as part of this project with considerable revegetation prospects for a section of foreshore that is currently a low priority for vegetation maintenance.

It is anticipated that this section of shared path will also involve a considerable amount of boardwalk or other similar treatment to protect and retain sensitive vegetation, to safeguard archaeological sites and to address erosion concerns.

Financial

The proposed works for the entire precinct are significant and it is anticipated that the total project cost will be in the order of \$2,000,000. For funding purposes, the project has been separated into two components:

- Shared path and associated works (approximately 55% or \$1.09M).
- Coastal cliff-top pedestrian path and associated works (approximately 45% or \$0.91M).

It should be noted that the recommendations in this report pertain only to the shared path and associated works component.

Parks Victoria has been canvassed in terms of the project meeting funding requirements for future submissions under the Metropolitan Trails Network Grant Program. While recognising that this project is still in initial stages of development, Parks Victoria have indicated that this project would be eligible for future funding (based on 1:1 contributions), particularly once Kingston City Council have completed sections of their Bay Trail. Any future grant application would require demonstrated community consultation and detailed designs.

Recommendation

1. That Council note this report, including the 'meandering' preliminary alignment for the Shared Path South for initial discussion and introductory consultation with key stakeholders.
2. That Council approve the marking out on-site of the proposed preliminary alignment for the shared path from Cromer Road to Charman Road for consultation with key stakeholders, based on a 'meandering' alignment to protect significant trees.
3. That a Shared Path South Steering Committee consisting of Moysey Ward Councillor John Knight and other interested Councillor/s being Cr... be established.
4. That a Shared Path South Advisory Committee that includes representatives from the Bayside Bicycle Reference Group, Beaumaris Conservation Society, Bicycle Victoria, the Department of Sustainability and Environment, Parks Victoria, and VicRoads, be established.

Attachment 1

Tree species and numbers proposed for removal for back of kerb option:

Species	Number of individual trees (approximately)	Number of stands [five trees or more] (approximately)	Trees requiring significant pruning/uplifting
Boobiolla (<i>Myoporum insulare</i>)	20	5	
Coast tea tree (<i>Leptospermum laevigatum</i>)	26	5	2
Coast banksia (<i>Banksia integrifolia</i>)	6		1
She-oak (<i>Allocasuarina verticillata</i>)	14		
(<i>Eucalyptus botryooides</i>)	1		
(<i>Eucalyptus pryoriana</i>)			1
<i>Eucalyptus</i> sp.	1		
Black wattle (<i>Acacia mearnsii</i>)	8		1
Coast wattle (<i>Acacia sophorae</i>)	4		
Prickly wattle (<i>Acacia paradoxa</i>)	1		
Cherry ballart (<i>Exocarpos cupressiforma</i>)	1		
Bursaria (<i>Bursaria spinosa</i>)	3		
Kangaroo apple (<i>Solanum lacinatedum</i>)	1		
Hakea sp (exotic native).	7		
Boxthorn (weed)	1		
Total tree species removed	Total number of trees removed	Total number of stands removed (five trees or more)	Total of trees requiring significant pruning/uplifting
15	103	10 (> 50 individuals)	5

4.6 SPORTSGROUND USAGE STRATEGY: KEY ISSUES PAPERNaomi Paton, Leisure Planning & Policy Co-Ordinator
File No: COR2533

Purpose of the Report

Council is planning for a sustainable sporting future for Bayside. This is being assisted by the development of the Sportsground Usage Strategy.

This report presents the Key Issues paper (attached) describing key issues, challenges and opportunities as a basis to undertake community consultation.

Background

Council commenced development of the Sportsground Usage Strategy in early 2007. This Strategy has been feeding into the Space Strategy (OSS) (draft 2007) currently being prepared. The OSS aims to provide a well-connected open space system that is flexible to meet the changing needs of our community.

The Sportsground Usage Strategy will guide Council's decisions in order to optimise use of open space for sport and provide sporting facilities that meet community needs and expectations, encourage equitable access, address risk management obligations and service delivery responsibilities. The Strategy will include a prioritised action plan guiding Council's support for and investment in sportsground and ancillary facility provision and service requirements.

The Strategy covers the field-based sports of athletics, Australian football (AFL), baseball, cricket, football (soccer) and rugby, and considers land owned and/or managed by Council, Department of Education, and private education providers within the Bayside municipality.

The Strategy is being developed in partnership with clubs, schools (government and private), local and regional sporting leagues and State Sporting Associations (SSAs).

Following the adoption of the Tennis, Lawn Bowls and Croquet Strategy, the Sportsground Usage Strategy will significantly contribute to Council's integrated asset management planning to support a viable sporting community.

This Strategy has links to the implementation of options presented in the Review of Council Golf Facility report and the development of the Sub-Regional Soccer Strategy in partnership with the City of Kingston, Football Federation Victoria and Sport and Recreation Victoria.

The Key Issues paper will form the basis for community consultation and sport-specific planning workshops in partnership with clubs and peak sporting bodies later in 2007, to inform the draft Strategy's recommendations.

Consultation

The development of the Key Issues paper involved detailed assessment of Bayside's sportsground and ancillary infrastructure and usage levels.

The 2006 Sporting Grounds and Facilities Annual Users Survey clarified club expectations of Council in the management, maintenance and administration of sportsgrounds and facilities.

Sport specific focus groups involving clubs and peak sporting bodies will be delivered to collaboratively identify the current and future challenges and opportunities facing each sport in Bayside.

Discussion

Planning for sustainable sporting facilities is driven by current and future community demands and expectations.

Council cannot alone address these issues and is dependent on partnerships with clubs, peak sporting bodies and schools to address increased user expectations generally and identify how sport can be delivered sustainably in the future.

Analysis of participation trends, facility provision and usage data has identified a range of issues for Bayside and consideration by Council, clubs and peak sporting bodies in managing current and future needs.

The issues and challenges facing sport and active recreation fall under the two primary themes of demand and supply.

Demand

Participation in leisure and active recreation

- Sport is undergoing significant change. Changing leisure participation patterns have resulted in more adults choosing other forms of less structured user-pays physical and well-being participation options resulting in a decline in senior participation in some sporting codes.
- Government and peak sporting bodies are responding to the growing obesity epidemic by directing funds towards junior participation programs.
- Peak sporting associations are promoting the role of sports clubs in contributing to community health and well-being outcomes, promoting social connectedness, strengthening the role of the local club in building social capital and encouraging connected communities. Considerable attention is being paid to developing culturally inclusive clubs through programs such as Good Sports (responsible alcohol management) and Access for All Abilities (integrating people with disabilities).
- State sporting associations (SSAs) are addressing the growing cost of participation to ensure sport remains accessible in the competitive and diverse leisure market.
- More children and young people are playing organised sport in junior age levels with a noticeable increase in participation trends for football (soccer) and cricket. Bayside has some of the largest junior clubs in Victoria. Brighton, Hampton, Sandringham and Beaumaris football (soccer) clubs have reported to Council that they are turning players away because they cannot cope with demand.
- However, there is evidence at the national level that young people are not being retained in organised sport through their teenage years for a range of reasons. These include undertaking more passive or informal leisure options, study pressures and part-time / casual work.
- Sports participation has changed significantly since most of Bayside's facilities were established. Junior participation is increasing across most sporting codes. The growth in popularity of football (soccer) has resulted in significant participation increases especially by juniors and women and a growing demand for year round access to facilities.

Changes in the delivery of sport

- New governance models are in place or are being developed at the national and state level for AFL, football (soccer) and cricket. To meet changing or increasing demands, new competition structures such as summer social competition, mid-week competition, masters events (generally aged over 35), modified sport, reduced seasons or length of games, or smaller playing fields with fewer players are being introduced or considered.

- AFL has acknowledged football (soccer) is the world-wide term and so is marketing AFL as Australia's heritage game with indigenous roots. Football Victoria has changed its name to AFL Victoria while the former Victorian Soccer Federation is now known as Football Federation Victoria (FFV) reflecting agreed changes at the national level.
- The national peak sporting bodies have developed modified sports to encourage skill acquisition and junior participation with pathways into competition in both schools and the community.
- Cricket has seen a growing interest in limited overs 'twenty20' competition. Developed in England in 2003, the shorter more marketable version of the game will strengthen the game's appeal.
- Following the success of football's (soccer) A-League, baseball is planning to establish a new national competition backed by the United States Major League. Baseball expects this to generate increased interest in the sport at all levels of participation.

Usage levels of Council's seasonal sports facilities

- Booked usage data has been collected based on Council's sportsground allocation. With the information available, it has not been possible to assess usage by juniors separately from seniors.
- Booked data needs to be validated against actual use to more clearly understand the pressures on Bayside sportsgrounds and where there are gaps in service provision.
- There are instances of inadequate sportsground management practices with clubs over-utilising grounds or areas of the playing surface causing unnecessary wear and tear. There is also anecdotal evidence of some clubs blanket booking grounds to prevent other clubs or user-groups' access.
- Usage levels are influenced by factors including historical allocation, lease agreements where use of Trevor Barker Oval, Sandringham Athletics Track and Elsternwick Park ground one is managed by the lessee, school bookings, seasonal creep and competition fixtures to meet growing demand, commercial bookings and dog off-leash areas.
- There is significant usage levels by schools outside times typically allocated to clubs. Private school sport competitions are heavily dependent on accessing Council managed sportsgrounds. Some private schools have approached clubs proposing to invest in sportsgrounds and pavilions in exchange for greater access. The development of this Strategy will consider use of and access to sportsgrounds on private school land.
- There is growing demand by commercial operators such as coaching clinics, health and fitness groups and professional dog walkers placing increased expectations on the provision of sustainable and responsive sporting infrastructure by Council.
- Dog-off leash areas are permitted at 12 sports reserves. This causes increased wear and tear, which is very problematic at fenced sites such as William Street Reserve, Brighton and Donald MacDonald Reserve in Beaumaris. Maintenance regimes must reflect the impact this use has on the quality of the playing surface. The drought conditions have increased these problems.

Supply

Viable sports clubs

- Viable sporting clubs or organisations are reliant upon having access to facilities that meet the diverse and growing needs of their members, the community they serve, and the SSA they are affiliated to.
- Viable clubs are dependent on access to sustainable facilities. VicSport, the peak body for sport and active recreation in Victoria, made a submission to the Victorian Government

Stronger Community Organisations Project (SCOR) in July 2007. SCOP aims to develop a strategic approach to improving the capacity of the community sector over the next 10 years. In its submission, VicSport acknowledges that much more can be done at all levels of government to better support the sport and recreation sector, and that fundamental changes in the way services are delivered to the community are required if they are to remain relevant and ensure the best outcomes possible.

