

Requests to be Heard

23 July 2024

Council Meeting



Bayside
CITY COUNCIL

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WRITTEN STATEMENTS

Item 10.1**Submission to the Suburban Rail Loop Draft Precinct Key Directions for Cheltenham****Against (A)
For (F)****1. Jason Hall****(A)**

We advocate for greater ongoing engagement with all Bayside communities concerning this latest information prepared before the Bayside City Council (BCC).

Even at recent Council Meetings, discussion around the SRL was still around debating its merits. The focus needs to shift to how we can shape and influence the change. We thank the BCC for showing more considered thought toward this approach.

Table 1. Cheltenham SRL Precinct Compared to Box Hill

	Bayside Highett/Highett MAC (Mean values)	Kingston Moorabbin/Highett/Cheltenham Planning Areas (Mean values)	Box Hill
Travel to work by car	61.4%	65.6%	45.5%
Households with no car	7.0%	7.0%	22.6%
Households with two or more cars	44.75%	47.45%	26.5%
Households with three or more cars	9.55%	11.0%	6.6%
Worked from home	5.5%	4.25%	4.1%
Used PT to work	18.3%	14.85%	29.2%
Cycled to work	1.55%	1.0%	0.8%
Walked to work	2.55%	2.75%	8.6%

Source: <https://atlas.id.com.au/> (2016 ABS Census Data, 2021 not used due to COVID irregularities)

Statistics in Table 1 highlight the scope of change possible for the areas surrounding the Cheltenham SRL Precinct. Behind the SRL is an objective to instigate this shift and encourage different urban settlement patterns not widely seen in this area.

What is the strategic vision and future for the Bay Road Corridor?

The simplified answer should be an obvious one. For an orbital rail connection linking much of the radiating rail lines from Central Melbourne, the SRL stops short of connection to Sandringham and Port Phillip Bay. The obvious link is through Bay Road. Bay Road is an ideal candidate for a higher-density transport-orientated corridor and the SRL Key Directions reflect that thinking. It's why a higher-built form is proposed up to 1.8 kilometres away from the station along Bay Road.

What we question and feel is an important point for authorities and planners to consider is whether such a future corridor can co-exist successfully with priority given to a four-lane arterial road at the same time. The position of BCC is focused on continued support and strengthening of Bay Road's arterial function. We believe this position is counter-intuitive and works against the objectives of the SRL or densification. We also understand why the position has been taken, however, we stress the importance of transport integration across all modes and a shift in transport use away from private vehicles. The dilemma for Bay Road is that this important east-west arterial link is already restrained by its width and physical constraints.

The safer, healthier and more sustainable solution for Bay Road is less priority on vehicle movement and a shift toward creating places. Such change is challenging, it is for us as much as anyone but that is the better outcome for future communities. We believe the position by BCC is understandably influenced by locally established communities wishing to retain residential streets as they are. That and maintaining the existing level of access through the area. Initially, we agreed with this position, what happens at the eastern end of Bay Road impacts us greatly, it's our 'Stroad'¹ after all. We rely on Bay Road for access to work, services, recreation and life outside Bayside. However, we have grown to understand this apprehension as also fear. Through more understanding and research, we accept life might not be as easy as it once was to use a car. We will have to adapt and better advocate for improvements in alternative transport mode integration, allowing us to enjoy the positives this shift can also bring. Equally, it isn't just about us but also others to come.

