

# Hampton Foreshore Accessibility Project

Submitted to **Bayside City Council**  
on behalf of **Bayside City Council (Project Services)**



Prepared:

20 Ju

Bayside City Council  
Planning Environment Act 1987

**ADVERTISED PLAN**

Planning Application No: 5/2025/93/1

Date: 09/07/25



**'Gura Bulga'**

Liz Belanjee Cameron

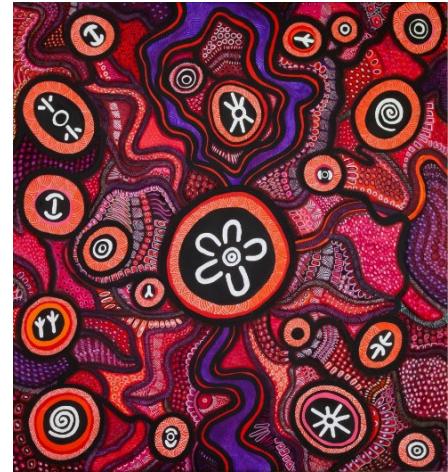
'Gura Bulga' – translates to Warm Green Country. Representing New South Wales.



**'Dagura Buumarri'**

Liz Belanjee Cameron

'Dagura Buumarri' – translates to Cold Brown Country. Representing Victoria.



**'Gadalung Djarri'**

Liz Belanjee Cameron

'Gadalung Djarri' – translates to Hot Red Country. Representing Queensland.

Ethos Urban acknowledges the Traditional Custodians of Country throughout Australia and recognises their continuing connection to land, waters and culture.

We pay our respects to their Elders past, present and emerging.

In supporting the Uluru Statement from the Heart, we walk with Aboriginal and Torres Strait Islander people in a movement of the Australian people for a better future.

In March 2025, Ethos Urban took a major step toward future growth by partnering with leading professional services firm, Colliers. While our name evolves, our commitment to delivering high-quality solutions remains unchanged—now strengthened by broader access to property and advisory services and expertise.

**Bayside City Council  
Planning Environment Act 1987**  
**ADVERTISED PLAN**  
**Planning Application No: 5/2025/93/1**  
**Date: 09/07/25**

<b>Contact:</b>	Josh Maitland Associate Director - Planning	<a href="mailto:jmaitland@ethosurban.com">jmaitland@ethosurban.com</a> 0401 660 703	
<b>This document has been prepared by:</b>		<b>This document has been reviewed by:</b>	
			
RC	17 March 2025	JM	
		17 March 2025	
<b>Version No.</b>	<b>Date of issue</b>	<b>Prepared by</b>	<b>Approved by</b>
1.0 (DRAFT)	17/03/2025	RC	JM
2.0 (FINAL)	20/06/2025	RC	JM

Reproduction of this document or any part thereof is not permitted without written permission of Ethos Urban Pty Ltd. Ethos Urban operates under a Quality Management System. This report has been prepared and reviewed in accordance with that system. If the report is not signed, it is a preliminary draft.



Ethos Urban Pty Ltd | ABN 13 615 087 931 | Sydney NSW | Melbourne VIC | Brisbane QLD | [ethosurban.com](http://ethosurban.com)

# Contents

<b>Executive Summary .....</b>	<b>5</b>
Proposal	5
Planning Permit Exemptions.....	5
Planning Permit Triggers.....	5
Reasons why the Proposal should be supported .....	6
<b>1.0      Overview and Context.....</b>	<b>7</b>
1.1     Introduction .....	7
1.2     Planning Summary.....	8
1.3     Site and Surrounds.....	9
1.4     Certificate of Title and Encumbrance .....	10
<b>2.0      The Proposal .....</b>	<b>12</b>
2.1     Overview.....	12
2.2     Vegetation Removal and remediation .....	12
2.3     Re-vegetation planting .....	15
2.4     Buildings and works.....	16
2.5     Vehicle Access .....	17
2.6     Car Parking .....	18
2.7     Cultural Heritage .....	18
<b>3.0      Planning Controls, Policy and Strategic Documents.....</b>	<b>19</b>
3.1     Zone.....	19
3.2     Overlays.....	19
3.3     Particular Provisions.....	22
3.4     General Provisions.....	23
3.5     Environment Protection and Biodiversity Conservation Act 1999.....	24
3.6     Flora and Fauna Guarantee Act 1988 .....	24
3.7     Policy Context.....	25
3.8     Incorporated Documents.....	25
<b>4.0      Planning Assessment .....</b>	<b>26</b>
4.1     Planning Policy Framework.....	26
4.2     Vegetation Removal.....	26
4.3     Buildings and works.....	
4.4     Vehicle access.....	
4.5     Car parking .....	

Bayside City Council  
Planning Environment Act 1987

ADVERTISED PLAN

Planning Application No: 5/2025/93/1

Date: 09/07/25

4.6	Aboriginal Cultural Heritage Assessment .....	27
4.7	Clause 65.01.....	28
<b>5.0</b>	<b>Conclusion .....</b>	<b>29</b>
5.1	Final Assessment.....	29
	Municipal Planning Strategy (MPS) .....	30
	Planning Policy Framework .....	31

## Appendices

Appendix	Author
A. Planning Policy Context	<i>Ethos Urban</i>

## Attachments

Attachment	Author
A. Crown Land Title	N/A
B. Development Plans	<i>Enlocus</i>
C. Landscape Plans	<i>Enlocus</i>
D. Flora and Fauna Assessment	<i>Arcadis</i>
E. Cultural Heritage Letter of Advice	<i>Heritage Insights</i>

Bayside City Council  
Planning Environment Act 1987

ADVERTISED PLAN

Planning Application No: 5/2025/93/1

Date: 09/07/25

# Executive Summary

## Proposal

The proposal seeks to deliver the Hampton Foreshore Accessibility Project which will enhance the accessibility to the Hampton Foreshore Precinct. This area includes the Hampton Life Saving Club and broadly encompasses the land running parallel to Beach Road, between Small Street and Orlando Street. The proposal includes:

- Removal of vegetation including native vegetation
- Re-vegetation planting
- Upgrades to the shared user path and re-alignment
- Provision of 4 accessible car parking spaces
- Alteration of vehicle access arrangements to Beach Road
- Master plan works, including picnic and play area improvements
- Delivery of Accessibility ramp
- Removal of vegetation including native vegetation

Bayside City Council  
Planning Environment Act 1987

## ADVERTISED PLAN

Planning Application No: 5/2025/93/1

Date: 09/07/25

The project will enhance the usability and promote wheelchair access to the Hampton Foreshore Precinct by constructing accessible, infrastructure. Infrastructure improvements are required to improve access arrangements for all community members and particularly to those with mobility impairment.

To support this proposal, Ethos Urban have lodged a MACA consent application concurrently with DEECA to ensure all relevant approvals are obtained.

## Planning Permit Exemptions

The proposed works are largely exempt from planning permit requirements. The following planning permit exemptions apply to the application:

- *Clause 36.02-2: Buildings or works carried out by or on behalf of a public land manager (Bayside City Council is the public land manager of the foreshore).*
- *Clause 62.02-1: Buildings or works with an estimated cost of \$1,000,000 or less carried out by or on behalf of a municipality.*
- *Clause 62.02-2: Park furniture including seating, tables, shelters, rubbish bins, playground equipment, barbeques, shade sails, drinking fountains and public toilets.*

## Planning Permit Triggers

The following planning permit triggers apply:

- Clause 42.02-2 (VPO), a permit is required to remove, destroy or lop any vegetation
- Clause 44.01-2 (EMO), a permit is required to construct a building or construct or carry out works
- Clause 52.17-1 a permit is required to remove, destroy or lop native vegetation, including dead native vegetation
- Clause 52.29-3 a permit is required to create or alter access to a road in a Transport Zone 2

Given the permit exemptions and permit triggers that apply, only the following aspects of the project trigger a planning permit:

- Removal of 0.101 hectares of native vegetation identified in Figure 3 of the Flora and Fauna Report and Drawings LD 102, LD 102A and LD 102B.
- Construction of the realigned shared path within the EMO. This small area is identified in Drawing LD 104A.
- Alteration of the access to Beach Road and the new car park identified in Drawings LD 106C and LD109C.

No other elements of the works or vegetation removal trigger a planning permit. The application package provides details of the full scope of works to provide the full background of the works and demonstrate why the native vegetation is proposed to be removed.

## Reasons why the Proposal should be supported

The proposal satisfies the relevant sections of the VPP as well as the Bayside Planning Scheme and should be supported as:

- The project delivers the Hampton Foreshore Accessibility Project consistent with the Brighton Beach to Ferdinando Gardens Masterplan.
- The three-step approach in accordance with the Guidelines for the removal, destruction or lopping of native vegetation has been applied to ensure that the proposed removal of vegetation is limited to the minimum area required to support the Hampton Foreshore Accessibility Project. It has also been confirmed that offsets are available to compensate for the biodiversity impact from the removal of native vegetation.
- The proposal will protect and maintain the landscape values of the coastal foreshore and strengthen the role of Beach Road as a tourist boulevard. The proposal protects as far as practicable the existing vegetation and will improve public access to and along the foreshore. The proposal will not detract from the natural qualities of the existing natural landscape.
- The proposal will contribute to a safe, healthy and functional environment. The proposed works will enhance the quality of the public realm.
- The proposal includes a generous re-vegetation planting strategy which prioritizes indigenous species.
- The vegetation removal will not result in any area of the foreshore being further susceptible to erosion.
- The proposal will improve accessibility to the Hampton Foreshore for users who are mobility impaired individuals.
- The requisite offsets have been demonstrated to be available.
- A Cultural Heritage Letter of Advice has been submitted in support of the application. The Letter of Advice confirms that no Cultural Heritage Management Plan is required.
- The proposal provides additional accessible car parking.
- The proposal continues to support increased use of active transport by improving movement through the Hampton Foreshore precinct by upgrading the shared user path.
- The proposal balances the removal of vegetation with re-planting which prioritises native species.
- The proposal will deliver essential community infrastructure by upgrading the existing playground.