- A viable sports club consists of multiple teams with clear pathways from junior to senior competition. Of the 43 clubs issued seasonal licences with Council over the past 12 months, nine consisted of senior men's teams only. Eleven clubs cater for females of which five cater for senior women's teams. Clubs are limited in their capacity to develop female participation programs when elements such as change areas are restricted. Eight clubs have 60 or fewer registered players.
- The expectations by peak associations, statutory bodies and users generally placed on club administrators continue to grow with club volunteers increasingly operating in a semi-professional environment.

Climate change and environmental sustainability

- The current drought and water restrictions have created unprecedented operational facility management conditions. Restricted access to grounds for clubs during the 2007 winter pre-season training and current capped school / casual use, has demonstrated the need to plan for responsible use of water resources, sustainable facilities and optimisation of the use of open space.
- Current water restrictions and the long-term impact of the drought is informing changing attitudes and practices including a greater consideration of synthetic surfaces.
- The majority of Bayside's sportsgrounds have a blend of warm and cool seasons grasses. Council's Sustainable Water Management Plan identifies 30% savings in water consumption for sportsground irrigation with the introduction of drought tolerant warm-season grasses. Improving the mix of the drought-tolerant warm season grasses will achieve a 10% saving towards Council's overall aim to reduce consumption by 35%.
- The introduction of synthetic surfaces can possibly reduce the area of open space allocated for active recreation and provision of ancillary infrastructure. There is an overall increased financial outlay for construction, maintenance and renewal of synthetic surfaces, however there are significant water savings. Synthetic surfaces can accommodate greater and higher quality use typically exceeding 50 hours per week above the average 10-15 hours for a natural grass surface.

Sportsgrounds on Council owned or controlled land

- Ground assessments have considered type of grass, irrigation, drainage, standard of surface, floodlighting including the percentage of area lit and size of the playing surface. Ground proximity, perimeter and safety fencing and potential risks have been identified. Cricket wickets, cricket practice nets and goal post assessments have also been conducted. Ground condition is affected by a combination of those factors as well as club use management practices, off-leash dog use particularly fenced areas, shading and location of practice cricket wicket run-ups.
- Specialised playing surfaces required for cricket and baseball impact on other sports being played on that reserve. Council has 14 turf wicket tables which results in under-utilisation during the summer season. This will be reviewed.
- The assessment of sportsground dimensions have identified site-specific risk management issues. This includes:
 - Some sportsgrounds need to be increased in size to meet current recommended sportsground specifications;

- The location of safety fencing to protect adjacent property and reduce potential hazards; and
- Relocating cricket practice net run-ups off the field of play will reduce areas of high wear and tear resulting in a more even playing surface.

Pavilion and ancillary infrastructure

- Pavilion assessments have considered the elements and condition of player and umpire change areas and facilities including showers, medical room and gymnasium, social rooms, bars, kitchen, servery, toilets including public access, temperature control, storage, offices / meeting spaces, spectator areas and car parking.
- The provision of elements which are additional to supporting the core activity such as bar, function / social rooms, meeting rooms, and gymnasium are the responsibility of the club.
- Clubs are restricted in their capacity to develop female participation programs when elements such as change areas are limited. Only four pavilions located at Beaumaris, R.G. Chisholm, R.J. Sillitoe and Elsternwick Park (ground one) reserves provide multiple change facilities.

Asset management planning

- Council's Asset Management Policy 2003 guides Council's management of assets on a sustainable basis to meet the needs of the community now and into the future.
- It is recognised that the asset renewal gap is a national issue and should be addressed across all levels of government.
- A sporting alliance involving councils, the Municipal Association of Victoria, state and national sporting associations, state government, VicSport and Parks & Leisure Australia is guiding the development of long-term sportsground asset and environmental sustainability, particularly the availability of water, and the renewal gap in sport and recreation facilities.
- Council has begun to develop sporting infrastructure asset management plans to systematically guide the planning, acquisition, operations and maintenance, renewal and reuse of all assets e.g Tennis, Lawn Bowls and Croquet Strategy (2007). The Sportsground Usage Strategy will further guide the planning of flexible and responsive sporting facilities and services that change with community demand, prioritise capital improvement priorities and guide external funding and club contributions.
- The development of this Strategy will review open space allocated for sport as a primary purpose, including the number of unsustainable sites and identify other potential sites.

Future provision of sportsgrounds and ancillary facilities

- Developing the Sportsground Usage Strategy will assist Council identify the prioritised provision of sportsgrounds and pavilions to meet community demands. Examples of issues relating to the type, number and configuration of specific elements include:
 - Number of sportsgrounds which do not meet minimum specified dimensions;
 - Inability to meet current sportsground needs for football (soccer);
 - Limited number of sportsgrounds with sufficient levels of drought-tolerant grasses;
 - Consideration of synthetic surfaces to optimise use of open space and reduce water consumption;
 - Few facilities meet AFL Victoria and FFV preferred facility guidelines. Cricket and baseball are considering introducing similar guidelines;
 - Few facilities provide disability access;
 - Limited provision of female and umpires change areas and medical rooms; and

- Role of schools (government and private) in facility provision
- The infrastructure and usage assessment will form the basis for developing a revised hierarchy of sportsgrounds guiding service standards and capital renewal works based on community need.

These issues are discussed in greater detail in the Key Issues paper.

The Strategy will consider facility provision in a regional context, provide guidelines and recommendations for prioritised future capital renewal works and external investment in facilities that can be adapted for changing community needs and expectations. The Strategy's key principles have been feeding into the development of the Open Space Strategy (draft 2007).

Proposal

Council needs to receive feedback from sporting clubs, peak sporting bodies and the wider community on the demand and supply issues facing the provision of sportsgrounds and ancillary facilities.

As the basis for community consultation, it is proposed the Key Issues Paper be distributed for comment.

Communication

Consultation will involve Bayside's seasonal sports clubs, local sports leagues and associations, state sports associations and the wider community.

A Communications Plan has been developed for this phase of community consultation.

Implications

Council Plan

The development of this Strategy is consistent with the Council Plan 2007-2011, which focuses on supporting connected, healthy communities and providing quality infrastructure. Specifically this Strategy will lead to achieving the following short-term commitment:

- 3.2.44 Implement recommendations in the Sportsground Usage Strategy to optimise the sports resources available to the community.

Policy

The changed approach to sport facility planning and provision supports the Asset Management Policy (2003) which aims to effectively manage Council-controlled facilities on a sustainable basis to meet the needs of the community now and into the future.

Recommendations from the Strategy will inform the review of Council's Sport Facility Policy (2006) and the Space Strategy (draft 2007) currently being prepared, and guide the development of a sports facility community contributions policy.

Social

Viable clubs and the capacity of the sport and active recreation sector is dependent on sustainable facilities which are responsive to community demands and expectations.

Excluding tenants occupying Council's sportsgrounds and other facilities under lease arrangements, more than 7500 players registered with Bayside based sports clubs over the past 12 months. This figure does not include club volunteers, supporters or spectators. In addition schools are dependent on accessing sportsgrounds for physical education lessons and school

sport competition. The social imprint of the provision of open space for active recreation is far reaching when considering the wider social and economic benefits of a healthy and engaged community.

Environmental

The development of this Strategy supports the optimal use of open space and supporting infrastructure for wider community benefit.

The long term impact of climate change is informing changing practices in the sustainable provision of sports facilities.

Financial

There are significant long-term financial implications for Council in developing a framework that guides the future provision of sustainable sports facilities.

Developing a prioritised action plan in preparing this Strategy will identify external funding sources and opportunities for club contributions.

Council currently manages sports facilities on Council owned and controlled land valued at over \$25million. This does not include the value of open space, or ancillary infrastructure such as sportsground lighting, perimeter fencing, irrigation, carparking etc.

Recommendation

1. That Council releases the draft Sportsground Usage Strategy Key Issues Paper for community consultation with the intention of reporting back to Council in early 2008;
2. That a report summarising feedback from the community consultation be presented back to Council.

4.7 COMMUNITY FACILITY FUNDING PROGRAM 2008/09- MINOR FACILITY GRANTSNaomi Paton, Leisure Planning & Policy Co-Ordinator
File No: COR2749

Purpose of the Report

To report to Council on the assessment of Bayside community submissions to the Sport and Recreation Victoria Community Facility Funding Program (CFFP) 2008/09 'Minor Facilities' sub-category.

Background

The CFFP is an annual state government grant program administered by Sport and Recreation Victoria (SRV), which is part of the Department of Planning and Community Development.

The CFFP provides funding to boost participation in sport and active recreation via the development of high-quality, sustainable and accessible community sport and recreation facilities across Victoria.

There are two categories of funding available in this program, Planning and Building Community Infrastructure (BCI).

Under the 2008/09 Minor Facilities sub-category, councils can submit up to three applications - two that seek up to \$60,000 each towards a total project cost of \$200,000 or less (GST exclusive) and one towards a total project cost of \$60,000 or less (GST exclusive).

Grant funding is based on a funding ratio of \$1 SRV grant to \$1 of local contribution up to \$60,000 and \$30,000 respectively.

All applications from community organisations must be forwarded to councils, which evaluate applications for councils' submissions to SRV.

Applications for the Minor Facilities grants opened on 28 August 2007. Under SRV guidelines, all applications had to be forwarded to councils by 2 October 2007 for evaluation before Council's submission to SRV. Council submissions to SRV are due 9 November 2007.

Assessment of applications received from community organisations requires a transparent, fair and equitable process.

Consultation

Community organisations were encouraged to discuss their project proposals with Leisure and Recreation staff before submitting an application.

Discussion

Under the 2008/09 guidelines, the program again focuses on community access and participation. Projects in areas experiencing high demand for sport and recreation facilities, areas of rapid growth or decline and disadvantaged communities such as designated Neighbourhood Renewal or Community Renewal locations will be considered a higher priority.

Successful projects are likely to include at least one of the following characteristics:

- Improved energy efficiency and environmental design, and / or reduced water consumption
- Developments encouraging multi-use of facilities
- Collaboration between councils and schools that will result in greater use of school sport and recreation facilities by community groups

Councils are encouraged to explore funding mixes that builds on SRV's contribution and the project management framework to ensure delivery according to funding requirements.

SRV's funding guidelines for 2008/09 have changed, placing a greater emphasis on projects which enhance facility sustainability than in past funding rounds.

To select the projects with the highest community benefit and the best opportunity for funding success, each application submitted to Council is assessed by staff. The assessment criteria including consistency with Council's strategic direction, demonstrated need, community benefit, participation, accessibility, sustainability, safety and risk, facility provision, multi-use, the degree to which the project improves access to those groups that are traditionally disadvantaged and financial considerations.