- Bay Road by modern design standards is a substandard four-lane arterial road.
- Bay Road is only a 4.25-kilometre section of arterial road. Of this total length, 2.0 kilometres are formally single lanes each way or almost 50%.
- The common argument supported by experts is that providing more capacity only induces more traffic. This is arguably the case also for Bay Road. There are other factors such as connections to north-south routes to consider. While it will certainly make things more difficult, we don't believe it is beyond users to adapt along various sections of Bay Road if reductions in capacity, flow and speeds do occur. That includes our family.
- There is already limited street parking provision along Bay Road. Accommodating street parking on Bay Road is not a pressing concern nor are parking/cycling conflicts.
- There needs to be a greater understanding, modelling and analysis of factors contributing to traffic use along the entire length of Bay Road. Such study should also extend to other connecting roads and the broader road network, ie. Park Road, Cheltenham Road, Highett Road etc.
- The importance of freight movement and its facilitation on Bay Road is overstated in the Council's submission. There are already existing dimensional limitations on heavier vehicles and access to the Bayside Business District (BBD) can occur from the south in addition to Bay Road. Increased densification and activity levels resulting from the SRL should be counter-intuitive to promoting heavier vehicle use.

¹ <https://theconversation.com/not-quite-a-street-not-quite-a-road-why-stroads-are-disasters-of-urban-planning-and-how-to-fix-them-232485#:~:text=The%20term%20stroad%20%E2%80%93%20a%20portmanteau,and%20a%20place%20for%20people.>

- Provision to cater for an adequate arterial function alongside higher density development would heavily pressure demands for widening and greater setbacks to accommodate future growth and capacity based upon an increased car use scenario. This would entail planning in provisions now, overlays and guidelines that would negatively impact development outcomes and potential.
- The potential to widen Bay Road is severely limited, it would be expensive and difficult.
- The position to promote traffic signal syncing and foster greater flows will only encourage speeds closer to posted limits of 60 km/h (although many users already exceed this). The potential for more serious injury or death is only heightened. Some of the worst accidents along Bay Road are in existing uninterrupted high-flow sections. This position is counterintuitive to efforts to enhance the pedestrian experience and overall road safety, particularly for higher-density areas.
- Bay Road is the most direct east-west connection in the Cheltenham SRL Precinct. It is also the road upon which the proposed SRL station is located. It provides a direct connection to the Frankston and Sandringham lines. It facilitates connections north and south; it is the spine of this area. It is therefore counterintuitive to push cyclists to the periphery of the area to move safely. Forced to use indirect, largely unidentified meandering journeys over the obvious direct connection between all these transport nodes. Most importantly, it is a failure of policy and design principles because people will still use Bay Road to cycle over using those designated routes.

We don't support the position prepared by BCC for the SRL regarding the priority and vision they promote for Bay Road.

Possible solutions for issues along Bay Road may require changes in current thinking. The reconfiguration of Bay Road for a single lane each way shouldn't be dismissed as a preposterous idea. There are significant positives to be gained. The following is based upon reconfiguration to one lane each way with a centre median, a commonly used layout throughout Australia.

- Improved road safety for all users
- The provision of a central median strip would facilitate safer ways for vehicles to right turn along Bay Road using slip lanes. This strip could be enhanced by vegetation and landscaping to improve the streetscape. The same strip will also allow pedestrians and vulnerable users to have a refuge as they cross.
- Right turns should be more thoroughly considered along Bay Road when exiting side streets. Certain streets may be left turns only and right turns can be diverted through collector roads with signalisation. Conflict at slip lanes regarding major traffic generators can utilise separated entry and exit points. Only when necessary and sparingly, provision could be made for U-Turns. The use of local streets for rat running would not be as beneficial. Wider turning circles can be accommodated still if needed.
- Rather than concentrating on syncing traffic signalisation along Bay Road, BCC should be advocating for additional signalisation at Aldi Supermarket, George St-Advantage Rd and revamping signals at Jack Rd.
- Provision of on-road cycle paths down each side of Bay Road whether all the way or just to Bluff Road and then utilising Sandringham Road if desired.
- Although not ideal, bus stops could be indented utilising cycle paths and allow uninterrupted through traffic. This outcome would still be better than the existing situation.
- This could all occur without extensive remedial works, road widening or underground power however we do support the latter.
- Configurations at the Bay Road east end can be integrated with such a solution.
- The negative is the possible escalation of traffic lengths and queueing particularly during peak demand however, the loss of right-turning vehicles and buses interrupting flow is a plus. The reality of the situation is that Bay Road will slow down regardless of this solution, and it should. The existing speeds on Bay Road are already excessive for its roadside environment let alone that to come. It should be noted that existing primary and secondary schools exist along Bay Road with many of their students and families using Bay Road. These same schools are likely to service the needs of growth around the SRL and therefore promote even higher levels of children using greater lengths of Bay Road.
- We also argue that it will help promote transport mode shift and is only for a small length of the overall road network. We assert that the conditions and flow through intersections, particularly at Nepean Highway will have a larger bearing on the levels of congestion than single lanes will.