Bayside City Council  
Planning Environment Act 1987

**ADVERTISED PLAN**

Planning Application No: 5/2025/93/1

Date: 09/07/25

# 1.0 Overview and Context

## 1.1 Introduction

Ethos Urban has been engaged by Bayside City Council, Project Services to prepare a planning permit application to deliver the Hampton Foreshore Accessibility project. The proposal relates to the Hampton Foreshore Precinct, comprising the area to the north and south of Hampton Life Saving Club. This broadly comprises the land running parallel to Beach Road, between Small Street and Orlando Street.

The project will enhance accessibility for the foreshore precinct for the Hampton community particularly for mobility impaired residents and visitors to the Hampton Foreshore.

The redevelopment of the Hampton Foreshore precinct will include the following:

- Removal of vegetation including native vegetation.
- Re-vegetation planting.
- Delivery of Accessibility ramp.
- Upgrades to the shared user path.
- Provision of 4 accessible car parking spaces.
- Alteration of vehicle access arrangements to Beach Road.
- Master plan works, including picnic/play area improvements.
- Removal of vegetation including native vegetation.

To support this proposal, Ethos Urban have lodged a MACA consent application concurrently with DEECA to ensure all relevant approvals are obtained.

The proposal is restricted to 3 separate areas, these 3 areas form the subject site. The extent of the subject site is illustrated below in red. The proposed works are largely exempt from planning permit requirements. Please refer to Section 2.1 of this report which confirms which aspects of the proposal trigger a planning permit.



**Figure 1** Extent of subject site

Source: Ethos Urban, 2025

**Bayside City Council  
Planning Environment Act 1987**  
**ADVERTISED PLAN**  
**Planning Application No: 5/2025/93/1**  
**Date: 09/07/25**

## 1.2 Planning Summary

The subject site is located within the Public Park and Recreation Zone (PPRZ) and is affected by the following overlays:

- Vegetation Protection Overlay – schedule 1 (VPO1).
- Design and Development Overlay – schedule 1 (DDO1).
- Erosion Management Overlay (EMO).
- Development Contributions Plan Overlay – schedule 1 (DCPO1).

Bayside City Council  
Planning Environment Act 1987  
**ADVERTISED PLAN**  
Planning Application No: 5/2025/93/1  
**Date: 09/07/25**

The proposal attracts the following planning permit triggers:

- Clause 42.02-2 (VPO), a permit is required to remove, destroy or lop any vegetation.
- Clause 44.01-2 (EMO), a permit is required to construct a building or construct or carry out works.
- Clause 52.17-1, a permit is required to remove, destroy or lop native vegetation, including dead native vegetation.
- Clause 52.29-3, a permit is required to create or alter access to a road in a Transport Zone 2.

The following information has been appended to this report

- Detailed Planning Policy Framework (**Appendix A**).

The following documents have been attached to this report in support of the application:

- Title Documents (**Attachment A**).
- Development Plans (**Attachment B**).
- Landscape Plans (**Attachment C**).
- Flora and Fauna Assessment (**Attachment D**).
- Cultural Heritage Letter of Advice (**Attachment E**).

**Table 1** – provides an overview of the relevant information regarding the application, as well as the planning provisions and policies that are addressed in this report.

**Table 1 Planning Summary**

Item	Application Specifics
Address	The land comprises multiple parcels of land around the Hampton Life Saving Club and broadly encompasses the land running parallel to Beach Road, between Small Street and Orlando Street.
Existing Use and Development	The land is occupied by the Hampton Life Saving Club, contains vegetation including native vegetation, a playground and includes the Bayside trail which traverses the land
Proposed Use and Development	Planning approval is sought for the removal of vegetation (Clause 42.02 VPO), removal of native vegetation (Clause 52.17), Buildings and works on land affected by the Erosion Management Overlay (Clause 44.02 EMO) and the creation or alteration of access to a road in a Transport Zone 2 (Clause 52.29)
Existing Zone	Public Park and Recreation Zone (PPRZ)
Overlays	<ul style="list-style-type: none"><li>• Vegetation Protection Overlay – schedule 1</li><li>• Design and Development Overlay – schedule 1 (DDO1)</li><li>• Erosion Management Overlay (EMO)</li><li>• Development Contributions Plan Overlay – schedule 1 (DCPO1)</li></ul>

Item	Application Specifics
Planning Policy Framework	<ul style="list-style-type: none"> <li>Clause 02.02 – Vision</li> <li>Clause 02.03 – Strategic Directions</li> <li>Clause 11 - Settlement <ul style="list-style-type: none"> <li>Clause 11.01-1S</li> </ul> </li> <li>Clause 12 – Environmental and Landscape Values <ul style="list-style-type: none"> <li>12.01-1S Protection of biodiversity</li> <li>12.01-2S Native vegetation management</li> <li>12.02-2S Marine and coastal Crown land</li> <li>12.05-1S Environmentally sensitive areas</li> </ul> </li> <li>Clause 13 – Environmental Risks and Amenity <ul style="list-style-type: none"> <li>13.04-2S Erosion and landslip</li> </ul> </li> <li>Clause 15 – Built Environment and Heritage <ul style="list-style-type: none"> <li>15.03-1L Heritage conservation</li> <li>15.03-2S Aboriginal cultural heritage</li> </ul> </li> <li>Clause 19 – Infrastructure <ul style="list-style-type: none"> <li>19.02-4L Community Infrastructure</li> </ul> </li> </ul>
Particular Provisions	<ul style="list-style-type: none"> <li>Clause 52.06 – Car Parking</li> <li>Clause 52.17 - Native Vegetation</li> <li>Clause 52.29 – Land Adjacent to the Principal Road Network</li> <li>Clause 52.31 – Local Government Projects</li> </ul>
Application Triggers	<ul style="list-style-type: none"> <li>Clause 42.02-2 (VPO), a permit is required to remove, destroy or lop any vegetation</li> <li>Clause 44.02-2 (EMO), a permit is required to remove, destroy or lop any vegetation specified in a schedule to this overlay</li> <li>Clause 52.17-1 a permit is required to remove, destroy or lop native vegetation, including dead native vegetation</li> <li>Clause 52.29-3 a permit is required to create or alter access to a road in a Transport Zone 2</li> </ul>
Restrictive Covenants & Easements	The land is not subject to any covenant or agreement.
Incorporated Documents	Guidelines for the removal, destruction or lopping of native vegetation
Reference Documents	Environment Protection and Biodiversity Conservation Act 1999 Flora and Fauna Guarantee Act 1988
Title	Allotment 2049 Parish of Moorabbin

## 1.3 Site and Surrounds

### 1.3.1 Subject Site

The subject site comprises the land surrounding the Hampton Life Saving Club. The subject site is divided into 3 separate areas.

The subject site contains the Hampton Life Saving Club, a playground, paths and native vegetation. The subject site falls within the Gippsland Plain Bioregion. Pre-1750's Ecological Vegetation Class (EVC) modelling predicts the entire study site and adjacent areas to form a mosaic of Coastal Headland Scrub/Coast Banksia Woodland Mosaic (EVC 919).

The study area and surrounds are historically modelled as supporting the Headland Scrub/Coast Banksia Woodland Mosaic (EVC 919). The subject

Bayside City Council  
Planning Environment Act 1987

ADVERTISED PLAN

Planning Application No: 5/2025/93/1

Date: 09/07/25

The Bay Trail runs north to south through the subject site and provides pedestrian access to adjacent areas.



**Figure 2 Locational Context**

Source: Ethos Urban & NearMap

### 1.3.2 Subject Context

The subject site is found within Melbourne's leafy bayside area, which is located approximately 13.5km to the south-east of Melbourne's CBD area. The subject site falls within the Gippsland Plain Bioregion. Pre-1750's Ecological Vegetation Class (EVC) modelling predicts the entire study site and adjacent areas to form a mosaic of Coastal Headland Scrub (EVC 161) and Coast Banksia Woodland (EVC 2).

The study area and surrounds are historically modelled as supporting the Ecological Vegetation Class Coastal Headland Scrub/Coast Banksia Woodland Mosaic (EVC 919).

The Bay Trail runs north to south through the vegetated area and provides pedestrian access adjacent to the site.

Land to the east of the site, beyond Beach Road, contains the residential community of Hampton. Dwellings in this area are predominantly comprised of detached housing on standard sized residential allotments. Dwellings range in height from 1-2 storeys.

To the west of the site, is the Port Phillip Bay environs. To the south of the is Hampton Beach and the Sandringham Jetty and Breakwater.

The coastline is characterised by headlands ranging from steep rocky slopes to cliffs, and deep calcareous sandy soils at the rear of the headlands. The predominant extent of native vegetation within the study area persists along the foreshore reserves of Port Phillip Bay. The study area lies within the Melbourne Water Catchment Management Authority (CMA) (formerly Port Phillip and Westernport Catchment CMA).

### 1.4 Certificate of Title and Encumbrance

The land is formally described as Allotment 2049 of Parish of Moorabbin.

Bayside City Council  
Planning Environment Act 1987

ADVERTISED PLAN

Planning Application No: 5/2025/93/1

Date: 09/07/25

The subject site is located on Crown Land and is known as Crown Allotment 2049 Parish of Moorabbin. The area of Crown Land was gazetted in 1876, 1888 and 1906 for the purposes of a public park. No certificate of title exists for the site and the land is not subject to any covenant or agreement.