Five submissions were received from sporting clubs by the due date. Four submissions were for projects up to \$200,000 and one submission was for a project up to \$60,000. Under the program, Councils can also submit applications for broader community sport and recreation benefit. Officers recommended a sixth project which was unsuccessful in the 2007/08 CFFP funding round for consideration which is the Cluden Cricket Club cricket practice net renovation.

A summary of the six projects is provided below:

Project	Description	Total project cost (estimated)	Location	Applicant
Synthetic bowling green resurface	To upgrade and replace grass bowling green surface with synthetic	\$150,000	Elsternwick Park Glen Huntly Road, BRIGHTON	Elsternwick Park Sports Club
Tennis court upgrade	To replace six red porous courts with hard courts	\$200,000	Hurlingham Park Francis Street, BRIGHTON EAST	Hurlingham Park Tennis Club
Disability access lift	To provide disability access to the clubrooms	\$131,000	Half Moon Bay Beach Road, BLACK ROCK	Black Rock Yacht Club
Pavilion extension	To extend existing social rooms and develop additional storage areas, new medical room and home change rooms	\$189,433	Banksia Reserve Oak Street, BEAUMARIS	Beaumaris Sporting Club Co-operative
Cricket nets renovation	To relocate and upgrade the existing practice cricket wickets	\$60,000	William Street Reserve Halifax Street, BRIGHTON	Officer recommended project.
Croquet court surface improvements	To upgrade, level and extend existing croquet courts to meet competition dimensions and sow drought-tolerant grasses	\$36,150	Beach Road opposite Mildura Avenue, SANDIRNGHAM	Sandringham Croquet Club

Each application was assessed against the funding criteria presented in attachment one. A summary of the projects along with the strengths and weaknesses appears below.

Elsternwick Park Sports Club synthetic bowling green

The Club are intending to replace an existing natural grass bowling green with a synthetic surface. This will result in significant savings in water consumption estimated at 1,027 kilolitres annually, provide access to the green 12 months of the year, increase use by casual bowlers and school groups and provide disability access.

This proposal is consistent with Council's recently adopted Tennis, Lawn Bowls and Croquet Strategy which identifies a sustainable bowls facility to consist of two greens one with a synthetic surface and one floodlit. Both greens at Elsternwick Park are floodlit. The Strategy lists the venue as a level one Planning and Development precinct facility serving a wider catchment. Members are attracted from the cities of Bayside, Port Philip and Glen Eira.

The project meets the actions identified in Council's Sustainable Water Management Plan (2005) to reduce water use in Council's open spaces.

The Club have requested a \$50,000 grant from SRV and do not require Council contribution. The Club submitted an application to the commonwealth government for a \$50,000 Community Water Grant. Announcements are expected in October/ November 2007. Should this application be unsuccessful Council could allocate funds in the 2008/09 draft capital budget or the Club would seek to secure a loan in addition to their existing \$50,000 contribution.

It is recommended Council apply to SRV for \$60,000 towards a \$160,000 project accounting for escalation in construction costs.

Hurlingham Park Tennis Club court resurfacing

The Club are proposing to replace all six en-tout-cas courts with a hard court plexi-cushion surface. This surface requires no watering, saving on average 1,314-1,968 kilolitres of water per year for six courts. This surface is consistent with Tennis Australia's recommended surfaces, and assists Council in achieving a reduction in potable water consumption in accordance with Council's Sustainable Water Management Plan (2005).

The Tennis, Lawn Bowls and Croquet Strategy identifies this facility to be a level two planning and development precinct facility serving a local /neighbourhood catchment providing for local competition generally not developing beyond their existing levels of provision. In preparing the Strategy, a preliminary condition audit identified the court surfaces to be poor standard requiring significant upgrade.

Resurfacing the courts to a hard court surface will increase disability access providing opportunities for wheelchair tennis.

The project will maximise court usage, currently limited under stage 3a water restrictions where one in two courts only can be watered. Depending on rainfall, some courts may be temporarily closed under these restrictions in place until at least June 2008.

The Club have requested \$20,000 from Council towards the \$200,000 project. The Club intend to secure additional funds through the Tennis Australia (TA) Facilities Loan Scheme and the TA Court Rebate Program. Tennis Victoria advises the Club has a strong chance of securing these external funds.

It is recommended Council apply to SRV for \$60,000 towards the \$200,000 project.

Black Rock Yacht Club disability access lift

Club members are experiencing difficulty in accessing the social rooms located on a steep site at Half Moon Bay. Modifying the pavilion to incorporate a lift will assist Council meet its requirements under the Disability Discrimination Act (1992). The works will extend to refurbishing toilets to providing disability access and incorporating water saving devices, and installing energy saving devices throughout the building.

The Club intend to establish a Sailability program to cater for people of all abilities. A successful program is already being delivered nearby at Sandringham Yacht Club. Providing disability access to the social rooms will increase community use via casual bookings.

The \$131,000 project is dependent on a Council contribution of \$41,000. The Club is providing the equivalent of \$30,000 funds in cash and in-kind skilled labour.

The project requires more detailed assessment in order for the project to be viable and is therefore not recommended.

Beaumaris Sporting Club Co-operative pavilion extension- stage one

The Cooperative formed by Beaumaris Football Club and Beaumaris Cricket Club proposes to extend the pavilion to accommodate two new changing rooms, additional storage facilities and a new medical / first aid facility. The existing home change room will be converted to an extension of the social rooms. The works would be a stage of a broader pavilion upgrade project.

The project will increase the capacity for the Club to accommodate existing junior teams and provide appropriate facilities to accommodate female teams. Neither club is fielding girls or women's teams.

Council's Pavilion Upgrade Program has identified Banksia as a priority. Preparing the Sportsground Usage Strategy, a current work in progress, will assist Council identify prioritised pavilion improvements and extensions in accordance with user demands. The Banksia Reserve Masterplan (2004) does not identify actions for improvements to the pavilion. This was largely due to the proposal by the Cooperative and Beaumaris Lawn Tennis Club to redevelop combined social rooms at the tennis facility. This is no longer being pursued.

Stage one of the project requires no contribution from Council and the Club have indicated to officers of being in a position to contribute additional funds towards the estimated \$189,433 project from their current \$129,433 cash and in-kind contribution.

The project does not score strongly against the criteria for increasing sport and recreation participation and improving the capacity of the clubs. As well, it is recommended further project development be undertaken and then the whole project be delivered in one stage.

Cluden Cricket Club cricket net renovation

Council officers recommended submitting this up to \$60,000 project to replace and upgrade cricket practice nets. This project was submitted by Council in the CFFP 2007/08 Minor Facilities sub-category round but was unsuccessful.

The project requires a Council contribution of \$30,000. The Club is eligible for a Cricket Victoria General Facilities grant for up to \$4,000. Grants close February 2008.

Officers have worked with Club representatives and consider this project to be a priority providing broader community benefit in an area of the municipality where access to open space is limited. The project has the potential to significantly upgrade an asset that has

deteriorated and addresses risk management by moving the nets off the playing surface of the oval.

It is recommended Council apply to SRV for \$30,000 towards \$60,000 project.

Sandringham Croquet Club court surface improvements

The Club proposes to sow drought-tolerant warm season grasses saving an estimated 400-500 kilolitres of potable water annually.

Surface improvements will allow the Club to level the courts to better accommodate people with disabilities and older adults. Extending the facility to three full-size courts to meet Croquet Victoria specified court dimensions increases capacity for competition, school and casual bookings.

The Club are not seeking any contribution from Council towards the \$36,150 project. This project would be eligible for a Victorian Government Smart Water Fund grant and Council could allocate funds from the 2007/08 Bowls and Croquet Facility capital funding program.

Whilst this is an important project with desired outcomes for Council, the project is not recommended for an SRV grant as it does not maximise external funding, and contributions can be met elsewhere.

Proposal

The three recommended projects in priority order are suggested as having the best benefit to both Council and the community:

Club	Description	Funding			Estimated Project Cost
		SRV	Council	Club / other	
Elsternwick Park Sports Club	To upgrade and replace grass bowling green surface with synthetic	\$60,000	None*	\$50,000 (club) and \$50,000* (federal government Community Water Grant)	\$160,000
Hurlingham Park Tennis Club	To replace six red porous courts with hard courts	\$60,000	\$20,000	\$120,000	\$200,000
Cluden Cricket Club	To relocate and upgrade the existing cricket practice wickets at William Street Reserve	\$30,000	\$30,000	None, subject to Cricket Victoria grant of up to \$4,000	\$60,000
Total		\$150,000	\$50,000*	\$220,000	\$420,000

* subject to the Club securing a federal government grant.

With the imperative of developing environmentally sustainable facilities, it is recommended Council submit the bowling green synthetic surface replacement project and the tennis facility hard courts replacement project as the highest priorities.

It is further recommended the bowling green project at Elsternwick Park Sports Club be Council's highest priority as the facility is identified as a level one precinct venue in the Tennis, Lawn Bowls

and Croquet Strategy. The synthetic surface will provide year-round access leading to increased participation, improve access for people with a disability and significantly reduce water use.

Council will work with the clubs that submitted unsuccessful applications to further develop these in accordance with the needs of the Club and Council sporting facility upgrade and renewal priorities.

Communication

Following Council's decision, it is proposed that staff convene a meeting with those groups which submitted applications to Council, but which were unsuccessful on this occasion, to discuss project improvements / enhancements that may make their project more competitive in the future.

Implications

Council Plan

The 2007-2011 Council plan identifies Council's commitment to facilitating and providing high quality services and facilities and to enhance social and health outcomes. Strong community and leisure partnerships provide coordinated and integrated community and leisure services.

The Council Plan identifies the importance of ensuring that Bayside's physical infrastructure is developed and maintained to meet changing community needs.

Projects are assessed in accordance with Council strategies and plans. The three preferred proposals are consistent with Council's Environmental Design Framework (2002), Sustainable Water Management Plan (2005), Leisure Plan (2002), Tennis, Lawn Bowls and Croquet Strategy (2007) and the William Street Reserve Masterplan (2006).

Policy

Council has a Policy *Council support of Community Agencies for External Capital Funding Proposals*. This Policy guides Council when making decisions regarding funding applications for community development projects. This Policy acknowledges that some external grant programs have specific grant assessment criteria. All recommended projects meet the Policy requirements.

Social

Viable clubs are depending on sustainable facilities. These project help Council to address its asset renewal responsibilities and provide facilities that meet changing community demands. In particular, Elsternwick Park Sports Club's synthetic green conversion allows for 12 months of the year access.