We believe better outcomes for the Bay Road Corridor including the BBD can be achieved if there is a more positive and proactive approach taken, especially where BCC show leadership to think more broadly and long-term about the future environments posed by the SRL than this position currently put forward. We as a family residing in this corridor ask BCC to be more progressive regarding the future planning of our area. We sincerely request they consider the thoughts raised here and take them into account when considering the framework of their submission to the SRLA.

Item 10.2 C192bays - Post War Modern Heritage - Panel Report Recommendations	For (F) Against (A)
1. Dr Shirley Prager	(A)
<p>I am Shirley Prager, an elderly widow who has owned 11 Summerhill Road, Beaumaris, since 1977. I am writing to vehemently oppose the proposed heritage overlay on my property.</p> <p>During 2022, I was entirely consumed with caring for my dying mother, Beryl Feldman, who passed away in August 2022, and my husband, Peter Prager, who passed away from Cancer in 2023. This profound loss and the exhausting responsibilities of a caregiver left me unable to defend my home against this unjust proposal. Unlike previous occasions, when Peter and myself successfully protected our property, this time I was simply unable to fight back. Is it just that I repeatedly need to protect my rights under such circumstances?</p> <p>The Panel's report fails to address critical elements of the submissions and evidence. It disregards the Bayside City Council's own values outlined in the 2050 Community Vision, which prioritises the highest value use of land. A heritage overlay on 11 Summerhill Road would directly conflict with this priority.</p> <p>The land at 11 Summerhill Road is large enough to accommodate two houses, providing much-needed housing for two families. Imposing a heritage overlay would prevent this valuable use of land, directly conflicting with Priority 9.1 of the Community Vision, which emphasizes maximizing land use for the benefit of the community.</p> <p>Moreover, no heritage expert has inspected the interior or exterior of my property, making any judgment flawed and incomplete. The Community Vision, Priority 9.2, states that heritage considerations should have the owner's consent. I do not consent to this overlay. If the Council wishes to preserve this house for its historical value, it could be relocated to Council-owned land and serve as a tourist attraction or emergency accommodation.</p> <p>The anticipated population increase in Bayside demands an immediate focus on creating multiple housing platforms, as outlined in Priority 9.4. Building two family homes on this land would better serve our community's needs, providing homes for families and enhancing our infrastructure.</p> <p>My inability to defend my property stems from my profound loss and the emotional and physical toll of caring for my dying loved ones. This proposal is not just a bureaucratic oversight; it is a deeply personal and unjust imposition on a grieving widow who deserves compassion and support.</p> <p>I urge you to reconsider this proposal and reject the heritage overlay on 11 Summerhill Road. Let's honor our values, support our community's growth, and stand with me in my time of need.</p> <p>Yours sincerely,</p> <p>Shirley Prager</p>	

C192bays is a problematic and flawed planning amendment that is inconsistent with the over-arching objectives of the *Planning and Environment Act 1987*- section 4 where it is stated:

(1) The objectives of planning in Victoria include —

- to provide for the fair, orderly, economic and sustainable use, and development of land
- to balance the present and future interests of all Victorians

The above objectives have not been achieved but rather the opposite has occurred. C192bays can only be described as a planning amendment that creates unfairness and results in uneconomical and unsustainable outcomes. Also, many would say that it has been disorderly process that has failed in terms of full transparency and due process and has dragged on for many years to the detriment of many. Further, this proposed planning amendment does not balance the present and future interests of **all** Victorians in any way, shape or form. In particular, the interests of the owners of the affected properties have been largely disregarded in a most egregious and unfair manner. The financial and economic impact alone would be severe and result in a significant reduction in the value of each property to below 'land value' and would not allow for the best use of the land.