Bayside City Council  
Planning Environment Act 1987

**ADVERTISED PLAN**

Planning Application No: 5/2025/93/1

Date: 09/07/25

## 2.0 The Proposal

### 2.1 Overview

The proposal seeks to deliver the Hampton Foreshore Accessibility Project which will enhance the usability of the Hampton Foreshore Precinct to the broader community and will improve access arrangements for mobility impaired individuals. The proposal relates to the Hampton Foreshore Precinct, comprising the Hampton Life Saving Club and broadly encompasses the land running parallel to Beach Road, between Small Street and Orlando Street.

The wider project involves the following works:

- Re-vegetation planting
- Provision of 4 accessible car parking spaces located off street
- Provision of south ramp and access path
- Upgrades to the shared user path and re-alignment
- Master plan works, including picnic and play area improvements
- Alteration to vehicle access onto Beach Road
- Removal of vegetation including native vegetation

Bayside City Council  
Planning Environment Act 1987

ADVERTISED PLAN

Planning Application No: 5/2025/93/1

Date: 09/07/25

These proposed works are largely exempt from planning permit requirements. The following planning permit exemptions apply to the application:

- Clause 36.02-2: *Buildings or works carried out by or on behalf of a public land manager (Bayside City Council is the public land manager of the foreshore).*
- Clause 62.02-1: *Buildings or works with an estimated cost of \$1,000,000 or less carried out by or on behalf of a municipality.*
- Clause 62.02-2: *Park furniture including seating, tables, shelters, rubbish bins, playground equipment, barbeques, shade sails, drinking fountains and public toilets.*

Given the permit exemptions and permit triggers that apply, only the following aspects of the project trigger a planning permit:

- Removal of native vegetation identified in Figure 3 of the Flora and Fauna Report and Drawings LD 102, LD 102A and LD 102B.
- Construction of the realigned shared path within the EMO. This small area is identified in Drawing LD 104A.
- Alteration of the access to Beach Road and the new car park identified in Drawings LD 106C and LD109C.

No other elements of the works or vegetation removal trigger a planning permit. The application package provides details of the full scope of works to provide the full background of the works and demonstrate why the native vegetation is proposed to be removed.

### 2.2 Vegetation Removal and remediation

#### 2.2.1 Avoid and Minimise Statement

The Guidelines stipulates that all applications to remove native vegetation must provide a statement detailing any efforts undertaken to avoid the removal of, and minimise the impacts to, native vegetation and other biodiversity values, prioritising areas of the greatest value where possible.

The current proposal has made the following efforts to avoid and minimise impacts to native vegetation in the study site:

- The study site supports 0.522 hectares of native vegetation where only 0.101 hectares will be impacted by the proposal, equating to 19% of the total extent of native vegetation in the study site.
- Native vegetation within the extent of works is proposed to be retained during construction. Notably retention of the entirety of Patch D.
- The ramp infrastructure has been sited on the southern side of the club house building. The Project proposes to avoid impacts on a mature Coast Banksia tree located adjacent to the southern side of the building.

- The carpark has been sited adjacent to the existing driveway and incorporates an existing path and extensive area of lawn in order to minimise impacts to native vegetation.
- Implementation of No-Go Zones to delineate the extent of works will be implemented during construction to mitigate against the potential for accidental impact to native vegetation.

For further details refer to the Flora and Fauna Report included in **Attachment E**.

## 2.2.2 Existing Vegetation Condition

The Flora and Fauna Assessment undertook investigations on 0.552 hectares of native vegetation within the subject site. The proposed scope of works included as part of this application will impact upon 0.101 hectares of vegetation.

A total of 39 flora species were recorded during the field survey. Of these, 24 (61%) were indigenous and 15 (39%) were introduced or non-indigenous native in origin.

The recorded native vegetation was representative of a single EVC: Coast Banksia Woodland (EVC 2) which has a Bioregional Conservation Status of Vulnerable within the Gippsland Plain Bioregion. A total of seven (7) patches varying in condition was recorded within the study site.

No scattered or large trees were present at the time of the assessment.

A total of 18 fauna species were recorded during the field survey. Of these, nine (62%) were native and four (38%) were introduced in origin.

The table below summarizes the extent, condition and impact to native vegetation.

**Table 2 Extent, condition and impact to native vegetation**

Habitat Zone	Condition (Hab Hec)	Mapped Extent (ha)	Impact extent (ha)
Patch A	0.24	0.039	Avoided
Patch B	0.29	0.070	0.001 removed
Patch C	0.3	0.020	0.014 removed
Patch D	0.26	0.060	Avoided
Patch E	0.39	0.259	0.066 and 0.020 removed
Patch F	0.34	0.072	Avoided
Patch G	0.23	0.002	Avoided
Total		0.522	0.101 removed

Bayside City Council  
Planning Environment Act 1987

ADVERTISED PLAN

Planning Application No: 5/2025/93/1

Date: 09/07/25



**Figure 3** Aerial photograph showing mapped native vegetation

Source: DEECA, 2025

For further details refer to the Flora and Fauna Report included in **Attachment F**.

### 2.2.3 Proposed vegetation removal

A total of 0.552 hectares of native vegetation was recorded within the study site, of which the Project proposes to impact upon 0.101 hectares. The extent of vegetation being removed as part of the proposal is demonstrated below in brown.



**Figure 5** Extent of vegetation removal

Bayside City Council  
Planning Environment Act 1987

**ADVERTISED PLAN**

Planning Application No: 5/2025/93/1

Date: 09/07/25

The Project proposes to impact 0.101ha of Coast Banksia Woodland (EVC 2) which has generated an offset obligation of 0.036 General Habitat Units with a Minimum Strategic Biodiversity value of 0.2106.

The extent of native vegetation impact is within Location 1 with 0.101 hectares of native vegetation proposed to be removed. As such, the permit application falls under the Basic assessment pathway.

**Table 3** *Removals in accordance with The Guidelines (DELWP 2017)*

Assessment Pathway	Basic
Location Category	1
EVC Bioregional Conservation Status	Vulnerable
Total Extent (past and proposed)	0.101
Extent of past removal	0.00
Extent of proposed removal	0.101
Large Trees to be removed	0
Small scattered trees to be removed	0

#### **2.2.4 Offset Statement**

The removal of 0.101 hectares of native vegetation has generated a General Offset amount of 0.036 General Habitat Units (GHU), with a minimum strategic biodiversity value score of 0.2106.

A summary of the offset obligations is included in the table below.

**Table 4** *Offset obligations generated by the proposal*

General offset amount	0.036
Minimum strategic biodiversity value score	0.2106
Large Trees	0
Vicinity	Melbourne Water CMA or Bayside City LGA

Source: Flora and Fauna Assessment, Arcadis 2025

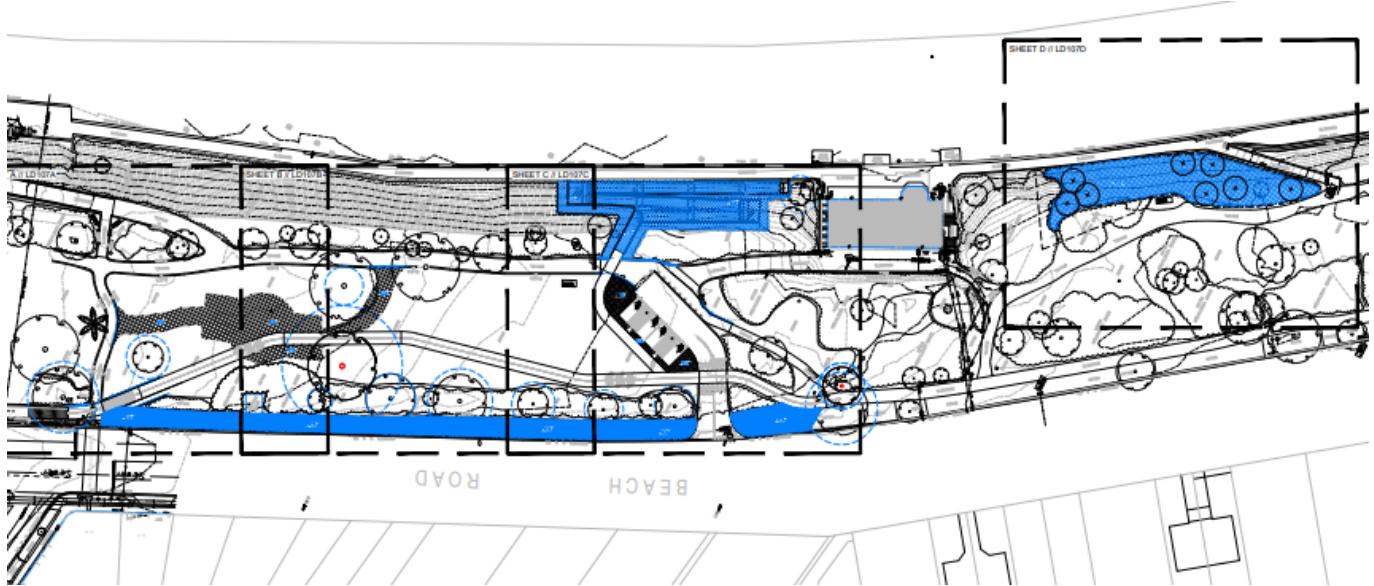
#### **2.3 Re-vegetation planting**

The re-vegetation strategy will offset the loss of vegetation required to facilitate the proposal. The re-vegetation planting response will take place in areas which have lost existing vegetation to facilitate the buildings and works associated with the Hampton Foreshore Accessibility Project.

The re-planting response prioritizes native species which are drought tolerant and low maintenance. Additional re-vegetation has been provided to the Beach Road interface to improve the foreshore environs.