Environmental

The BCI assessment criteria include principles of environmental sustainability design. Two of the three recommended projects are consistent with Council's Environmental Design Framework (2002) and Sustainable Water Management Plan (2005), resulting in a reduction in the consumption of potable water estimated at 2.23 – 2.99 megalitres annually and optimising the use of community infrastructure. With the prospect of ongoing permanent water restrictions in Melbourne, it is vital that Council takes advantage of opportunities for creating longer term sustainable community facilities, provided these facility developments are consistent with strategic asset management plans. The Sandringham Croquet Club project, which is not recommended for this funding program, also achieves Council's aim to reduce use of potable water.

Financial

The estimated total project cost of the recommended projects is \$420,000. This consists of SRV grant funding of \$150,000 and club contributions of \$220,000.

Should all three grants be successful, Council would be required to make provision for its contribution of \$50,000 in the 2008/09 capital budget, plus project management fees for total project costs. In the event Elsternwick Park Sports Club are unsuccessful in securing a \$50,000 commonwealth government grant, the Club is likely to approach Council seeking a contribution. In addition, Council would

These recommended projects maximise Council's opportunities for external funding towards community infrastructure improvement. Alternative funding opportunities will be sought for the valuable Sandringham Croquet Club project.

Recommendation

1. That Council support the submission of the following projects to Sport and Recreation Victoria for consideration of funding under the 2008/09 Community Facility Funding Program Building Community Infrastructure Minor Facilities sub-category in this priority order:
 - a. Elsternwick Park Sports Club - Upgrade and replace grass bowling green surface with synthetic for \$160,000
 - b. Hurlingham Park Tennis Club - Replace six red porous courts with hard courts for \$200,000
 - c. Cluden Cricket Club - William Street Reserve cricket practice wicket renovation for \$60,000
2. That Council supports in principle the \$50,000 - \$100,000 plus project management costs, required for these projects and subject to grant applications being successful, refers this to the 2008/09 capital budget for funding.
3. That all clubs be advised accordingly.

4.7 COMMUNITY FACILITY FUNDING PROGRAM 2008/09- MINOR FACILITY GRANTS

 Naomi Paton, Leisure Planning & Policy Co-Ordinator
 File No: COR2749

Attachment 1

SRV Minor Grant Assessment

Organisation	Elsternwick Park Sports Club	Beaumaris Sporting Club Co-operative	Black Rock Yacht Club	Hurlingham Park Tennis Club	Cluden Cricket Club	Sandringham Croquet Club
Project	Synthetic bowling green	Change, medical and storage rooms	Disability access lift	Replace 6 en-tout-cas courts with hard courts	Relocate and upgrade cricket practice nets	Court re-surfacing
	Dendy Ward	Moysey Ward	Ebden Ward	Mair Ward	Were Ward	Abbott Ward
Eligible for minor grant	✓	✓	✓	✓	✓	✓
	Sub-regional	Sub-regional	Sub-regional	Local	Local	Local
	Upgrade/redevelopment	Extension	Pavilion improvement	Renewal	Upgrade/redevelopment	Upgrade
SRV Grant applied for	50,000	60,000	60,000	60,000	30,000	18,000
Council contribution applied for		None	41,000	20,000	Up to 30,000	None
Club contribution	50,000 + 50,000 Federal grant (TBC)	90,933	None	20,000	Encourage club to apply for Cricket Victoria grant (<\$4k)	14,550
Club in-kind support		38,500	30,000 club + other	50,000 Tennis Aust (TA) Facility loan TBC 50,000 TA Court Rebate TBC		3,600
TOTAL PROJECT	150,000	189,433	131,000	200,000	60,000	36,150

SRV Assessment Criteria

Organisation		Elsternwick Park Sports Club	Beaumaris Football Club	Black Rock Yacht Club	Hurlingham Park Tennis Club	Cluden Cricket Club	Sandringham Croquet Club	
Why (20%)	Identified need and issues	<ul style="list-style-type: none"> ✓✓ Reduce water consumption by ~50% ✓ Asset renewal ✓✓ Optimises use 	<ul style="list-style-type: none"> ✓ better accommodate growing jnr participation cricket 5 snr / 11 jnrs / Milo Have a Go football 4 snr / 19 jnr / Auskick. ? Introduce female teams 	<ul style="list-style-type: none"> Elderly members having difficulty accessing upstairs social / club-rooms areas. Club house on steep site 	<ul style="list-style-type: none"> Increase in participation. Increased disability access ✓✓✓ Reduce water consumption by 100% 	<ul style="list-style-type: none"> Upgrade Council asset 	<ul style="list-style-type: none"> ✓✓ Reduce water consumption by 50% ✓✓ Increase size of courts to meet Croquet Victoria competition guidelines Increase usage 	
	Aligns to State Government Community strengthening initiative alignment, eg. Community / neighbourhood renewal							
	Aligns to Local government strategic planning initiative	<ul style="list-style-type: none"> ✓✓✓ consistent with Tennis, Bowls & Croquet Strategy-level 1 facility ✓✓✓ consistent with Bayside Sustainable Water Management Plan 	<ul style="list-style-type: none"> ✓✓ Sportsground Usage Strategy Key Issues Paper X Banksia Reserve Masterplan does not mention pavilion improvements 	<ul style="list-style-type: none"> ✓✓✓ meets objectives in Bayside Disability Access and Inclusion Plan 	<ul style="list-style-type: none"> ✓✓✓ consistent with Tennis, Bowls & Croquet Strategy-level 1 facility ✓✓✓ consistent with Bayside Sustainable Water Management Plan ✓✓ meets objectives in Bayside Disability Access and Inclusion Plan 	<ul style="list-style-type: none"> ✓ consistent with Sportsground Usage Strategy Key Issues paper ✓✓✓ consistent with William Street Reserve Masterplan 	<ul style="list-style-type: none"> ✓✓ consistent with Tennis, Lawn Bowls & Croquet Strategy ✓✓ consistent with Bayside Sustainable Water Management Plan 	

How (20%)	Addresses safety/risk management, DDA	✓ increased disability access on synthetic surface		✓✓✓ not DDA compliant	✓✓ courts identified as requiring rebuilding	✓✓✓ address risks – condition of nets – relocated run-up off sports ground	✓ reduce risk hazard with change in level of courts
	Innovation/ESD	✓✓✓ water saving significant		Minimal- possibly via new accessible toilet	✓✓✓ water saving significant		✓✓✓ water saving significant
	Completed within time frame	✓✓✓	✓✓✓	✓✓✓	✓✓✓	✓✓✓	✓✓✓
	Demonstrated commitment of all financial resources	✓ Federal govt grant (\$50k) TBC. If not successful, club will secure loan or seek Council contribution; club has factored in sinking fund for replacement	✓✓ Members to contribute funds	Dependent on Council contribution	Dependent on Council contribution	Grant from Cricket Vitoria to be submitted Feb 08 Depending on Council contribution	✓✓ Club financial and can contribute
	Works clearly scoped & costed	✓✓ preferred supplier identified and scoped works	✓Require more detailed assessment	✓Require more detailed assessment	Tennis Victoria Technical Services scoped	✓	✓ Supporting documents from turf management contractor
	Who (10%)	Range of stakeholders involved	✓	✓			Council experienced in delivering project type
Project managed by integrated team		✓✓ Council to project manage with club involved in steering committee	✓✓ Council to project manage with club involved in steering committee	✓✓ Council to project manage with club involved in steering committee	✓✓ Council to project manage with club involved in steering committee	✓✓ Council to project manage with club involved in steering committee	✓✓ Council to project manage with club involved in steering committee
Considers inter-municipal linkages & opportunities		High use by Bayside, Glen Eira and Port Phillip residents	N/A	N/A	N/A on boarder with Elsternwick	N/A	N/A

What will project achieve (50%)	Support maintenance of and / or increased participation and improve range of opportunities	✓ increases casual participation ✓ increase school use	✓ improves facilities for jnrs	✓✓✓ disability access	✓✓ 100% reduction in use of potable water – ongoing ✓✓ disability access	✓ Has broad community benefit	✓ reduce consumption of water by 50%
	Maximises use or multi-use of a facility	✓✓ optimises use	✓ Extends social room with conversion of existing home change area	✓ Increase club social and broader community use	✓✓ Hard courts can be used for other activities		✓✓ increase capacity to accommodate more players ? increase school / casual use
	Improves capacity for sport and recreation	✓✓ Increase use to 12 mnths of year	✓ increases capacity of junior change facilities		✓✓	Located in an area with very limited access to open space Reduces wear and tear on high-use areas	
	Improves access to sport and recreation opportunities particularly those traditionally disadvantaged	✓✓ supported by JCAAA	? possibly attract women / girls participation	Club desire to provide Sailability program- already provided at Sandringham	✓✓✓ courts will provide disability access		✓ increase school & casual use

4.8 Authorisation of an Environmental Health Officer

Con Tsekouras, Environmental Health Co-ordinator
File No: COR/1443

Purpose of the Report

The purpose of this report is to authorise John Mullaney as an Environmental Health Officer. There is a requirement for Council to officially authorise him as an Officer of Council to enable him to act/represent Council under the relevant Acts, Regulations and Local Laws.

Proposal

In order to enable John Mullaney to perform the duties of an Environmental Health Officer, he will need to be authorised to act and prosecute on behalf of Council under the following legislation: *the Health Act 1958, the Food Act 1984, the Environment Protection Act 1970, the Housing Act 1983, the Liquor Control Reform Act 1988, the Local Government Act 1989, the Planning and Environment Act 1987, the Tobacco Act 1987, the Summary Offences Act 1966*, and any amendments/consolidation thereof, plus any other Act, regulation or local law which relates to the functions and power of Council.

Recommendation

1. That Council authorise John Mullaney to act and prosecute on behalf of Council under *the Health Act 1958, the Food Act 1984, the Environment Protection Act 1970, the Housing Act 1983, the Liquor Control Reform Act 1988, the Local Government Act 1989, the Planning and Environment Act 1987, the Tobacco Act 1987, the Summary Offences Act 1966*, and any amendments/consolidation thereof, plus any other Act, regulation or local law which relates to the functions and power of Council.
2. That the Instrument of Appointment and Authorisation for an Environmental Health Officer be signed and sealed by Council.

4.9 Projecting Balconies PolicyAngela Meinke, Manager Planning
File No: COR/1625

Purpose of the Report

To further consider policy to deal with balconies projecting into the public domain.

Background

On a number of occasions last year the issue of balconies projecting over road reservations has been raised in applications.

In response Council on 18 December 2006 resolved to adopt the Projecting Balconies Policy as a formal statement of Council's position, for use when assessing both Planning Applications and Building 'Report and Consent' applications (copy attached).