An oft-made, comment by heritage consultants and others vested groups is that Heritage Overlay controls do not directly affect property values. However, without a doubt, the adoption of C192bays would significantly reduce the property values of all of the affected properties, particularly when land prices in Bayside are astronomically high and when there is a desperate need for land to build new housing stock that incorporate high quality modern design principles with a focus on environmental and sustainable features.

In the case of C192bays it is inconceivable to me that by the 'stroke of a pen' affected property owners would be literally robbed of huge sums of money and provided with no compensation. We are talking about hardworking, humble Victorians who do not deserve to be penalised in such an unfair manner by C192bays.

Apparently financial impacts to affected property owners need not be considered when decisions regarding applying heritage controls are being made but why not and surely it is imperative that the concept of fairness and equity are taken into account by decision makers.

Unfortunately, it has not entirely been a transparent or fair process of selection (and in some cases elimination) in relation to the properties included in the 'final list'. Many injustices have been extensively pointed out by objectors over the past 2 years. Many believe that many of the properties that have been nominated are not high quality or notable examples of Post-War Modern Residential architecture and do not meet the threshold for heritage protection. The process of applying the Hercon Criteria to assess heritage worthiness is flawed and, also to, is the way that Heritage Consultants consistently use 'architectural speak' to describe Post-War modernist buildings to arrive at their desired position.

In a parallel process to C192bays, the City of Maribyrnong introduced heritage planning amendment C172mari in 2022 following a West Footscray Inter-war and Post-war Heritage Precinct study in 2021. This amendment proposed heritage protection of 8 precincts located in the West Footscray area, involving over 900 properties.

Notably, in June 2023, after considering the C172mari Panel Report (which largely supported the amendment) the councillors unanimously, against Officer Recommendation, resolved to abandon the amendment on the **basis that the financial impacts on property owners outweighed the benefits associated with heritage protection** and was inconsistent with the over-arching objectives of the *Planning and Environment Act 1987* – section 4 mentioned above.

Subsequent to the decision made at the Council meeting, the Minister for Planning Sonya Kilkenny then exercised her ministerial powers of intervention and removed the interim heritage overlay controls by bringing Amendment C181 into law which effectively accepted the unanimous position of the Councillors to abandon the amendment.

The planning minister's intervention and her decision in this instance confirms the notion that unjust and unwarranted Heritage controls should not be given priority over the property rights of Victorians, many of whom are facing unprecedented, uncertain and challenging times relating to cost of living pressures, sky rocketing renovation & building costs, a housing shortage, a housing affordability crisis and a climate emergency.

Please note that I have no vested financial interest in C192bays but feel incredibly concerned about the flaws in the process and the financial detriment and impact it will impose on the property owners involved. I cannot fathom the shocking stress and anxiety it has created over many years to so many families.

I have raised 5 relevant questions to be addressed during the Public Question Time at this Council meeting. Refer to my list of questions below. I am looking forward to them being answered and for numerous uncertainties being clarified.

Our Councillors have been placed in an extremely difficult position in relation to deciding on the fate of C192bays. I strongly encourage them to consider the position and perspective of the property owners who have endured years of uncertainty, stress, anxiety, financial burdens, ill-health and vote for this amendment not to proceed. It has been a highly divisive, controversial and emotional process that has taken an enormous toll on so many undeserving, wonderful, many elderly, Bayside Residents and their families.