The areas are illustrated below.





**Figure 6 Re-vegetation planting strategy**

Source: Enlocus, 2025

Refer to the landscape plans included at **Attached C** for further details.

## 2.4 Buildings and works

The proposed works are mostly exempt from planning permit requirements. The following planning permit exemptions apply to the application:

- Clause 36.02-2: *Buildings or works carried out by or on behalf of a public land manager (Bayside City Council is the public land manager of the foreshore).*
- Clause 62.02-1: *Buildings or works with an estimated cost of \$1,000,000 or less carried out by or on behalf of a municipality.*
- Clause 62.02-2: *Park furniture including seating, tables, shelters, rubbish bins, playground equipment, barbeques, shade sails, drinking fountains and public toilets.*

The only aspects of the project which trigger a permit for buildings or works are the minor extent of the shared path that is within the EMO.

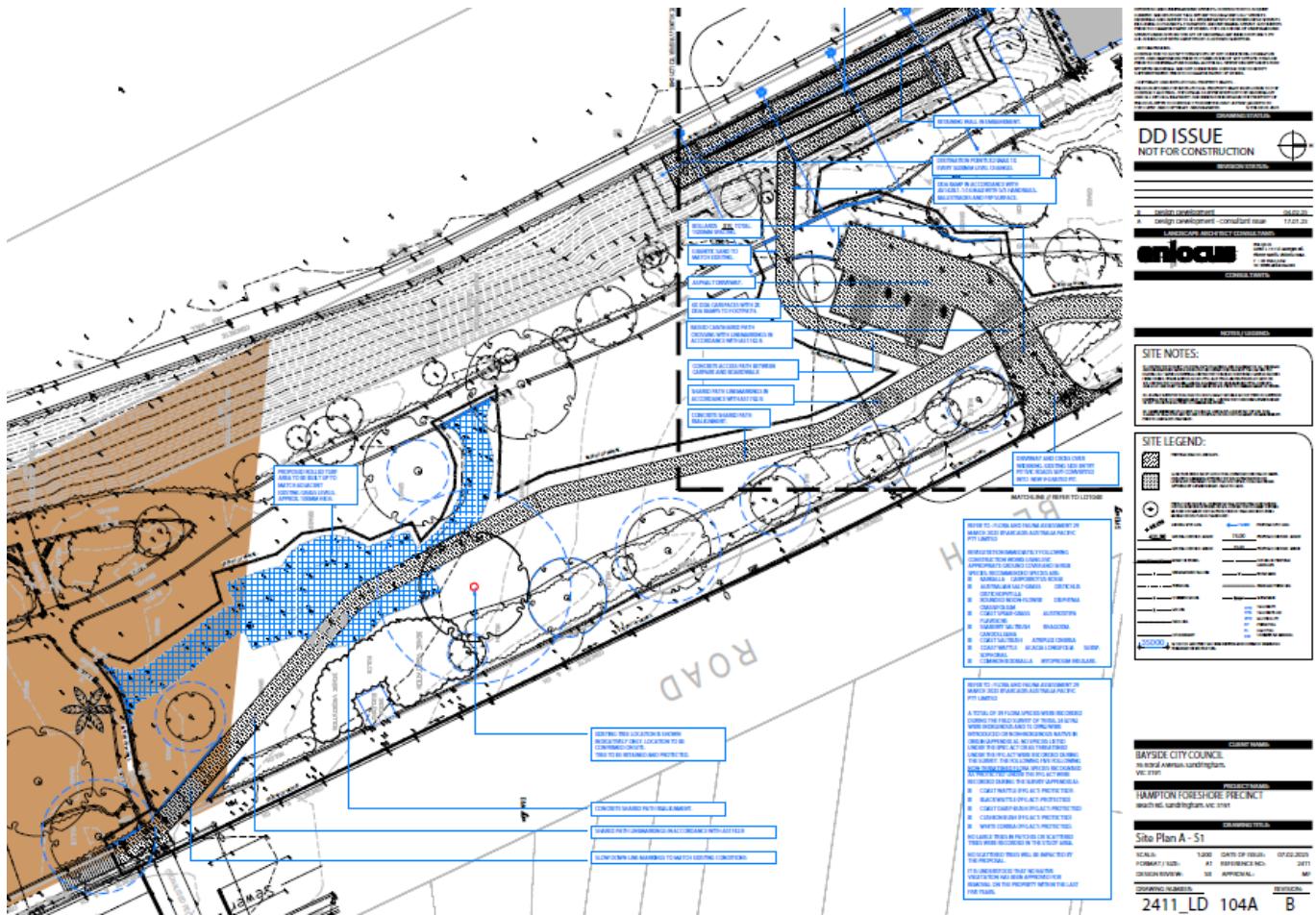
This incursion of the shared path into the EMO extent is demonstrated in the figure below and is highlighted in brown.

Bayside City Council  
Planning Environment Act 1987

ADVERTISED PLAN

Planning Application No: 5/2025/93/1

Date: 09/07/25



**Figure 7 Extent of the EMO on the site**

Source: Enlocus, 2025

The path upgrades will deliver a concrete shared user path which connects to adjoining Bayside trail paths. The shared path will accommodate movements in both directions and will be clearly delineated with line marking. Refer to the Development Plans included at **Attachment B** for further details.

#### 2.4.1 Buildings and works which are exempt from planning permits

The remaining buildings and works associated with the proposal are exempt from Planning Permit requirements pursuant to Clause 62.02 of the Bayside Planning Scheme. These works are located in the PPRZ and are undertaken on behalf of the public land manager.

These works include the following:

- Delivery of Accessibility ramp
- Upgrades to the shared user path outside of the EMO
- Provision of car parking spaces
- Picnic and playground area improvements

These works do not trigger planning permit requirements.

## 2.5 Vehicle Access

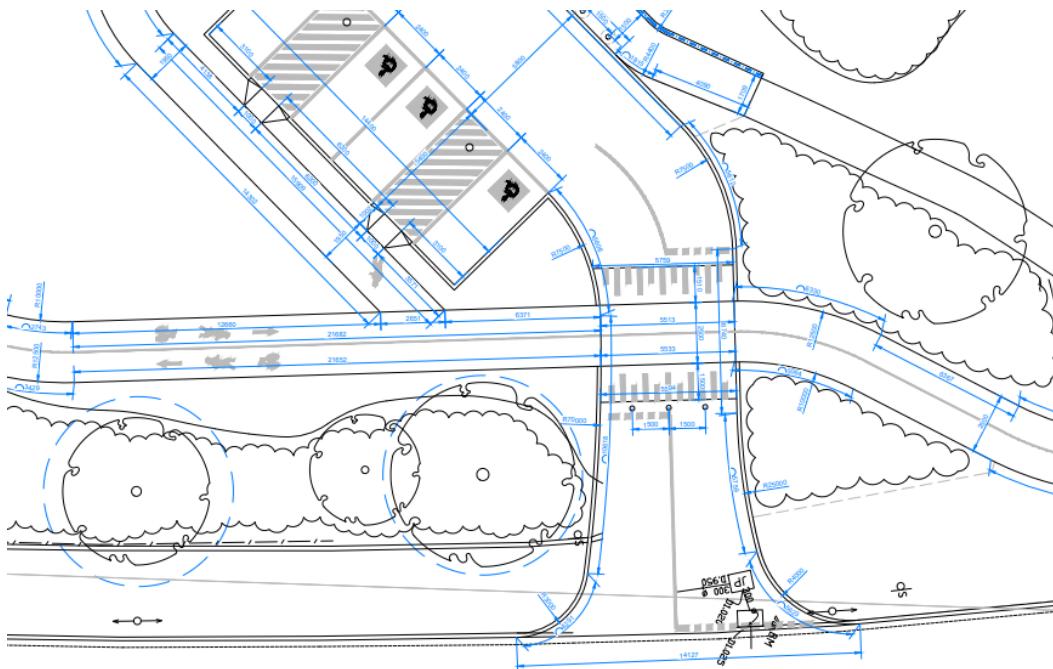
Vehicle access to the car parking spaces will be provided via Beach Road where the existing crossover will be altered to accommodate left in-left out vehicle turning movements. The alteration to the access will trigger a planning permit requirement under Clause 52.29 of the Bayside Planning Scheme for access to Beach Road (Transport Zone 2).

Bayside City Council  
Planning Environment Act 1987

## ADVERTISED PLAN

Planning Application No: 5/2025/93/1

Date: 09/07/25



**Figure 8 Proposed vehicle access**

Source: Enlocus, 2025

Key features of the alteration to the vehicle access arrangements onto Beach Road include:

- Existing north sign to be re-located 1.75m north
- Existing junction pit to be relocated
- Side entry pit to be relocated
- Existing blue stone paving to be relocated during construction and will be re-installed

## 2.6 Car Parking

The proposal provides 4 accessible car parking which are located off-street. The car parking spaces will be restricted to be used only mobility impaired individuals and carers. The car parking spaces demonstrate compliance with the minimum dimensions for accessible spaces as outlined in clause 52.06 of the Bayside Planning Scheme.

## 2.7 Cultural Heritage

A Letter of Advice for Cultural Heritage considerations has been prepared in support of the application, given the site is included in an area of aboriginal cultural heritage sensitivity.

The advice confirms that a Cultural Heritage Management Plan (CHMP) is not required. The advice finds that the proposal is not a high impact activity as per regulation 46(3) of the Aboriginal Heritage regulations as the proposal is for the listed purpose that was being undertaken before May 2007.

Bayside City Council  
Planning Environment Act 1987

**ADVERTISED PLAN**

Planning Application No: 5/2025/93/1

Date: 09/07/25

# 3.0 Planning Controls, Policy and Strategic Documents

## 3.1 Zone

The site is located in the Public Park and Recreation Zone (PPRZ).