It was also resolved to monitor the effectiveness of this policy, with a view to giving statutory effect to it through incorporation into a planning scheme amendment at a suitable time.

Discussion

Since the adoption of this policy there have been few approaches to Council by potential applicants, either through a planning application or a building 'report and consent', seeking to construct protruding balconies.

There have been only three occasions where Council has refused applications with respect to projecting balconies amongst other considerations.

A recent application at 770 Hampton Street, Brighton proposed protruding balconies at the first and second level. VCAT on appeal approved the proposal.

At first floor level these balconies essentially create a verandah canopy over the footpath, an element found along the remainder of this small local shopping centre. They do not however comply with the policy in that they project beyond the street alignment by more than 1.0 metre, and one balcony is within 1.2 metres of the side boundary of an adjoining allotment.

At second floor level one balcony does not comply with the policy requirements, as it is also located within 1.2 metres of the side boundary of an adjoining allotment.

In addition, the projecting balconies are the primary means of providing private open space, which is also contrary to the policy, although an area of communal open space has also been provided in the form of a roof deck.

In 2004 an Application for Planning Permit was lodged for the property at 31A North Concourse, Beaumaris. This application proposed a shop-top dwelling with a first floor projecting balcony, which, whilst above the canopy over the footpath, was considered to be excessive in size and inadequate in terms of design detail. Council refused this application and the applicant did not appeal this decision.

In June 2007 a similar Application for Planning Permit was lodged again for this property, again proposing a top-shop dwelling with a first floor projecting balcony located above the canopy over the footpath. Public notification of this application has recently been completed and one objection to the proposal has been received. The proposed balcony does not comply with the Projecting Balconies Policy, as it is located within 1.2 metres of the side boundary of an adjoining allotment.

A Planning Application in 2006 at 119 Bluff Road, Black Rock proposed the redevelopment of an existing verandah to incorporate a balcony in association with an office and dwelling. The Tribunal found that the proposed balcony would add considerably to the amenity of the first floor dwelling, without dominating the streetscape and without dominating the public realm.

The proposed balcony does not comply with Council's Projecting Balconies Policy in that it projects 2.4 metres beyond the street alignment and is located within 1.2 metres of the side boundary of an adjoining allotment.

It must be noted that regardless of a Tribunal determination to grant a planning permit it will still be necessary for an applicant, who wishes to pursue the development, to obtain separate consent for the projection of balconies into a Road Reserve, beyond the as-of-right provisions of the Building Regulations.

Proposal

It is proposed that the Projecting Balconies Policy continue to be an adopted Council policy for use when assessing both Planning Applications and Building 'Report and Consent' applications. Should Council wish to pursue more binding control the two options are a planning scheme amendment or a local law. Of these, the easiest to achieve is a local law provision as local law processes are controlled by Council and do not require Ministerial approval.

Note that a minor adjustment has been made to point D in the Policy Statement section of the Projecting Balconies Policy, which further clarifies the wording of the policy, in that balconies will not be allowable in streets less than 10 metres in width, as per the Building Regulations. On this basis, point E should also be deleted.

Implications

Council Plan

The policy will assist in achieving Goal 2 of the Council Plan, in ensuring the quality and excellence in the delivery of land-use planning and development control.

Financial

Opportunity may exist to charge a rental fee of air space (either an annual fee or lump sum fee). The head of power for this if Council wishes to pursue it can be provided in a local law.

Recommendation

1. That this report on projecting balconies be received.
2. That the attached (amended) Projecting Balconies Policy be adopted as a formal statement of Council's position, for use when assessing both Planning Applications and Building 'Report and Consent' applications.
3. That a draft local law be prepared for further consideration to control projecting balconies.

POLICY TITLE: Projecting Balconies PolicyDATE APPROVED BY COUNCIL: **October 2007**DATE OF NEXT REVIEW: **December 2009**RESPONSIBLE DEPARTMENT: **Planning and Building Department**

STATEMENT OF INTENT:

To ensure that projecting balconies into public airspace beyond the street alignment of a property comply with Council policy regarding their impact on the safety, appearance and amenity of public places.

POLICY OBJECTIVES:

To ensure that the prevailing streetscape character is continued in new development and any additions are appropriately located and designed to minimise visual impact.

To ensure that new development achieves appropriate facade articulation, a balanced level of light and shade and a level of complexity that responds appropriately to the precinct.

To retain the complex character of the commercial precincts in the City, the variety of built forms, and subdivision pattern.

To discourage insensitive/uncharacteristic encroachments into public airspace.

To ensure the valued 'openness' of the streetscape is maintained.

To maintain diversity in the scale, and type of buildings and a mix of dwelling types and sizes.

To retain and enhance the urban character of commercial precincts.

To limit the scale of new development adjoining established low-rise residential areas.

To ensure that projecting balconies are not relied upon as the primary means of meeting private open space requirements, or used for commercial activity.

POLICY STATEMENT:

It is Council policy : -

- (A) That balconies be located to ensure they do not compromise community safety,
- (B) That balconies be located to ensure they do not compromise efficient vehicular movement,
- (C) That balconies enhance the existing urban character of the streetscape,
- (D) That balconies do not project beyond the street alignment:

~~(a) More than 1.0 metre in any street and in any street less than 10 metres in width;~~
and

(a) More than 1 metre; and

(b) In any street less than 10 metres in width; and

~~(b)~~ (c) At a height less than 3.0 metres above the level of the footpath; and

(ed) Within 1.2 metres of the side boundary of an adjoining allotment.

~~(E) That balconies generally not be permitted in streets less than 10 metres wide, and~~

(FE) That balconies do not dominate the built form.

(GF) That projecting balconies are not relied upon as the primary means of meeting private open space requirements for a dwelling, or used for commercial activity.

RELATED POLICIES, PROCEDURES, GUIDELINES AND FORMS:

- Major Activity Centre Structure Plans.
- Bayside Planning Scheme
- Building Regulation 506

Version Control: December 2006

4.10 Half Moon Bay Restaurant Liquor Licence RequestSally Naughton, Leasing Coordinator
File No: COR/146

Purpose of the Report

To consider a request from the new tenant of the Half Moon Bay restaurant and kiosk to apply for a liquor licence under the *Liquor Control Reform Act*.

Background

Negotiations are proceeding to complete a lease with HMBK Partnership to use Boat Sheds 211 and 212 at Half Moon Bay for the operation of a kiosk and restaurant for a term of 21 years.

Council officers have sought parliamentary consent to change the habitual use of the premises from boat hire and kiosk to the use of restaurant and kiosk. The Department of Sustainability and Environment has subsequently advised Council officers that the Minister for Planning has approved the grant of a lease for the purposes of restaurant and kiosk. This means that the lease documentation can now be formally prepared.

The tenant has requested Council (as landlord) to provide its consent to allow it to apply for a liquor licence to serve alcohol at the restaurant premises.

Discussion

A liquor licence was granted to the previous tenant, however, that licence has now lapsed. The expression of interest campaign for the lease of the premises did not expressly provide that Council would (or would not) provide its consent to allow the tenant to apply for a liquor licence. However, the tenant's submission was clearly made on the basis that it intended that alcohol would be served and consumed at the restaurant, including a proposal for a bar and wine cellar to be located in the upstairs restaurant. In addition, the tenant's rental offer was made on the basis that they would obtain a liquor licence for the premises.

The current planning permit does not provide for the sale and consumption of alcohol from the premises, but it allows the tenant to trade from 12noon to 1am every day of the week.

The Half Moon Bay kiosk and restaurant will provide a casual dining experience in a picturesque setting. Its location at Half Moon Bay and adjoining Bay Trail provides tourism and hospitality opportunity for tourists, foreshore users and local residents. This is consistent with Council's aspirations for the use of the foreshore and open space facilities to encourage, promote and support cultural expression and economic development for community benefit. The provision of a liquor licence is consistent with this aim.

The Bayside Tourism Strategy also highlights the need to develop and promote beachside and foreshore dining in order to successfully market Bayside for its food and beverage industry. The Strategy also identifies the potential for a significant growth in Bayside's food and beverage industry by capitalising on Bayside's beachside location. It is considered that the tenant's proposal will attract many additional tourists and residents to the municipality and is consistent with the objectives of the Strategy.

Liquor licences for premises along the Bayside foreshore have become increasingly common and the following foreshore facilities have successfully obtained a liquor licence:

- North Point Café
- Royal Brighton Yacht Club
- Middle Brighton Baths
- Sandringham Anglers Club

- Sandringham Football Club
- Sandringham Yacht Club
- Black Rock Yacht Club
- Beaumaris Motor Yacht Squadron

Council officers consider the tenant's request to be reasonable given the tenant's rental offer was made on the assumption that they would obtain a liquor licence, that the prior tenant obtained a liquor licence and that there has been no record of noise or other complaints on Council's Request System regarding the premises.

The tenant would also be required to obtain a planning permit to operate a liquor licence (including normal planning consultation requirements).

Proposal

It is proposed that Council agrees to allow the tenant to make an application under the *Liquor Control Reform Act 1988* seeking an on-premises liquor licence for the upstairs restaurant. The tenant would also lodge a subsequent planning permit application.

Implications

Social

As discussed above, the provision of a liquor licence is consistent with Council's aim for the use of the foreshore and open space facilities to encourage, promote and support cultural expression and economic development for community benefit. It is also considered that the tenant's proposal of a licensed restaurant will attract many additional tourists and residents to the municipality and is consistent with the objectives of the Bayside Tourism Strategy.

Recommendation

That Council consent to an application by Mark Villanti and Andrew Cook of HMBK Partnerships (the tenant) under the *Liquor Control Reform Act 1988* to apply for an on-premises liquor licence for the Half Moon Bay restaurant.

4.11 Sandringham and Black Rock Community Neighbourhood AuditSandra Christie, Social Planner
File No: COR1339

Purpose of the Report

The Sandringham and Black Rock community neighbourhood audit has recently been completed and the findings are presented for Council's consideration (report attached). The audit has involved the application of the community neighbourhood audit tool to assess social infrastructure provision in Sandringham and Black Rock. In response to the issues identified from this research, proposals have been identified.

Background

Following Council's decision in November 2005 to approve the community neighbourhood tool methodology, the Hampton community neighbourhood audit was the first audit to be completed and presented to Council. Four community neighbourhood audits have now been completed and the remaining two (Brighton and Brighton East) will be completed by June 2008.

The community neighbourhood audit tool adopts an integrated approach to service planning and delivery at the neighbourhood and activity/district centre levels. Although the project scope has addressed traditional stand-alone service types, the project outputs are based on a more integrated approach to service delivery. The current project has sought to understand both the demand and supply of social infrastructure in Sandringham and Black Rock, through the application of a set of nominated planning triggers identified in the audit tool. The assessment process has not set out to investigate each service area in detail, rather to provide a holistic overview of the functions and capacity of social infrastructure in Sandringham and Black Rock to meet likely future demand.