Several councillors have commented in prior council meetings that decisions involving forced compulsory heritage listings should be paused until much needed regulatory heritage reforms are implemented that reflect community expectations of justice, fairness and equity.

The most sensible and fairest outcome will be for the Panel's and Council Officer's recommendations to not be accepted and for Amendment C192bays to be abandoned.

Please let right be done.

List of questions (please note that there is some overlap in the content included in these questions with the contents of my objection reasons above.

Question 1

The draft Post-War Modern Residential Heritage Study, prepared by GJM Heritage, was presented to Council in January 2022. This study nominated 159 individual properties, including one group listing, to be recommended for heritage protection. At the July 19, 2022 Council meeting, a narrowly won Council Resolution recommended for the removal of 78 properties from inclusion in the heritage overlay.

Could Council please provide information in relation to:

- Who was involved in the decision-making to delete the 78 properties that were initially considered to be worthy of inclusion?
- What criteria/threshold considerations were applied?
- Was a transparent and orderly selection process used to decide which properties to delete at this stage and was a suitably qualified heritage consultant involved?
- Were all the properties nominated in the draft study re-considered for deletion at this important stage? If not, why not?

Question 2

At this same July 19, 2022 meeting the Councillor's unanimously passed a motion for a letter to be sent from Bayside Council to the Minister for Planning. The purpose of this letter was to advocate for heritage reforms, reinforcing Council's position outlined in its submission to the Parliamentary Inquiry into the Protections within the Victorian Planning Framework and highlighting the fundamental flaws of the heritage amendment process.

Could Council please share the written response that they received from the Minister for Planning in relation to this letter which arose from the Council Resolution mentioned above?

It is important to note that during this meeting many strong viewpoints were put forward by our Councillors regarding the current heritage overlay selection process and regulatory framework e.g. 'It is fundamentally flawed', 'the system is broken', 'there is a lack of fairness and equity' and how they felt sorry for the property owners caught up in it. Hence, their motivation to communicate with the Minister for Planning and for their concerns to be listened to and responded to at the highest level.

Question 3

Could the Council please confirm if the Council Officers and the Councillors are aware of a decision involving a proposed Heritage Overlay planning amendment in 2023 in the City of Maribyrnong?

In a parallel process to C192bays, the City of Maribyrnong introduced heritage planning amendment C172mari in 2022 following a West Footscray Inter-war and Post-war Heritage Precinct study in 2021. This amendment proposed heritage protection of 8 precincts located in the West Footscray area, involving over 900 properties.

Notably, in June 2023, after considering the C172mari Panel Report (which largely supported the amendment) the councillors unanimously, against Officer Recommendation, resolved to abandon the amendment on the **basis that the financial impacts on property owners outweighed the benefits associated with heritage protection** and was inconsistent with the over-arching objectives of the Planning and Environment Act 1987 – section 4 where it is stated

(2) The objectives of planning in Victoria include —

- to provide for the fair, orderly, economic and sustainable use, and development of land
- to balance the present and future interests of all Victorians

Subsequent to the decision made at the Council meeting, the Minister for Planning Sonya Kilkenny then exercised her ministerial powers of intervention and removed the interim heritage overlay controls by bringing Amendment C181mari into law which effectively accepted the unanimous position of the Councillors to abandon the amendment.

It is important that Bayside Council and its Councillors are aware of this very relevant precedent. It provides an insight into the thinking and viewpoints of the current Minister for Planning Sonja Kilkenny in relation to proposed heritage Planning Amendments in Victoria. She is understanding and empathetic to other factors at play relating to the possible negative consequences of heritage overlay on Property Owners.

Question 4

It is mentioned in the Officer's report on page 104 of the Agenda:

Many submitters made suggestion in their submission that the Heritage Overlay should be voluntary. The Panel noted that Council had already been advised by the Minister for Planning on this matter. The Minister expressly stated that it is not appropriate for planning authorities to adopt a voluntary nomination approach when determining whether to apply the Heritage Overlay to protect places of local heritage significance.