The purpose of the PPRZ is:

- To recognise areas for public recreation and open space.
- To protect and conserve areas of significance where appropriate.
- To provide for commercial uses where appropriate.



**Figure 10 Planning Zones**

Source: Ethos Urban and Nearmap, 2025

## 3.2 Overlays

The subject site is affected by the following overlays:

- Vegetation Protection Overlay – schedule 1
- Design and Development Overlay – schedule 1 (DDO1)
- Erosion Management Overlay (EMO)
- Development Contributions Plan Overlay – schedule 1 (DCPO1)

### 3.2.1 Vegetation Protection Overlay

The subject site is affected by the Vegetation Protection Overlay – schedule 1 Coastal Areas (VPO1).

The purpose of the VPO is:

- To protect areas of significant vegetation.
- To ensure that development minimises loss of vegetation.
- To preserve existing trees and other vegetation.
- To recognise vegetation protection areas as locations of special significance, natural beauty, interest and importance.
- To maintain and enhance habitat and habitat corridors for indigenous fauna.

Bayside City Council  
Planning Environment Act 1987  
  
ADVERTISED PLAN  
  
Planning Application No: 5/2025/93/1  
  
Date: 09/07/25

- To encourage the regeneration of native vegetation.



**Figure 31 Vegetation Protection Overlay – schedule 1**

Source: Ethos Urban and Nearmap, 2025

Schedule 1 to the VPO applies to Coastal Areas.

### 3.2.2 Design and Development Overlay – schedule 1 (DDO1)

The subject site is affected by the Design and Development Overlay – schedule 1 (DDO1).

The purpose of the DDO is:

- To implement the Municipal Planning Strategy and the Planning Policy Framework.
- To identify areas which are affected by specific requirements relating to the design and built form of new development.



**Figure 42 Design and Development Overlay**

Source: Ethos Urban and Nearmap, 2025

Bayside City Council  
Planning Environment Act 1987

**ADVERTISED PLAN**

Planning Application No: 5/2025/93/1

Date: 09/07/25

### 3.2.3 Erosion Management Overlay

The subject site is partially affected by the Erosion Management Overlay (EMO). The EMO affects a minor portion of the southernmost area of the subject site. This area includes the proposed share user path upgrades.

The purpose of the EMO is:

- *To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.*
- *To protect areas prone to erosion, landslip or other land degradation processes, by minimising land disturbance and inappropriate development*



**Figure 53 Erosion Management Overlay**

Source: Ethos Urban and Nearmap, 2025

An application under this overlay is exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the review rights of Section 82(l) of the Act.

### 3.2.4 Development Contributions Plan Overlay – schedule 1

The subject site is included in the Development Contributions Plan Overlay – schedule 1. The purpose of the DCPO1 is:

- *To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.*
- *To identify areas which require the preparation of a development contributions plan for the purpose of levying contributions for the provision of works, services and facilities before development can commence.*

Pursuant to Clause 45.06-1, a permit must not be granted to subdivide land, construct a building or construct or carry out works until a development contributions plan has been incorporated into this scheme. A permit granted must:

- *Be consistent with the provisions of the relevant development contributions plan.*
- *Include any conditions required to give effect to any contributions or levies imposed, conditions or requirements set out in the relevant schedule to this overlay.*

The DCPO1 requires a contribution to be made for all residential development that creates additional units and commercial development that creates additional floor space. Development on public land is specifically excluded from the contribution requirements in the DCPO1.



### 3.2.5 Areas of Aboriginal Cultural Heritage Sensitivity

The site is located within an area of Aboriginal Cultural Heritage Sensitivity. A Cultural Heritage Letter of Advice has been submitted as part of this application. The advice confirms that a Cultural Heritage Management Plan (CHMP) is not required. The advice the proposal is not considered to be a high impact activity.



**Figure 64 Areas of Aboriginal Cultural Heritage Sensitivity**

Source: Ethos Urban, 2025

## 3.3 Particular Provisions

### 3.3.1 Clause 52.06 – Car Parking

The purpose of this clause is to:

- Ensure the provision of an appropriate number of car parking spaces having regard to the demand likely to be generated, the activities on the land and the nature of the locality;
- Support sustainable transport alternatives to the motor car;
- Promote the efficient use of car parking spaces through the consolidation of car parking facilities;
- Ensure that car parking does not adversely affect the amenity of the locality; and
- Ensure that the design and location of car parking is of a high standard, creates a safe environment for users and enables easy and efficient use.

Clause 52.06-9 provides a range of standards that parking and accessways should be consistent with.

### 3.3.2 Clause 52.17: Native Vegetation

The Purpose of Clause 52.17 is:

- To ensure that there is no net loss to biodiversity as a result of the removal, destruction or lopping of native vegetation. This is achieved by applying the following three step approach in accordance with the Guidelines for the removal, destruction or lopping of native vegetation (Department of Environment, Land, Water and Planning, 2017) (the Guidelines):
  1. Avoid the removal, destruction or lopping of native vegetation.
  2. Minimise impacts from the removal, destruction or lopping of native vegetation that cannot be avoided.
  3. Provide an offset to compensate for the biodiversity impact if a permanent loss of native vegetation.
- To manage the removal, destruction or lopping of native vegetation to

Bayside City Council  
Planning Environment Act 1987

ADVERTISED PLAN

Planning Application No: 5/2025/93/1

Date: 09/07/25

Pursuant to Clause 52.17-1, a permit is required to remove, destroy or lop native vegetation, including dead vegetation. A permit exemption for native vegetation that has been planted exists in Clause 52.17-7.

### **3.3.3 Clause 52.29 – Land Adjacent to the Principal Road Network**

The purpose of Clause 52.29 is:

- *To ensure appropriate access to the Principal Road Network or land planned to form part of the Principal Road Network.*
- *To ensure appropriate subdivision of land adjacent to Principal Road Network or land planned to form part of the Principal Road Network.*

Pursuant to Clause 52.29-2, a permit is required to create or alter an access to a road in a Transport Zone 2.

### **3.3.4 Clause 52.31 – Local Government Projects**

The purpose of Clause 52.31 is:

- *To facilitate the development of land by or on behalf of municipal councils.*

Pursuant to Clause 52.31-1, any requirement in a zone or a schedule to a zone to obtain a permit to construct a building or construct or carry out works does not apply to the development of land carried out by or on behalf of a municipal council provided the development has an estimated cost of no more than \$10 million.

Under Clause 52.31-2, an application under any provision of this planning scheme to develop land by or on behalf of a municipal council is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act.

## **3.4 General Provisions**

### **3.4.1 Clause 62 – General Exemptions**

Clause 62.02 set out exemptions from permit requirements in this scheme relating to the construction of a building or the construction or carrying out of works. These exemptions do not apply to the removal, destruction or lopping of trees and the removal of vegetation.

Pursuant to Clause 62.02-1, any requirement in this scheme relating to the construction of a building or the construction or carrying out of works, other than a requirement in the Public Conservation and Resource Zone, does not apply to buildings or works with an estimated cost of \$1,000,000 or less carried out by or on behalf of a municipality.

Pursuant to Clause 62.02-2, any requirement in this scheme relating to the construction of a building or the construction or carrying out of works, other than a requirement in the Public Conservation and Resource Zone, does not apply to bicycle pathways and trails.

### **3.4.2 Clause 65 – Decision Guidelines**

Clause 65.01 provides standard decision guidelines which must be considered before the granting of a permit for the use and development of land as follows:

- *The matters set out in section 60 of the Act.*
- *Any significant effects the environment, including the contamination of land, may have on the use or development.*
- *The Municipal Planning Strategy and the Planning Policy Framework.*
- *The purpose of the zone, overlay or other provision.*
- *Any matter required to be considered in the zone, overlay or other provision.*
- *The orderly planning of the area.*
- *The effect on the environment, human health and amenity of the area.*
- *The proximity of the land to any public land.*
- *Factors likely to cause or contribute to land degradation, salinity or erosion.*
- *Whether the proposed development is designed to maintain or improve the environment before, during and exiting the site.*

Bayside City Council  
Planning Environment Act 1987

ADVERTISED PLAN

Planning Application No: 5/2025/93/1

Date: 09/07/25

- The extent and character of native vegetation and the likelihood of its destruction.
- Whether native vegetation is to be or can be protected, planted or allowed to regenerate.
- The degree of flood, erosion or fire hazard associated with the location of the land and the use, development or management of the land so as to minimise any such hazard.
- The adequacy of loading and unloading facilities and any associated amenity, traffic flow and road safety impacts.
- The impact the use or development will have on the current and future development and operation of the transport system

### 3.5 Environment Protection and Biodiversity Conservation Act 1999

Under the Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act), an action will require approval from the Commonwealth Minister for the Environment if it has, will have, or is likely to have a significant impact on a matter of National Environmental Significance (MNES) and it is not subject to certain specified exemptions.

In accordance with the Biodiversity Assessment Report, no EPBC Act-listed flora and fauna species or ecological communities were recorded in the study area. Therefore, no targeted surveys for EPBC Act-listed flora or fauna species are recommended. It was identified that some threatened bird species may pass through the site, but they are not reliant on the study area, nor is it suitable for habitat.

The Project findings did not identify any MNES during the site investigation or consider likely for any such listed ecological values to occur or be impacted by the Project. As such, a referral and permitting under the EPBC Act is considered highly unlikely to be required.

### 3.6 Flora and Fauna Guarantee Act 1988

The Flora and Fauna Guarantee Act 1988 (FFG Act) applies to land owned or managed by a public authority. Vegetation communities, plants, animals and other taxa may be listed under the FFG Act if they are known to be in decline or under the threat of extinction.