The project examined patterns of demand through an analysis of the demographic profile and population forecast information for Sandringham and Black Rock. According to the ABS Population and Households census 2001, the population for the area was 15,101 residents (5,957 households). Population projections indicate a stable population with steady increases over the next ten years.

A survey regarding current service and facilities usage and satisfaction, and future priorities for service provision was distributed to a random selection of households in the study area on a voluntary return basis. A total of 385 persons responded. Consultation was also undertaken with local service providers and people living with an intellectual disability, a group under-represented in the survey.

The project examined the current supply of social infrastructure through the development of a database of community facilities and services in order to document the functions provided in each location, the level of available supply/service and take-up of that service. Council and non-council services are included in the database. This data has then been presented on maps by service type and life-stage. These mapping tools provide a picture of the current 'supply' of social infrastructure in Sandringham and Black Rock, where there is capacity to accommodate changes in future demand, and where current supply is unable to cope with any additional demand. A set of planning triggers are then applied to identify service gaps and priority issues.

Consultation

The community neighbourhood audit for Sandringham and Black Rock has included a resident survey and a focus group with local service providers and people living with an intellectual disability, a group under-represented in the survey.

Discussion

The resident survey identified key attributes of the area being a family friendly area with access to good facilities including schools, parks, sporting grounds, shops, a hospital and public transport. Close proximity to the beach/ bay was another reason residents gave for living in the area. Walk-ability within the study area was identified as important: 55% of respondents to the resident survey indicated that at least one member of their household usually walks to the local shops and services in their area.

The development of the database and mapping identified a comprehensive range of services and facilities and the audit process concluded that the area is well serviced.

Priorities arising for the needs analysis are:

- Application of the planning triggers has highlighted several small areas within Black Rock that don't have access to a park or playground within a reasonable distance.
- The study has highlighted the need for an increased range of community information points in the area, particularly in Black Rock where there are no community information points.
- There are several early childhood services operating from separate facilities all in close proximity within the Sandringham Village centre. These include the maternal and child health service; the Council managed childcare centre and the Sandringham Playhouse.
- There is a range of community meeting spaces available for community use. The potential of sports pavilions and the sports grounds on which they are located raises the possibility of greater use of these facilities during the week when they are not in use (daytime).
- The study has identified that there are three Scout halls and two Guide halls. Two Scout halls are already available and used for multi-use and the two Guide halls are no longer used for Guide groups. One, on Council land, is vacant and the other is used for a program for residents with a disability.

Proposal

The Sandringham and Black Rock community neighbourhood audit has not identified any major service gaps. The key areas for action have identified several deficits and these could be explored further in the following ways:

- The review of Council's open space strategy currently underway by Properties examines the location of open space in Sandringham and Black Rock and other suburbs across the city. An assessment of access to open space forms part of this review. This work explores not only those areas defined as publicly accessible

open space, but also areas that contribute to our experience including school playgrounds, golf courses, railway verges etc. This work will inform further consideration of strategies to address the open space access in identified areas.

- Family Services are currently looking at the capacity of the City's child care centres (Council, community and commercial) to meet families' requirements for childcare, particularly long day care now and into the future. One of Council's two childcare centres is located within the study area and whether additional places can be provided at this location or elsewhere will be explored as part of the work currently underway. This analysis will also take into account the economic viability of smaller centres under the Federal funding models for long day care and the need to upgrade facilities. Any considerations would explore the co-located model that underpins the community neighbourhood audit tool.
- Whilst the audit has identified a lack of community information noticeboards in Black Rock, there are not necessarily suitable community facilities to locate such a noticeboard. There are no Council run early childhood services in Black Rock and the Civic Hall is used by a small number of organisations, not necessarily with a local focus. A community noticeboard in the Black rock shopping centre is one option that could be explored.

Communication

Local community and service providers have been invited to participate in the project to date.

Implications

Council Plan

The Council Plan has identified a commitment to assess social infrastructure needs in neighbourhoods across the city to provide strategic direction for the development of co-located, flexible facilities to meet current and future needs. This community neighbourhood audit represents the fourth in a series of audits across the Bayside suburbs.

Policy

Council has adopted the community neighbourhood audit tool as a strategic planning tool for assessing social infrastructure needs. The tool adopts an integrated approach to community services and facilities, moving away from an assumption of stand alone provision.

Social

The audit tool enables a strategic approach to understanding the role of social infrastructure in supporting community well being. A range of services and facilities are required within a local community to support desired social outcomes for the neighbourhoods and municipality as a whole.

Financial

The community neighbourhood audit provides an opportunity to review community facilities within neighbourhoods and to develop sustainable models that support a suite of key

functions available to residents within their local community and that support connected and healthy communities.

Recommendation

That Council endorse the Sandringham and Black Rock community neighbourhood audit

Purpose of the Report

This report presents a draft Open Space Strategy 2007-2017 for noting and consideration for release for public comment.

Background

Bayside City Council endorsed its Open Space Strategy in 1996. Due to municipal amalgamations in the six months prior, this document included an inventory of management opinions and practices and set out a range of high-end planning for Council to undertake. Most of this planning has been completed.

Consultation

Preparation of the draft Open Space Strategy 2007-2017 has included analysis of various strategic documents, particularly Community Audit Tool reports and Major Activity Centre reports. This work is the result of many levels of consultation.

It is considered that an internal Open Space Strategy Steering Committee should be established to oversee the project and that an Open Space Strategy Advisory Committee also be established to provide advice and guidance to the OSS Steering Committee.

It is proposed that the OSS Steering Committee consist of available councillors and relevant Council staff.

It is proposed that the OSS Advisory Committee consist of representatives from key stakeholder groups who have a particular interest in the Open Space Strategy. These might include:

- Department of Sustainability and Environment (DSE)
- Parks Victoria (PV)
- VicRoads

The draft Open Space Strategy 2007-2017 is a multi-disciplinary document requiring whole-of-Council commitment to deliver. Most representative groups may have an interest in this document. Stakeholders or interest groups that have an interest in draft Open Space Strategy 2007-2017 include:

- Friends of Bayside Groups
- Bayside Environment Advisory Group (BEAG)
- Bayside Early Years Advisory Group (BEYAG)
- Friends of Bayside Support Group
- Sporting clubs
- Schools and kindergartens
- Potential partners as identified in the draft.

It is recognised that other stakeholders or interest groups may become known during these initial discussions and that there will be an opportunity for them to be involved at the appropriate time.

Various consents may be required with the relevant authorities. Further consultation with indigenous representatives and/or the relevant Registered Aboriginal Party (RAP) may also be required under the *Aboriginal Heritage Protection Act 2006*. These have not yet been sought.

Discussion

This Open Space Strategy 2007-2017 reviews the context for open space, considers provision and service levels, identifies opportunities for improvement and proposes methods for delivery of those improvements.

The focus of this report is Council-managed open space. Other open space exists across the city and is important to the context of existing open space. These areas have been excluded from considerations:

- Public and private golf courses
- Closed parks (such as Bay Road heathland)
- Buildings unconnected to the park (such as libraries, cafes or kindergartens)
- Street areas (e.g. the Concourse shopping area or Sandringham Village)
- Areas not managed by Council (retarding basins, Elster Canal).

The excluded areas have been considered as complementary to open space. Some of these excluded areas provide opportunities for future inclusion as part of the open space system.

Proposal

It is considered appropriate that Council note this report and approve the release of the draft Open Space Strategy 2007-2017 for public comment.

Communication

The draft Open Space Strategy 2007-2017 will be open for public comment for a period of not less than two months. Details of the consultation process will be determined and overseen by the Open Space Strategy Steering Committee.

It is proposed that Council communicate to the Bayside community and/or other stakeholders through the appropriate methods. This may include advertising, Council news column, website, media release, letterbox distribution, on-hold message and other publications and communications opportunities.

Implications

Council Plan

Preparation of the draft Open Space Strategy 2007-2017 is short-term commitment 2.2.44 of the Council Plan 2007-2011:

'Complete the review of Council's Open Space Strategy including policy development and commencement of a planning scheme amendment for Open Space Contributions'.

Policy

The strategy points to the Sportsground Usage Strategy (in preparation) for information on sportsground hierarchy and service standards.

Legal/Legislative Requirements

An Open Space Strategy will help to form the basis of an open space contribution scheme that is the subject of separate work.

Recommendation

1. That Council note the draft Open Space Strategy 2007-2017.
2. That Council approve the release of the draft Open Space Strategy 2007-2017 for public comment.
3. That a Open Space Strategy Steering Committee consisting of Councillors _____ and _____ be established to oversee the consultation process.

5.1 ***COUNCIL ACTION PENDING***

Terry Callant, Governance Manager
File No: COR1234

PURPOSE OF THE REPORT

The report presents to Council a schedule of actions for the period December 2002 to September 2007.

BACKGROUND

The schedule of actions have been divided into two parts:

Part A Reports awaiting Internal action.

Part B Reports awaiting External action / advice or further action pending.

RECOMMENDATION

That Council note the Council Action Pending report for the period December 2002 to September 2007.