The Minister for Planning referred to in the above paragraph is Richard Wynne, a prior Planning Minister who made these statements about the voluntary nomination approach, many years ago, in May 2020. Times have changed and there has been 2 subsequent Planning Ministers since he ceased this role.

Has the current Minister for Planning Sonja Kilkenny, who commenced her role in December 2022, been sounded out in recent years in relation to her views on planning authorities adopting a voluntary nomination approach for Heritage Overlay nominations, a much fairer and more equitable option? There is no reason why this approach could not be revisited again by Bayside City Council and feedback sought directly from her department prior to commencing.

Question 5

Out of the remaining individual properties currently included in the final list for inclusion in C192bays:

Could Council please provide details as to how many of these individual properties the 8 Bayside Councillors have visited in person, for the purposes of completing a first-hand, information gathering assessment? A site visit would be invaluable in relation to forming their opinions regarding the heritage worthiness of each property and would help guide them in their decision making regarding adopting or abandoning C192bays.

Submitted by Margaret Simmonds, dated 21/07/2024

3.	Mrs Mary and Mr Ian Larsen	(A)
<p>We object to the heritage listing of privately owned homes without the consent of the owner.</p> <p>Heritage is an unfair system, unjust and an abuse of power. Bayside ratepayers should have a reasonable belief that Council will not devalue their property without compensation.</p> <p>Council has acknowledged that heritage is a complex issue and has written to the State Government on numerous occasions advocating for heritage reforms, stating "the process can become highly adversarial and divide communities and is rarely aligned with the interests of the affected property owners".</p> <p>Recently Glen Eira and Maribyrnong Councils have rejected heritage overlays due to overwhelming community opposition.</p> <p>We are hopeful that Bayside City Council will request that the Minister remove the interim heritage overlays on properties where the owner has lodged an objection.</p>		

Dear Councillor,

We would like to thank you and the Bayside Council for your work in completing the C192bays Post war modern heritage study and hope you all vote to approve and implement it.

We feel the use of ratepayer funds to produce this study is an important use of funds for a good cause and to not implement it is a waste of time and precious funds. These studies are not optional according to Heritage Victoria.

To maintain a unique and varied architectural character in Bayside it should be implemented to prevent further loss of significant heritage buildings in future.

Quality modern newly built architecture is welcome in Bayside but only to replace non-significant buildings, as is the case in other councils.

My parents live in a home with a heritage overlay in Melbourne and their council has sent them a letter for them to apply for funds allocated by council to use for restoration/renovations up to \$5000. All homes need maintenance and we feel this is not a reason for opposition or removal from the study if Bayside council could also offer such a scheme. Also it is often a simple sympathetic addition/renovation to adapt these homes for a modern family. Demolition should always be the last option.

We appreciate all types of quality architecture and have found that some of these post war modern homes have commanded prices well above the reserve when on the market when we were trying to buy into the municipality of Bayside. Therefore if these homes and this type of architecture is appreciated it can only be a positive win for all if they are protected for everyone of all generations to admire and enjoy to live in.

Thanks for your consideration of our opinion as you are one of our elected representatives and a voice for those that live in Bayside.