No FFG Act-listed flora and fauna species or ecological communities were recorded in the study area.

Similar to what is mentioned above, some listed bird species may pass through the site, but they are not reliant on the study area, nor is it suitable for habitat.

The Biodiversity Assessment Report identified that targeted surveys are not recommended as part of the proposed works.

Five flora species previously recorded during the Arcadis (2023) assessment were historically listed as 'Protected' under the FFG Act. The listing status and permit requirements of the species identified were updated within the Declared Protected Flora List Update 2024 (Gazetted on 14 May 2024). The listing and permitting updates respective to the species identified in Arcadis (2023) is provided below.

Species	Listing	Permit Requirement
Coast Wattle <i>Acacia longifolia</i> subsp. <i>sophorae</i>	Now Excluded	No Permit Required
Black Wattle <i>Acacia mearnsii</i>	Restricted Use Protected Flora	No Permit Required
Coast Daisy-bush <i>Olearia axillaris</i>	Restricted Use Protected Flora	No Permit Required
Cushion Bush <i>Leucophyta brownii</i>	Now Excluded	No Permit Required
White Correa <i>Correa alba</i>	Restricted Use Protected Flora	No Permit Required

The updated site assessment did not identify any additional flora species the existing habitat and historical records determined such species are u Project.

Bayside City Council  
Planning Environment Act 1987

ADVERTISED PLAN

Planning Application No: 5/2025/93/1

Date: 09/07/25

### 3.7 Policy Context

The following relevant policies outlined by the Bayside Planning Policy Framework have been reviewed:

- 12 Environmental and Landscape Values
  - 12.01-1S Protection of biodiversity
  - 12.01-2S Native vegetation management
  - 12.02-2S Marine and coastal Crown land
  - 12.05-1S Environmentally sensitive areas
- 13 Environmental Risks and Amenity
  - 13.04-2S Erosion and landslip
- 15 Built Environment and Heritage
  - 15.03-1L Heritage conservation
  - 15.03-2S Aboriginal cultural heritage

The Bayside Planning Policy Framework seeks to ensure there is no net loss to biodiversity as a result of the removal, destruction or lopping of native vegetation. This is achieved via a three step approach for decisions that involve the removal or vegetation, including:

- *To avoid removal of vegetation*
- *To minimise impacts from the removal of vegetation, and*
- *Provide an offset to compensate for the biodiversity impact from the removal of native vegetation.*

In areas prone to erosion and landslip, vegetation retention, planting and rehabilitation should be promoted.

A review of the relevant policy can be found at **Appendix A**.

### 3.8 Incorporated Documents

#### 3.8.1 Guidelines for the Removal, Destruction or Lopping of Native Vegetation

The purpose of the Guidelines is to set out, and describe the application of Victoria's statewide policy in relation to assessing and compensating for the removal of native vegetation. This includes:

- the assessment of impacts from removing native vegetation on biodiversity and other values; and
- how offsets are calculated and established to compensate for the loss in biodiversity value from the removal of native vegetation

Bayside City Council  
Planning Environment Act 1987

ADVERTISED PLAN

Planning Application No: 5/2025/93/1

Date: 09/07/25

# 4.0 Planning Assessment

## 4.1 Planning Policy Framework

The proposal is consistent with the policy directions and strategies outlined in the Bayside Planning Scheme, as it:

- Addresses the issues identified in the MPS and PPF by improving access to the foreshore, the protection and enhancement of the foreshore as a natural, environmental and cultural resource, the need to balance protection of the natural environment and recreational opportunities and demand, and the protection and enhancement of open space
- is consistent with Council's vision at Clause 02.02 to enhance the quality and character of the natural and built environment through environmentally sustainable development and management of land.
- Provides equitable access through asphalting to the car parking area to accommodate mobility impaired individuals. This will allow for a more inclusive access to the foreshore. This is consistent with Clause 02.03-7
- The proposal will protect and maintain the landscape values of the coastal foreshore and strengthen the role of Beach Road as a tourist boulevard. The proposal protects as far as practicable the existing vegetation and will improve public access to and along the foreshore. The proposal will not detract from the natural qualities of the existing natural landscape. This is consistent with the relevant environmental and landscape policy directions of Clause 02.03-2, Clause 12.02-1S, Clause 12.02-1L, Clause 12.02-2S and Clause 12.05-2S.
- The proposal will contribute to a safe, healthy and functional environment. The proposed works will enhance the quality of the public realm by providing attractive pedestrian and cyclist environments that are safe and enhance accessibility for people with all levels of mobility. This is consistent with Clause 15.01-1S, Clause 15.01-1R and Clause 15.01-1L.
- The proposal will not detract from the natural or cultural heritage significance of the area. This is consistent with Clause 15.03-1S, Clause 15.03-1L and Clause 15.03- 2S.
- The proposal continues to support increased use of active transport by providing further separation between pedestrians and cyclists from vehicle movements. Increasing the setback for cars to stop and look before crossing the shared path will reduce conflicts between the shared path users and cars crossing over into the car park area. This is consistent with Clause 02.03-7, Clause 18.01-3R and Clause 18.01-3L.
- The Hampton Foreshore Accessibility Project will improve the connectivity of the existing path, improve open space links through better provision of walking and cycling trails, and will make it easier to traverse the Bayside trail. This is consistent with Clause 18.01-3S.
- The proposal also meets a demonstrable need for an improved and more accessible foreshore area. The proposal also promotes the safety of users and ensures that the public open space network is accessible for a diverse range of users of all ages and abilities. This is consistent with Clause 02.03-8 and Clause 19.02-6S.

## 4.2 Vegetation Removal

The proposed impact to 0.101 hectares of native vegetation on land affected by the VPO is considered appropriate as:

- The three-step approach in accordance with the Guidelines for the removal, destruction or lopping of native vegetation has been applied to ensure that the proposed removal of vegetation is limited to the minimum area required to support the Hampton Foreshore Accessibility Project
- Will provide re-vegetation to offset the loss of vegetation which prioritises native species which are drought tolerant and low maintenance
- The proposed removal of vegetation has been guided by Guidelines for the Removal, Destruction or Lopping of Native Vegetation DELWP 2017 which provides strategies for minimises ecologically impact and ensuring relevant offsets are obtained
- Where practicably possible, the proposal has retained existing vegetation
- Appropriate offsets have been confirmed as available.

## 4.3 Buildings and works

The proposed works are mostly exempt from planning permit requirements under the Bayside Planning Scheme.

Bayside City Council  
Planning Environment Act 1987

ADVERTISED PLAN

Planning Application No: 5/2025/93/1

Date: 09/07/25

Only those works taking place in the EMO, including part of the Shared User Path, trigger a planning permit. These buildings and works are considered appropriate as:

- The construction of a path occurs to a minor portion of the subject site in context of the broader Hampton Foreshore precinct.
- The shared path will enhance the Hampton Foreshore Precinct and promote active modes of transport.
- The shared path will be clearly delineated to promote safety.
- The upgrade to the shared user path will improve access and connectivity throughout the site.
- The buildings and works associated with the path will not result in the unreasonable loss of native vegetation.

The remaining buildings and works associated with the proposal do not trigger planning requirements as they meet the exemptions contained in Clause 62.02 of the Bayside Planning Scheme.

#### **4.4 Vehicle access**

The alteration to the existing vehicle access to Beach Road will allow access to the accessible car parking spaces. The accessible car parking spaces are restricted to use by individuals who are mobility impaired and their carers. These car parking spaces are critical to improving access to the Hampton Foreshore Precinct.

The provision of 4 car parking spaces will not impact the function of Beach Road. The proposed crossover to Beach Road includes a width of 14.1m which is reasonably expected capable of accommodating the left-in and left-out turning movements.

It is understood that this will need to be confirmed from Head, Transport Victoria (DTP Transport).

The proposal responds positively to the relevant decision guidelines contained in Clause 52.29 Land Adjacent the Principal Road Network as it:

- Addresses the issues identified in the MPS and PPF by improving access to the foreshore, the protection and enhancement of the foreshore as a natural, environmental and cultural resource, the need to balance protection of the natural environment and recreational opportunities and demand, and the protection and enhancement of open space
- Will be referred to Head, Transport Victoria (DTP Transport) for comment
- Provides left in-left-out vehicle movements, ensuring vehicles can enter and exit the site in a forwards direction
- Responds positively with the clause 3 of the *Road Management Act 2004*

#### **4.5 Car parking**

The proposal demonstrates the car parking dimensions required by Clause 52.06 of the Bayside Planning Scheme at complied with. The proposed 4 car parking spaces are accessible spaces and are conveniently located in proximity to infrastructure to allow for ease of access.

Additional car parking can be found in nearby side streets.

#### **4.6 Aboriginal Cultural Heritage Assessment**

The advice provided by Cultural Heritage confirms that a CHMP is not required. The advice finds that the proposal constitutes a low impact activity.