BAYSIDE CITY COUNCIL

GENERAL COMMITTEE MEETING

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5.1 **COUNCIL ACTION PENDING**

Terry Callant, Governance Manager
File No: COR1234

PART A – REPORTS AWAITING INTERNAL ACTION

DATE OF MEETING		COUNCIL RESOLUTION	RESPONSIBLE OFFICER	COMMENTS/STATUS
19.09.05	200GC	<p>Open space contribution</p> <p>1. That the report on open space contributions at time of subdivision of land be received.</p> <p>2. That a planning scheme amendment be drafted to give effect to Option 3 – Introduction of Sliding Scale and Additional Criteria into the Schedule to Clause 52.01 of the Bayside Planning Scheme.</p> <p>3. That a further report be presented to Council when the amendment has been drafted.</p>	GMS	<p>Reported to Councillor Briefing in April 2006</p> <p>To be considered inconjunction with the Open Space Review.</p>
2.5.06	10.3 NOM	<p>Notice of Motion No: 136 – Melbourne 2030 – Open Space</p> <p>That Council takes note of the likely consequences the imposition of the State Government’s Melbourne 2030 policy will have on suburbs such as ours, noting particularly the lack of adequate infrastructure funding for large increases in population. That Council especially notes the continuing decrease in green open space with the increase in population in and around shopping centres designated as Major Activity Centres under this policy, particularly in North Brighton and Middle Brighton, where private bowling and croquet clubs as well as houses with private gardens that have recently been purchased for development into high density housing. The effects of this enforced population growth, and the corresponding loss of trees, grass and open air, will leave our suburbs with insufficient public or private open space, back yards, parks or gardens to satisfy the recreational and healthy living environment needs, considering the forecast rapid growth in apartment dwellers.</p> <p>As a consequence of this observation, that Council:</p> <p>3) Undertakes a study into the adequacy of open space provisions across the city. Options for future provision and improvement of open space, and other sources of funding that might be available for the purchase thereof.</p>	GMIS	<p>Budget approved.</p> <p>Report to General Committee in October 2007.</p>

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DATE OF MEETING		COUNCIL RESOLUTION	RESPONSIBLE OFFICER	COMMENTS/STATUS
27.6.2006	4.4	<p><u>Cultural & Recreational Lands Act Properties</u> That a report be presented to Council sufficiently in advance of the next CRLA rate review to enable consideration of further issues that could be considered in the methodology for calculating the rates, such as those identified in the report.</p>	GMCS	To be considered in conjunction with the General Revaluation for 1/1/08
24.10.2006	10.1	<p><u>NOM 141 – Mandatory 2 Storey Height Controls for land identified in Design and Development Overlay 2</u> Noting that in Bayside the creation of nett new dwellings over the past 10 years has well exceeded the rate required to achieve the Melbourne 2030 estimated opportunities set out in the Southern Region Housing Statement, which Council has endorsed, of accommodating 6100 nett new dwellings in Bayside by 2030, and that Council in accordance with previous decisions is pursuing a mandatory 2 storey height limit for Residential 1 zoned land within the four Major Activity Centres in Bayside, that a report be presented to Council for the introduction of an amendment to the Bayside Planning Scheme to impose a mandatory 2 storey height control for land identified in Design and Development Overlay 2 (DDO2) to replace the current 2 storey permit threshold under that DDO.</p>	GMS	Councillors briefed in December 2006 Report to General Committee in conjunction with the Housing Strategy.
24.10.06	10.2	<p><u>NOM 143 – Lost Dogs, Cats & Other Pets</u> That a report be presented for the consideration of the General Committee in relation to options for improvements in the manner in which Bayside City Council deals with lost dogs, cats and other pets.</p>	GMIS	A report to General Committee following the completion of the Animal Management Plan.

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30.1.07	8.1	<p>Vacant Sites That being concerned with issues arising from long term lack of development on vacant sites, or delays in completion of development once commenced, including site safety and appearance, or buildings left vacant and unoccupied for lengthy periods subsequent to permit approval, that a report be prepared on options available to address these concerns including powers currently available to Council, and means by which additional powers may be provided should current powers be inadequate.</p>	GMS	Councillors briefed in May 2007, Report to General Committee in November 2007
27.2.07	Gen 4.11	<p>Heritage Precincts That the results of the review of the Heritage Precincts, when completed, be reported to Council.</p>	GMS	Report to General Committee in November 2007
29.5.07	Gen 4.8	<p><u>Coastal Signage Strategy</u> That a further report be presented to Council when prototype designs have been developed.</p>	GMS	Councillors briefed. To be reported following feedback from consultation trial.
26.6.07	Gen 4.5	<p><u>Neighbourhood Character Review – Stage 2</u> That a further report be presented to Council on completion of the consultation.</p>	GMS	To be reported on completion of consultation. Report to be submitted to General Committee in December 2007
24.7.07	Gen 4.7	<p><u>Community Festival</u> 3. That a further report be presented to Council after the expressions of interest have been received and assessed.</p>	GMS	Report to General Committee in November 2007.
28.8.07	6.2	<p><u>Petition: Residents seeking the installation of traffic light pedestrian crossing near Avoca Street in Bay Street Highett</u> That the petition be received and noted and a report be presented to the General committee on this matter.</p>	GMIS	Report to General Committee in November 2007
28.8.07	Gen 4.4	<p><u>Amendment C49 to the Bayside Planning Scheme Beaumaris Concourse</u> 4. That a further report be presented with respect to the panel's recommendation relating to height controls, and that the control of roof decks also be addressed in that report.</p>	GMS	Report to General Committee in November 2007

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25.9.07	10.1	<p><u>Notice of Motion 157 – Asling Street and Bay Street Brighton Pedestrian Crossing</u> That a report be presented to General Committee on treatments to improve the safety and convenience for pedestrians at the intersection of Asling Street and Bay Street, Brighton. The report is to include analysis and assessment of different crossing types that may be suited at this location, including the option of installing pedestrian crossings on all four legs of the roundabout, together with details of the processes that must be followed to gain any necessary approvals for each crossing type.</p>	GMIS	Report to General Committee in December 2007
25.9.07	Gen 4.3	<p><u>1-3 Beach Road Hampton – VicTrack Land</u> That representatives of VicTrack, the development applicant, resident spokesperson(s), Councillors and Council officers be invited to a meeting to discuss issues related to 1-3 Beach Road with particular regard to the easement in favour of Council and the surrounding VicTrack land. That an independent facilitator be engaged by Council to conduct the meeting. That a further report be presented to Council following the mediation meeting.</p>	GMS	Report to General committee following the mediation meeting.

PART B. – REPORTS AWAITING EXTERNAL ACTION / ADVICE or FURTHER ACTION PENDING

DATE OF MEETING		COUNCIL RESOLUTION	RESPONSIBLE OFFICER	COMMENTS/STATUS
16.12.02	GC 244	<p><u>Cheltenham Golf Club Lease</u> That this item be deferred to the next meeting of the General Committee for further discussion.</p>	GMIS	Councillor Briefed in September 2005. Further discussions held with club. Council will be further briefed when conclusion is reached with the Club

5.2 FINANCIAL REPORT FOR THE TWO (2) MONTHS TO 31 AUGUST 2007

Bronwyn Fakos, Management Accountant
File No: SUB20686

PURPOSE OF THE REPORT

To report to Council the financial results for two months to 31 August 2007 of the 2007/08 financial year.

DISCUSSION

Financial Reporting Format

The following financial reports are designed to provide a summary and analysis of Council's financial performance for the two months to August 2007. The reports are designed to ensure consistency with the 2007/08 adopted budget, compliance with statutory requirements as well as measure Council's overall financial performance.

Income Statement

This report provides a summary of Council's overall performance by identifying the major line items of revenue and expenses. The Income Statement is a required format for reporting in Council's year-end audited financial statements (Annual Report) and annual budget documents.

Capital Project Report

The report provides an analysis of the major program areas of the capital budget as reported in the adopted 2007/08 budget document.

Sundry Debtors Report

Schedule of funds owing to Council at the end of each month.

Cashflow Statement

This report provides the status of Council's cash movements and cash position at the completion of each month.

Financial Analysis

Income Statement

The Income Statement provides a Net surplus of \$415,600 for year to date revenue and expenses against budget for two (2) months ended 31 August 2007. The favourable variance is mainly due to higher than expected income for rates from supplementary valuations, grants and contributions as well as earlier than expected fees & charges and lower than expected expenditure for employee costs. This is partly offset by earlier than expected expenditure for materials and other costs.

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Priority projects reflect a net year to date favourable variance of \$43,900 This consists of \$77,600 expense variance that is partly offset by \$33,700 income variance.

The year end forecast result is expected to be \$27,200 under budget mainly due to additional rates income and higher than expected grants and contributions. This is partly offset by lower than expected rental income and higher than expected expenditure on external contracts.

Capital grants & contributions is under budget by \$166,500 mainly due to lower than expected revenue for council buildings and parks & sportsgrounds. The forecast year end position is an unfavourable variance of \$263,700 mainly relating to lower than expected grant income for council building and infrastructure traffic. This is partly offset by higher than expected grant income for parks and sportsgrounds.

Capital project expenses reflect a \$191,100 unfavourable variance mainly comprising of \$51,300 drains, \$154,100 roads and \$68,500 library assets. This is partly offset by \$21,500 information systems and \$113,900 council buildings. The forecast year end position is a favourable variance of \$249,700 mainly relating to lower than expected expenditure for council buildings and infrastructure - traffic.

Budget Statement By Division

The following table summarises each of the divisional areas of Council. The total reflects a favourable year to date variance of \$415,600. The year end favourable forecast variance of \$27,200 is mainly due to income from supplementary rates as well as lower than expected insurance costs that is offset by an unfavourable variance within the Infrastructure division. The unfavourable variance is mainly due to expected income and expense adjustments, relating to golf courses, that was the subject of previous advice to Council.

Budget Statement by Division – August 2007 - Net cost (expenses less revenue)						
(favourable)/unfavourable						
Summary	----- year to date -----			----- full year -----		
	YTD Budgets	YTD Actuals	Budget Actual Variance	Budget 2007/08	Current Forecast	Budget Forecast Variance
	\$000's	\$000's	\$000's	\$000's	\$000's	\$000's
Community and Leisure Services	1,470.3	1,251.3	(219.0)	8,446.3	8,428.3	(18.0)
Sustainability	311.5	239.9	(71.6)	3,666.3	3,623.0	(43.3)
Infrastructure	2,606.1	2,550.1	(56.0)	17,988.5	18,478.2	489.7
Executive	202.2	238.6	36.4	1,820.5	1,820.1	(0.4)
Corporate Services	1,673.8	1,675.3	1.5	7,952.1	7,696.9	(255.2)
Rates	(8,502.5)	(8,609.4)	(106.9)	(50,535.0)	(50,735.0)	(200.0)
Net (Surplus)/Deficit	(2,238.6)	(2,654.2)	(415.6)	(10,661.3)	(10,688.5)	(27.2)

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The result is mainly attributable to:

- Community & Leisure Division reports a \$219,000 year to date favourable variance. This result is mainly due to earlier than expected fees and subsidy for Child Care and Personal Care.
- Sustainability Division reports a \$71,600 favourable variance mainly due to higher than expected fee income for Building and Planning fees.
- Infrastructure Division reports a \$56,000 year to date favourable variance mainly due to earlier than expected mobile phone tower rental, articles on roads, school crossing subsidy and higher than expected parking fee income. This is partly offset by higher than expected contractor costs for street sweeping and lower than expected rental for recreation facilities.
- Executive Division reports a \$36,400 year to date unfavourable variance mainly due to earlier than expected publication costs.
- Corporate Services Division reflects a \$1,500 unfavourable variance mainly relating to earlier than expected costs for telephone and software maintenance offset by additional investment interest.