Kind Regards,

Sonia and Andrew Holland

Item 10.3 Wangara Road Masterplan	Against (A) For (F)
1. Mr Bruce and Mrs Carole Green	(A)
<p>Introduction</p> <p>Sandy Mini Golf has experienced the “perfect financial storm”:</p> <ol style="list-style-type: none"> 1. Loss of anchor tenant (Driving Range that previously drove foot traffic) 2. Loss of car parking spaces completely decimated by netball <ol style="list-style-type: none"> a. The proposed additional 50 car spaces will not resolve the car parking issue <p>As a result, Mini Golf is losing money and is longer financially viable.</p> <p>A precedent was established between Bayside City Council and previous Wangara Road tenants, with compensation paid out at around \$1.4m.</p> <p>Mini Golf was never offered compensation and was offered the enticement to stay on the assumption the netball (that was still planned for Wangara Road) would drive foot traffic, and there was parking for more than 250 plus cars. When it was decided to establish the netball facility at Sandringham College, the Greens were still of the belief that the future Masterplan for the Wangara Road site would complement Mini Golf with Active Open Space land use that would drive foot traffic. Sandy Mini Golf has never been and is not a viable “stand alone” business.</p> <p>Despite a council resolution identifying Sandy Mini Golf as a key stakeholder, there is nothing in the council report that reflects any detail of any conversation or engagement with the Greens. Mini Golf has been ignored on many fronts.</p> <p>Timeline of relevant decisions</p> <ol style="list-style-type: none"> 1. Feb 2021 council resolution identified Mini Golf as a key stakeholder in the community consultation 2. Nov 2022 council resolved to use the Open Space as Passive – this was not communicated to Mini Golf 3. Feb 2024 the Greens signed the lease and were not made aware of the Nov 2022 Council resolution to convert the old driving range/tip/quarry to Passive Open Space. The lease was signed, with the Greens still thinking future Master planning of the Wangara Road site would be active open space 4. May 2024 the Greens met with Council officers re the Masterplan. This meeting was initiated by the Greens <ul style="list-style-type: none"> - Emails following the meeting from officers confirmed: <ul style="list-style-type: none"> o <i>“It is clear that the Masterplan, due to the sites constraints, won’t provide the Greens with the outcomes they had anticipated.”</i> (sic) o <i>“Regarding the request for a payout for Mini Golf to vacate the Wangara Road site – I will discuss this matter with Councils Leasing Team. I will also provide them a summary of our discussions regarding the Wangara Rd Masterplan”.</i> <p>There has been no further feedback from Council officers.</p> - Feedback from the May meeting has not been incorporated in the Community Engagement Summary Report – despite minutes taken, submitted and confirmed by Council officers 5. In addition, there was no formal notification from Council Officers that the Wangara Master Plan is on the July Council Agenda <p>Precedent</p> <ol style="list-style-type: none"> 1. The two former tenants of the Wangara Road site were paid around \$1.4M 2. Mini Golf was offered nothing <p>Masterplan</p> <ol style="list-style-type: none"> 1. <i>“This Masterplan represents the reserve as primarily a passive open space, with garden beds, trees, walking trails, places to sit, an open grassed area for informal play and gatherings, a fenced off-leash dog area and a small car park, but with allowance for low</i> 	

impact active recreation activities such as running, group fitness and kick-about.” Page 4 Masterplan

2. There was no consideration of the needs of Sandy Mini Golf (a key stakeholder) in the Masterplan
 1. Activities that will drive foot traffic (like an “anchor tenant” in a shopping centre)
 2. The proposed “active” activities (outdoor table tennis, bbq, seating areas) will not generate the traffic required like the traffic generated by the former Driving Range or the proposed Netball courts

Parking

1. Parking is an immediate critical issue, since March 2024 the Wangara Road carpark has been at full capacity with netball parking, leaving no parking for Mini Golf
2. Accessible car parking is essential for Mini Golf given the primary target market
 1. Young children
 2. Disabled
3. The proposed timeline of 2025/26 is not viable
4. Mini Golf as a business will not survive 2024 let alone another 2 years
5. BCC was to advise timing of traffic management survey – this has not happened
6. An additional 50 car parks as recommended in the Officers report will not satisfy current demand nor parking demand for the future Masterplan

EPA

1. BCC committed to provide correspondence in writing stating that the following excerpt from the EPA report has been actioned and is no longer a concern
 1. *The Sandy mini-golf building was monitored and LFG above the action levels was not detected although the potential for migration of LFG is still possible so the resolution of the monitoring data from the Sandy mini-golf building must be increased to provide more assurance on the risk levels.*

There has been no further feed back from Council directly to the Greens even though there was a statement included in the Officers report regarding contamination.