#### **4.7 Erosion Management Overlay**

The proposal responds positively to the relevant decision guidelines of the EMO as it:

- Addresses the issues identified in the MPS and PPF by improving access to the foreshore, the protection and enhancement of the foreshore as a natural, environmental and cultural resource, the need to balance protection of the natural environment and recreational opportunities and demand, and the protection and enhancement of open space
- Has considered construction techniques and management of vegetation during the construction

Bayside City Council  
Planning Environment Act 1987

ADVERTISED PLAN

Planning Application No: 5/2025/93/1

Date: 09/07/25

- Affects a minor portion of the subject site on land with a flat topography, resulting in negligible impacts to land slip

## 4.8 Clause 52.17 Native Vegetation

The proposed impact to 0.101 hectares of native vegetation triggers planning permit requirements under Clause 52.17 of the Bayside Planning Scheme. The proposed removal of native vegetation responds positively to the relevant decision guidelines contained in Clause 52.17 as:

- The three-step approach in accordance with the Guidelines for the removal, destruction or lopping of native vegetation has been applied to ensure that the proposed removal of vegetation is limited to the minimum area required to support the Hampton Foreshore Accessibility Project
- Will provide re-vegetation to offset the loss of vegetation which prioritises native species which are drought tolerant and low maintenance
- The proposed removal of vegetation has been guided by Guidelines for the Removal, Destruction or Lopping of Native Vegetation DELWP 2017 which provides strategies for minimises ecologically impact and ensuring relevant offsets are obtained
- Where practicably possible, the proposal has retained existing vegetation
- Appropriate offsets have been confirmed as available.

## 4.9 Clause 65.01

The proposal is consistent with the Decision Guidelines of Clause 65.01 as:

- The development is consistent with the matters set out in section 65 of the Act. The proposal has considered the policies and strategies of the Bayside Planning Scheme.
- The proposal will have no adverse impacts on the environment.
- The proposal is consistent with the purpose of the Public Park and Recreation Zone and the relevant overlays including the VPO and EMO, supporting the regeneration of native vegetation and minimising disturbance to the surrounding landscape as practicable.
- The proposed works and removal of vegetation are located on public crown land. The proposed vegetation removal is limited to 0.101 hectares of land. There will be no impact on the surrounding public land.
- The proposed upgrade to the existing facility responds to the purpose of the PPRZ and the MPS and PPF, by improving access to the coastal foreshore and protecting the significant biodiversity and heritage values associated with the foreshore location.
- The required vegetation removal is kept to a minimum and no vegetation is unnecessarily disrupted.
- There are no expected amenity impacts associated with the improvements.
- There are no erosion issues expected to arise from the proposed development as vegetation removal has been kept to an absolute minimum and native grass seed will be sown over any exposed area.
- There are no flood or fire hazards identified in the planning scheme specific to the subject site that require consideration as part of this assessment.

Bayside City Council  
Planning Environment Act 1987

ADVERTISED PLAN

Planning Application No: 5/2025/93/1

Date: 09/07/25

# 5.0 Conclusion

## 5.1 Final Assessment

As discussed throughout this report, the proposal satisfactorily responds to the relevant policies of the Bayside Planning Scheme and should be supported, as it:

- Addresses the issues identified in the MPS and PPF of improving access to the foreshore, the protection and enhancement of the foreshore as a natural, environmental and cultural resource, the need to balance protection of the natural environment and recreational opportunities and demand, and the protection and enhancement of open space
- Is consistent with the strategic direction for the provision and enhancement of open space and recreational opportunities for the community through improvements for access along the Coastal Foreshore and the beach trails that link to the subject site.
- The three-step approach in accordance with the Guidelines for the removal, destruction or lopping of native vegetation has been applied to ensure that the proposed removal of vegetation is limited to the minimum area required to support the Hampton Foreshore Accessibility Project. It has also been confirmed that offsets are available to compensate for the biodiversity impact from the removal of native vegetation.
- The proposal will protect and maintain the landscape values of the coastal foreshore and strengthen the role of Beach Road as a tourist boulevard. The proposal protects as far as practicable the existing vegetation and will improve public access to and along the foreshore. The proposal will not detract from the natural qualities of the existing natural landscape.
- The removal of vegetation is required to facilitate the delivery of the Hampton Foreshore Accessibility Project.
- The Hampton Foreshore Accessibility Project will improve the accessibility of the foreshore precinct for mobility impaired individuals
- The proposal will contribute to a safe, healthy and functional environment. The proposed works will enhance the quality of the public realm
- The vegetation removal will not result in any area of the foreshore being further susceptible to erosion
- A Cultural Heritage Letter of Advice has been submitted in support of the application. The Letter of Advice confirms that no Cultural Heritage Management Plan is required.
- Provides additional accessible car parking
- The proposal continues to support increased use of active transport by improving movement through the Hampton Foreshore precinct by upgrading the shared user path
- Balances the removal of vegetation with re-planting which prioritises native species
- Delivery essential community infrastructure by upgrading the existing playground
- Protects as far as practicable the existing vegetation while facilitating the safe and efficient movement of vehicles, pedestrians and cyclists.
- Protects and maintains the landscape values of the coastal foreshore and would strengthen the role of Beach Road as a tourist boulevard.
- Avoids any erosion issues associated with the proposed works and vegetation removal.

As a result of the above, it is submitted that the proposal is generally consistent with the relevant provisions of the Bayside Planning Scheme and warrants support from Council.

Bayside City Council  
Planning Environment Act 1987

ADVERTISED PLAN

Planning Application No: 5/2025/93/1

Date: 09/07/25

# Appendix A Detailed Planning Policy Context

The following relevant policies outlined by the Bayside Planning Policy Framework have been reviewed:

## Municipal Planning Strategy (MPS)

The MPS provides the key vision, strategic direction and framework plan to guide the implementation of the Bayside Planning Scheme. Those relevant to this development include:

- Clause 02.02 – Vision
- Clause 02.03 – Strategic Directions

### **Clause 02.02 –Vision**

**Clause 02.02** outlines the following strategic vision for Bayside:

“Bayside will be a city which protects and enhances the quality and character of the natural and built environment through environmentally sustainable development and management of land. Bayside will be an environmentally focussed city in which its natural resources are valued by all the community, present needs are met and development is responsibly managed for the benefit of this and future generations.”

### **Clause 02.03 – Strategic Directions**

Clause 02.03 outlines the key strategic directions for the Bayside Municipality. The key directions relevant to this proposal are as follows:

Under Clause 02.03-2 Environmental and landscape values, Council seeks to:

- *Assist the conservation of biodiversity through retention of native vegetation, protection of habitat.*
- *Protect the natural biodiversity of Conservation Reserves by ensuring that the primary purpose of the reserve is maintained.*
- *Protect and enhance the foreshore as a natural, environmental and cultural resource as this is key to the ecological and economic viability of the Bayside municipality.*
- *Maintain and protect the ecology and natural qualities of the coast having regard to its wide range of ecosystems, recreation opportunities and the increasing public demand for access to it.*
- *Develop sustainable approaches to managing a dynamic environment and infrastructure that is vulnerable to the impact of climate change.*

Under Clause 02.03-4 Built environment and heritage, Council seeks to:

- *Achieve built form and public realm design that conserves and enhances valued urban character and heritage places.*
- *Provide attractive pedestrian environments that are safe and accessible for people with all levels of mobility.*
- *Reduce greenhouse gas emissions and car dependence by encouraging more environmentally sustainable development.*
- *Protect and maintain the integrity of heritage places in accordance with the accepted conservation standards of the ICOMOS Burra Charter whilst accommodating the needs of current inhabitants.*
- *Facilitate uses, that are not detrimental to the area and would otherwise be prohibited where the nature and built form of the heritage place requires a greater range of options.*

Under **Clause 02.03-7 Transport**, Council seeks to:

- Support use and development that prioritises transport modes in the following order:
  - Walking.
  - Cycling.
  - Public transport, community transport including taxis and community run buses and demand responsive transport.
  - Private vehicles.
  - Commercial vehicles serving local areas.
- Improve local accessibility by prioritising walking and cycling as the primary mode of transport for trips in Bayside.

Bayside City Council  
Planning Environment Act 1987

ADVERTISED PLAN

Planning Application No: 5/2025/93/1

Date: 09/07/25

- Provide adequate car parking in and around shopping centres, employment areas and along the coast

Under **Clause 02.03-8 Infrastructure**, Council seeks to:

- Improve the connectivity of open spaces to make it easier to access existing open space.

## Planning Policy Framework

The Planning Policy Framework (PPF) provides the broad objectives and strategies for planning in Victoria. The key provisions of the PPF relevant to this proposal are:

- Clause 12 – Environmental and Landscape Values
- Clause 15 – Built Environment and Heritage
- Clause 18 - Transport
- Clause 19 – Infrastructure

### Clause 11 – Settlement

The objective of **Clause 11.01-1S (Settlement)** is as follows:

- *To promote the sustainable growth and development of Victoria and deliver choice and opportunity for all Victorians through a network of settlements.*

Strategies listed at **Clause 11.01-1S** that are relevant to the proposal include:

- *Develop sustainable communities through a settlement framework offering convenient access to jobs, services, infrastructure and community facilities.*
- *Focus investment and growth in places of state significance in Metropolitan Melbourne and the major regional cities of Ballarat, Bendigo, Geelong, Horsham, Latrobe City, Mildura, Shepparton, Wangaratta, Warrnambool and Wodonga.*
- *Support sustainable development of the regional centres of Ararat, Bacchus Marsh, Bairnsdale, Benalla, Castlemaine, Colac, Echuca, Gisborne, Hamilton, Kyneton, Leongatha, Maryborough, Portland, Sale, Swan Hill, Warragul/Drouin and Wonthaggi.*
- *Ensure regions and their settlements are planned in accordance with their relevant regional growth plan.*
- *Guide the structure, functioning and character of each settlement taking into account municipal and regional contexts and frameworks.*
- *Create and reinforce settlement boundaries.*
- *Provide for growth in population and development of facilities and services across a regional or sub-regional network.*
- *Plan for development and investment opportunities along existing and planned transport infrastructure.*
- *Promote transport, communications and economic linkages between settlements through the identification of servicing priorities in regional land use plans.*
- *Strengthen transport links on national networks for the movement of commodities.*
- *Deliver networks of high-quality integrated settlements that have a strong identity and sense of place, are prosperous and are sustainable by:*
  - *Building on strengths and capabilities of each region across Victoria to respond sustainably to population growth and changing environments.*
  - *Developing settlements that will support resilient communities and their ability to adapt and change.*
  - *Balancing strategic objectives to achieve improved land use and development outcomes at a regional, catchment and local level.*
  - *Preserving and protecting features of rural land and natural resources and features to enhance their contribution to settlements and landscapes.*
  - *Encouraging an integrated planning response between settlements in regions and in adjoining regions and states in accordance with the relevant regional growth plan.*
  - *Providing for appropriately located supplies of residential, commercial, and industrial land across a region, sufficient to meet community needs in accordance with the relevant regional growth plan.*
  - *Improving transport network connections in and between regional cities, towns and Melbourne.*
  - *Integrating the management of water resources into the urban environment in a way that supports water security, public health, environment and amenity outcomes.*