OTHER FINANCIAL REPORTS

Accounts for Payment

The following payments were processed during the month of August 2007

Creditors	\$ 7,589,907
Payroll	\$ 1,184,636
Total	\$8,774,543

Debtors Report

As at 31 August 2007 Sundry Debtors amounted to \$1,194,964. Of this amount \$336,753 is overdue.(Refer attached worksheet)

IMPLICATIONS

Council Plan

The monthly financial report is a short term commitment in the Council Plan 2007-2011 (Goal 5 – 5.2.7)

Legal/Legislative Requirements

Section 138 of the Local Government Act 1989 prescribes that, at least every three months, a financial report of revenue and expenditure be presented to Council.

RECOMMENDATION

That Council receive and note the financial report for the two month period ended 31 August 2007.

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Income Statement – August 2007

(favourable) / unfavourable

	----- year to date -----			----- full year -----		
	YTD Budget \$000's	YTD Actual \$000's	Budget Actual Variance \$000's	Budget 2007/08 \$000's	Current Forecast \$000's	Budget Forecast Variance \$000's
Operating revenue						
Rates income	(8,502.5)	(8,609.4)	(106.9)	(50,535.0)	(50,735.0)	(200.0)
Operating grants and contributions	(1,077.4)	(1,253.2)	(175.8)	(7,695.6)	(7,880.0)	(184.4)
Fees & charges	(1,091.0)	(1,228.6)	(137.6)	(8,171.4)	(8,144.0)	27.4
Rental	(570.5)	(531.5)	39.0	(3,542.0)	(3,310.2)	231.8
Fines	(181.0)	(202.1)	(21.1)	(1,280.2)	(1,243.3)	36.9
Interest	(80.2)	(123.2)	(43.0)	(1,085.7)	(1,154.2)	(68.5)
Total services revenue	(11,502.6)	(11,948.0)	(445.4)	(72,309.9)	(72,466.7)	(156.8)
Priority projects	(63.8)	(30.1)	33.7	(367.8)	(367.8)	0.0
Total operating revenue	(11,566.4)	(11,978.1)	(411.7)	(72,677.7)	(72,834.5)	(156.8)
Operating expenses						
Employee costs	3,815.0	3,744.8	(70.2)	25,243.3	25,238.3	(5.0)
Materials and other costs	2,290.0	2,379.0	89.0	15,327.4	15,339.0	11.6
External contracts	2,932.1	2,979.6	47.5	18,750.0	18,877.1	127.1
Borrowing costs	187.4	194.8	7.4	1,052.5	1,050.0	(3)
Total services expense	9,224.5	9,298.2	73.7	60,373.2	60,504.4	131.2
Priority projects	103.3	25.7	(77.6)	1,643.2	1,641.6	(1.6)
Total operating expenses	9,327.8	9,323.9	(3.9)	62,016.4	62,146.0	129.6
Net (surplus) / deficit	(2,238.6)	(2,654.2)	(415.6)	(10,661.3)	(10,688.5)	(27.2)
Less depreciation	(1,823.9)	(1,762.6)	61.3	(11,003.0)	(10,635.7)	367.3
Net (surplus) / deficit after depreciation	(4,062.5)	(4,416.8)	(354.3)	(21,664.3)	(21,324.2)	340.1
Capital grants & contributions	(166.5)	0.0	166.5	(1,435.4)	(1,171.7)	263.7
Operating result	(4,229.0)	(4,416.8)	(187.8)	(23,099.7)	(22,495.9)	603.8
Capital projects	1,018.1	1,209.2	191.1	16,318.9	16,069.2	(249.7)

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Capital Projects Report – August 2007

(favourable) / unfavourable

	----- year to date -----			----- full year -----		
	YTD Budget	YTD Actual	Budget Actual Variance	Budget 2007/08	Current Forecast	Budget Forecast Variance
	\$000's	\$000's	\$000's	\$000's	\$000's	\$000's
Expense						
Arts & culture	0.0	0.0	0.0	312.5	312.5	0.0
Foreshore & conservation	21.6	42.5	20.9	1,769.0	1,754.0	(15.0)
Urban design	0.0	21.6	21.6	1,157.5	1,172.5	15.0
Parks & sportsgrounds	175.0	174.3	(0.7)	2,673.0	2,753.3	80.3
Information systems	125.5	104.0	(21.5)	556.0	556.0	0.0
Library assets	73.0	141.5	68.5	400.0	400.0	0.0
Council buildings	291.5	177.6	(113.9)	3,477.0	3,437.0	(40.0)
Infrastructure - drains	213.0	264.3	51.3	1,420.0	1,420.0	0.0
Infrastructure - roads	108.5	262.6	154.1	3,746.9	3,746.9	0.0
Infrastructure - traffic	10.0	20.8	10.8	807.0	517.0	(290.0)
Total expense	1,018.1	1,209.2	191.1	16,318.9	16,069.2	(249.7)
Revenue						
Arts & culture	0.0	0.0	0.0	0.0	0.0	0.0
Foreshore & conservation	0.0	0.0	0.0	0.0		0.0
Parks & sportsgrounds	(118.5)	0.0	118.5	(508.5)	(582.8)	(27.5)
Information systems	0.0	0.0	0.0	0.0	0.0	0.0
Council buildings	(48.0)	0.0	48.0	(410.0)	(362.0)	48.0
Infrastructure - drains	0.0	0.0	0.0	0.0	0.0	0.0
Infrastructure - roads	0.0	0.0	0.0	(226.9)	(226.9)	0.0
Infrastructure - traffic	0.0	0.0	0.0	(290.0)	0.0	290.0
Total revenue (ext. contrib.)	(166.5)	0.0	166.5	(1,435.4)	(1,171.7)	263.7
Arts & culture	0.0	0.0	0.0	312.5	312.5	0.0
Foreshore & conservation	21.6	42.5	20.9	1,769.0	1,754.0	(15.0)
Urban design	0.0	21.6	21.6	1,157.5	1,172.5	15.0
Parks & sportsgrounds	56.5	174.3	117.8	2,164.5	2,170.5	6.0
Information systems	125.5	104.0	(21.5)	556.0	556.0	0.0
Library assets	73.0	141.5	68.5	400.0	400.0	0.0
Council buildings	243.5	177.6	(65.9)	3,067.0	3,075.0	8.0
Infrastructure - drains	213.0	264.3	51.3	1,420.0	1,420.0	0.0
Infrastructure - roads	108.5	262.6	154.1	3,520.0	3,520.0	0.0
Infrastructure - traffic	10.0	20.8	10.8	517.0	517.0	0.0
Net capital	851.6	1,209.2	357.6	14,883.5	14,897.5	14.0

BAYSIDE CITY COUNCIL

GENERAL COMMITTEE MEETING

TUESDAY, 16 OCTOBER 2007

Sundry Debtors Report as at 31 August 2007

<u>Due for Payment</u>		<u>Total</u>	<u>Community Services</u>	<u>Rentals Sporting</u>	<u>Rentals Other</u>	<u>Roads, Crossings and Footpaths</u>	<u>Miscellaneous</u>
Current	31-Aug-07	\$541,809	\$116,741	\$196,952	\$118,111	\$10,697	\$99,308
30 Days	31-Jul-07	\$316,401	\$25,878	\$160,311	\$55,000	\$2,266	\$72,946
60 Days	Overdue	\$159,198	\$6,331	\$146,577	\$537	\$676	\$5,077
90 Days	Overdue	\$45,979	\$5,255	\$6,339	\$16,343	\$85	\$17,958
120 Days	Overdue	\$131,576	\$8,048	\$23,945	\$34,007	\$33,134	\$32,442
Sub-total		\$336,753	\$19,635	\$176,861	\$50,886	\$33,895	\$55,476
TOTAL		\$1,194,964	\$162,253	\$534,124	\$223,998	\$46,858	\$227,731

BAYSIDE CITY COUNCIL

GENERAL COMMITTEE MEETING

TUESDAY, 16 OCTOBER 2007

Cash Flow Statement - Period Ended 31st August 2007

	12 mths Actual 30/06/2007 \$' 000 Inflows (Outflows)	1 mth Actual 31/07/2007 \$' 000 Inflows (Outflows)	2 mths Actual 31/08/2007 \$' 000 Inflows (Outflows)	12 mths Forecast 30/06/2008 \$' 000 Inflows (Outflows)
Cash flows from operating activities				
Receipts				
Receipts from ratepayers	47,334	165	10,947	50,569
Interest received	1,120	136	162	1,088
User charges, fees & fines (inclusive of GST)	14,838	1,729	2,992	14,216
Grants & contributions received (inclusive of GST)	8,672	699	1,394	10,069
Net GST refund	2,779	271	981	2,868
Payments				
Payments to employees	(23,184)	(1,846)	(3,773)	(24,940)
Payments to suppliers (inclusive of GST)	(37,371)	(5,481)	(8,658)	(41,497)
Interest paid	(1,042)	(70)	(70)	(1,097)
Net cash provided by(used in) operating activities	13,146	(4,397)	3,975	11,276
Cash flows from investing activities				
Payments for property, plant & equipment, infrastructure	(12,656)	(2,869)	(2,965)	(12,419)
Net cash used in investing activities	(12,656)	(2,869)	(2,965)	(12,419)
Cash flows from financing activities				
Proceeds from interest bearing loans and borrowings	3,500	-	-	2,000
Repayment of interest bearing loans and borrowings	(2,636)	(2,000)	(2,000)	(2,000)
Proceeds from trust funds and deposits	216	121	277	27
Net cash provided by(used in) financing activities	1,080	(1,879)	(1,723)	27
Net decrease in cash and cash equivalents	1,570	(9,145)	(713)	(1,116)
Cash and cash equivalents at the beginning of the period	13,245	14,815	14,815	14,815
Cash and cash equivalents at the end of the period	14,815	5,670	14,102	13,699
Unrestricted	10,252	1,107	9,539	9,089
Restricted - long service leave & reserve funds	3,913	3,913	3,913	3,960
Special purpose - loan reserve	650	650	650	650
Cash and cash equivalents (including Investments) consists of:				
Retail banks	7,477	1,500	6,559	
Community banks	1,476	-	893	
Statutory - long service leave	2,338	2,336	2,325	
Cash on hand and at bank	3,524	1,834	4,325	
Total cash and cash equivalents	14,815	5,670	14,102	
Total interest bearing loans and borrowings	17,500	15,500	15,500	17,500

6.1 ***Financial Implications***

Naomi Paton, Leisure Planning & Policy Co-Ordinator
File No: COR1758

6.2 ***Financial Implications***

Wright Paterson, Sport and Recreation Officer
File No: SUB21550

6.3 ***Financial Implications***

Naomi Paton, Leisure Planning & Policy Co-Ordinator
File No: COR 1592

6.4 ***Financial Implications***

Peter Gheller, Waste Management Coordinator
File No: COR/1373

6.5 ***Financial Implications***

Stewart Reid, Manager Properties
File No: COR