Security

Since video surveillance was installed in March 2024, after two break ins. Attempted break ins have been recorded approximately every eight weeks and have been forwarded to Council Officers.

Next Steps following the May meeting

1. BCC to engage with Mini Golf to discuss a payout and Mini Golf vacating the Wangara Road site
2. Carole and Bruce Green will discuss with their accountant a nominal payout fee that will include loss of income incurred to date, loss of future income and investment to date. Carole and Bruce Green have now established a nominal payout fee

These were the next steps that were agreed to following the May meeting with Council Officers and there has been no action to date.

Carole and Bruce Green
Sandy Mini Golf

Please accept a written submission for a petition with 230 signatures. I am terribly sorry for the technical IT issues with the change.org website. Please accept this written submission instead in good faith.

Thank you for the consideration

Note: The online petition referenced in the below written statement could not be formally presented to the Council meeting given the list of signatories could not be verified due to a technical issue with the web host”.

<https://www.change.org/Bronzewing-Park>

We the undersigned hereby petition Bayside City Council to partner with the community to create a reserve at Wangara Road with nature at the heart of the site.

To this end it:

Undertakes an indigenous flora, fauna and habitat survey and plan (the Plan) to underpin further development of the Masterplan and management of the site.

The Plan will identify target fauna species that are locally and or regionally threatened, have capacity to occur onsite and act as umbrella species. One key example would be the Bronzewing Pigeon.

The Plan would also develop actions to actively counter limiting environmental factors for those species, e.g. design features and plant selection that limited Noisy Miner activity on the site.

Is predominantly made up of habitat and garden beds and any lawn areas are small or modest in size and planted out with indigenous grass species

Includes damp zones and ephemeral water bodies where possible

Has facilities for environmental education

Seeks to maximise people’s connection with nature, including an immersive nature play garden for children and people of all ages (similar to the Ian Potter Children’s Garden in the RBG).

Allows for an environmental volunteer base with essential amenities (e.g. a workshed with a toilet, kitchenette, storage etc).

Has any dog related activities near the car park and well away and clearly separated from habitat related areas

3.	Mrs Anne Jessel (on behalf of Friends of Native Wildlife Inc.)	(F)
<p>Our thanks to Council for noting our previous feedback on this plan. However, we don't believe that the changes are adequate to protect the Bronzewings.</p> <p>The plan creates an expectation of a "perimeter path" for the parkland for walking, jogging and cycling as part of the "primary circulation" so is expected to introduce people into the Bronzewing's current quiet and secure refuge. As currently shown, it cuts right through the middle of the narrow Bronzewing habitat. The Bronzewings require separation from disturbance. Even if people stick to the trail, they will be very close to the Bronzewings. Unless there is policing of the area to ensure dogs are always kept on short leads, dogs will have the run of much of the habitat area - a long lead would allow the dog to reach most of the way into sensitive habitat because of its narrowness.</p> <p>As we explained previously, these birds are ground dwellers so are highly sensitive to disturbance, are by no means common and use more of the site than the plan acknowledges. This park is intended to have an environmental focus, so Council needs to take a more precautionary approach to safeguarding this locally popular species. Safeguarding the Bronzewings will also help protect many other species.</p> <p>We request that Council:</p> <ol style="list-style-type: none"> 1. Recognise in planning for the site that the primary Bronzewing habitat comprises the entire southern edge and half the western edge of the Wangara site which is the area most frequently utilised by the Bronzewings. 2. Re-route the southern and western portions of the path to utilise the current footpath or nature strip areas to protect the Bronzewings. Except for maintenance and related tasks, the existing path in this section should not be accessible and therefore, be fenced. 3. Undertake regular monitoring of the Bronzewings on the site both pre and post works. We are equipped to assist Council with this. 4. That FoNW be formally involved in the refinements to this master plan as its implementation progresses. 		