**Bayside City Council  
Planning Environment Act 1987**

**ADVERTISED PLAN**

**Planning Application No: 5/2025/93/1**

**Date: 09/07/25**

- *Minimising exposure to natural hazards, including increased risks due to climate change.*
- *Contributing to net zero greenhouse gas emissions through renewable energy infrastructure and energy efficient urban layout and urban design.*
- *Encourage a form and density of settlements that supports healthy, active and sustainable transport.*
- *Limit urban sprawl and direct growth into existing settlements.*
- *Promote and capitalise on opportunities for urban renewal and infill redevelopment.*
- *Develop compact urban areas that are based around existing or planned activity centres to maximise accessibility to facilities and services.*
- *Ensure retail, office-based employment, community facilities and services are concentrated in central locations.*
- *Ensure land that may be required for future urban expansion is not compromised.*
- *Support metropolitan and regional climate change adaption and mitigation measures.*

### **Clause 12 Environmental and Landscape Values**

Clause 12.02-1S seeks to protect and enhance the marine and coastal environment. Relevant strategies include to:

- Protect coastal and foreshore environments and improve public access and recreation facilities around Port Phillip Bay and Western Port by focusing development in areas already developed or in areas that can tolerate more intensive use.
- Enhance the ecological values of the ecosystems in the marine and coastal environment.
- Protect and enhance the overall extent and condition of native habitats and species diversity distributions across public and private land in the marine and coastal environment.
- Encourage revegetation of cleared land abutting coastal reserves.
- Minimise direct, cumulative and synergistic effects on ecosystems and habitats. Maintain and enhance water and soil quality by minimising disturbance of sediments.
- Maintain the natural drainage patterns, water quality and biodiversity in and adjacent to coastal estuaries, wetlands and waterways. • Avoid disturbance of coastal acid sulfate soils.
- Protect and enhance natural features, landscapes, seascapes and public visual corridors.
- Plan for marine development and infrastructure to be sensitive to marine national parks and environmental assets.
- Protect the heritage values, the aesthetic quality of locations, cultural links with maritime activities, sea country and sense of place.

**Clause 12.02-2S Marine and coastal Crown land** seeks to ensure the use and development of marine and coastal Crown land is ecologically sustainable, minimises impacts on cultural and environmental values, and improves public benefit for current and future generations. Relevant strategies include to:

- Ensures that use and development on or adjacent to marine and coastal Crown land:
  - Maintains safe, equitable public access.
  - Improves public benefit.
  - Demonstrates need and has a coastal dependency.
  - Minimises loss of public open space.

Clause 12.05-2S Landscapes seeks to protect and enhance significant landscapes and open spaces that contribute to character, identity and sustainable environments. Relevant strategies include to:

- Ensure significant landscape areas such as forests, the bays and coastlines are protected.
- Ensure development does not detract from the natural qualities of significant landscape areas.
- Improve the landscape qualities, open space linkages and environmental performance in significant landscapes and open spaces, including green wedges, conservation areas and non-urban areas.
- Recognise the natural landscape for its aesthetic value and as a fully functioning system.
- Ensure important natural features are protected and enhanced.

### **Clause 13 Environmental Risks and Amenity**

Clause 13.04-2S Erosion and landslip seeks:

**Bayside City Council  
Planning Environment Act 1987**

**ADVERTISED PLAN**

**Planning Application No: 5/2025/93/1**

**Date: 09/07/25**

- To protect areas prone to erosion, landslip or other land degradation processes.
  - Identify areas subject to erosion or instability in planning schemes and when considering the use and development of land.
  - Prevent inappropriate development in unstable areas or areas prone to erosion.
  - Promote vegetation retention, planting and rehabilitation in areas prone to erosion and land instability.

## 15 Built Environment and Heritage

Clause 15 addresses the design of the built environment with a principal objective for planning and design to respond to the local context of an area, including heritage, landscape and character.

**Clause 15.01-1S Urban design** seeks to create urban environments that are safe, healthy, functional and enjoyable and that contribute to a sense of place and cultural identity. Relevant strategies include to:

- Require development to respond to its context in terms of character, cultural identity, natural features, surrounding landscape and climate.
- Ensure development contributes to community and cultural life by improving the quality of living and working environments, facilitating accessibility and providing for inclusiveness.
- Ensure the interface between the private and public realm protects and enhances personal safety.
- Ensure development supports public realm amenity and safe access to walking and cycling environments and public transport.
- Ensure that the design and location of publicly accessible private spaces, including car parking areas, forecourts and walkways, is of a high standard, creates a safe environment for users and enables easy and efficient use.
- Ensure that development provides landscaping that supports the amenity, attractiveness and safety of the public realm.
- Ensure that development, including signs, minimises detrimental impacts on amenity, on the natural and built environment and on the safety and efficiency of roads.
- Promote good urban design along and abutting transport corridors.

**Clause 15.01-1R Urban design - Metropolitan Melbourne** seeks to create a distinctive and liveable city with quality design and amenity. Relevant strategies include to:

- Support the creation of well-designed places that are memorable, distinctive and liveable.

Relevant strategies of Clause 15.01-1L Urban design include to:

- *Design access to meet the mobility needs of all community members including motorised scooters, wheel chairs and prams.*
- *Design development abutting Beach Road/The Esplanade to complement the foreshore environment and reinforce their role as scenic boulevards.*
- *Seek a consistent approach to the design of Beach Road/The Esplanade infrastructure including vehicle crossings, loading and parking facilities.*

**Clause 15.03-1S Heritage conservation** seeks to ensure the conservation of places of heritage significance.

Relevant strategies include to:

- *Provide for the protection of natural heritage sites and man-made resources.*
- *Provide for the conservation and enhancement of those places that are of aesthetic, archaeological, architectural, cultural, scientific or social significance.*
- *Encourage appropriate development that respects places with identified heritage values.*

Relevant strategies of Clause 15.03-1L Heritage conservation include to:

- Retain significant vegetation.
- Design car parking facilities so that they do not dominate heritage places.
- Avoid the introduction of new crossovers.

Clause 15.03-2S Aboriginal cultural heritage seeks to ensure the protection of Aboriginal cultural heritage significance. Relevant strategies include to:

- *Provide for the protection and conservation of pre-contact and post-contact Aboriginal places.*

Bayside City Council  
Planning Environment Act 1987

ADVERTISED PLAN

Planning Application No: 5/2025/93/1

Date: 09/07/25

- Ensure that permit approvals align with the recommendations of any relevant Cultural Heritage Management Plan approved under the Aboriginal Heritage Act 2006.

### Clause 18 – Transport

Clause 18 advocates for planning to ensure a safe, integrated and sustainable transport system that contributes to environmental sustainability and supports health and wellbeing.

**Clause 18.01-3S Sustainable and safe transport** seeks to facilitate an environmentally sustainable transport system that is safe and supports health and wellbeing. Relevant strategies include to:

- Plan and develop the transport system to prioritise the use of sustainable personal transport.
- Plan the transport system to be safe by:
  - Separating pedestrians, bicycles and motor vehicles, where practicable.
  - Reducing the need for cyclists to mix with other road users.
- Support forms of transport and energy use that have the greatest benefit for, and least negative impact on, health and wellbeing.
- Design development to promote walking, cycling and the use of public transport, in that order, and minimise car dependency.

Relevant strategies of Clause 18.01-3R Sustainable and safe transport - Metropolitan Melbourne include to:

- Improve local travel options for walking and cycling to support 20 minute neighbourhoods.

Relevant strategies of **Clause 18.01-3L Sustainable personal transport** include to:

- Design streets and development to not impede access for pedestrians and cyclists, or public and community transport.
- Prioritise pedestrian and cycling access to, through and within the development, including providing midblock links through large development sites. • Facilitate improvements to the bicycle network in the southern part of the municipality.

### Clause 19 – Infrastructure

Clause 19 advocates for planning to recognise social needs by providing a range of community resource facilities and for planning for development to enable the efficient, equitable, accessible and timely social and physical infrastructure.

**Clause 19.02-6S Open space** seeks to establish, manage and improve a diverse and integrated network of public open space that meets the needs of the community. Relevant strategies include to:

- Plan for regional and local open space networks for both recreation and conservation of natural and cultural environments.
- Ensure that open space networks:
  - Are linked, including through the provision of walking and cycling trails.
  - Are integrated with open space from abutting subdivisions.
  - Incorporate, where possible, links between major parks and activity areas, along waterways and natural drainage corridors, connecting places of natural and cultural interest.
  - Maintain public accessibility on public land immediately adjoining waterways and coasts.
- Ensure open space provision is fair and equitable with the aim of providing access that meets the needs of all members of the community, regardless of age, gender, ability or a person's location.
- Ensure public access is not prevented by developments along stream banks and foreshores.

Bayside City Council  
Planning Environment Act 1987

ADVERTISED PLAN

Planning Application No: 5/2025/93/1

Date: 09/07/25