

Meeting of the Port Phillip Council 16 September 2020

The following statements were submitted prior to the meeting. Submissions made live during the meeting include some variations and can be listened via our live stream webpage:

<http://webcast.portphillip.vic.gov.au/archive.php>

Mary Stuart – Public Question Time

My Name is Mary Stuart (Luna Park, St Kilda Tourism and Events Association, a member of the Foreshore Traders and work and live in St Kilda).

My question relates to works on the Luna Park and Palais forecourts, installation of permanent protection bollards and road treatment proposed for Cavell Street in the section between the two forecourts.

We commend the Council and officers for the work and design proposed for the two forecourt areas. It is a great design. We support the project and appreciate the active consultations that council have engaged in regarding these works.

My questions relates to the proposal to narrow this section of Cavell Street and proposal to raise the level of the road so there is no curb or step down from the footpath/forecourt areas and onto the road for some 50 meters between the Palais and the Luna Park forecourt areas.

Can Council confirm Cavell Street will continue to look like a road?

And can Council confirm that any narrowing will not result in bottlenecks and impair normal traffic flow?

Will Council review the issue of removing the curb to address concerns regarding child safety? Can Council seek further advice that addresses the behaviors of children and road crossings. I understand Council has commissioned traffic management advice. I am not a traffic management expert. What I do have is 15 years lived experience of the behavior of hundreds of thousands of kids entering and leaving Luna Park and seeing how they move and run around on the Luna Park forecourt area.

Kids are taught to stop at the curb. Look right look left look right again. This is basic road safety training we drill into our kids so they are safe when they step off a footpath and onto a road. Without a curb this basic road safety measure may not kick in. Without a curb, without a physical and visual barrier between the footpath/forecourt and the road, I fear children will not understand they are moving from a safe pedestrian footpath area and onto an unsafe vehicle road area. It is also possible some adults may also need these cues to be on the lookout for cars driving on Cavell Street.

Lastly can Council confirm when works will commence?

We thank the Council in advance for consideration of these matter.

Fraser Read Smith - Item 7.1 Response to Joint Letter regarding Inadequate Vehicle Parking - G12+ Domain Precinct Residents' Group

There can be no dispute regarding the substantial and negative impact that this proposal will have on the daily lives of local residents and businesses by making the provision of daily services much more difficult to obtain.

The focus of the Officers' response is entirely on the public realm and it completely ignores the future plight of the 2,000 plus residents that live along north Albert Road. There is no consideration for residents and businesses and of the practicality of how 25 proposed on-street parking spaces allocated to the latter can realistically work in this restrained space.

It is not true to assert that there will still be viable parking alternatives in nearby streets. Bowen Lane, Park Street, Palmerston Crescent all have only limited car parking spaces, which are used by people who live and work along these streets.

The Officers' response states that there is a deficiency in public space in the Domain Precinct. However, north Albert Road - has easy access to hundreds of acres of green public open space within 100 metres of the street, being Albert Park Reserve and The Kings Domain.

This calls into question the need for converting so much of the existing Albert Road into an expanded Albert Road Reserve. So, there is an opportunity to provide more car park spaces, as well as having a significant green open space in the large centre of Albert Road.

Council Officers also note the low use of off-street parking in large scale residential buildings. This conjures up the image of making hundreds of off-street car parking spaces available.

It is not as simple or straight forward as the Officers' report makes out. It does not consider this issue from legal and security stand-points. For example, Owners Corporations are not permitted to carry on business operations. These off-street car parks are all private property and are not controlled by Owners Corporations.

On a more practical level, the size of many trade/service provider/delivery vehicles are too large to fit into most underground car parks – in which regard I refer you to the photographic evidence in the submission.

This is a simplistic argument made by Officers without any analysis of the complex issues involved.

The Officers' response also understates the number of car parking spaces still to be removed from Albert Road. Officers put this number at 80, whereas the real number is 96 ie reducing the 136 current car park spaces to just 40.

The Officers fail to mention that 15 of these will be dedicated to station related vehicles – leaving just 25 for public use.

The Officers' response fails to mention the likely loss of 720 car parking spaces when two commercial multi-storey car parks are redeveloped - for which planning permits have been approved. These are situated in Bowen Lane and Palmerston Crescent, literally a stone's throw from north Albert Road. So the reality is that 880 car parks are being lost from the immediate area – not just 160.

In the final analysis, 25 public car parking spaces in a 300-metre strip of road lined by up to 2,000 apartments does not make any sense. This is a town- planning nightmare waiting to happen.

The Officers' response is unsatisfactory which Councillors should refer back for clarification and further consideration.

John Tabart - Item 7.1 Response to Joint Letter regarding Inadequate Vehicle Parking - G12+ Domain Precinct Residents' Group

My name is John Tabart.

I am a co-convenor of the G12+ Domain Precinct Residents Group, with representatives from 21 buildings in the St Kilda Rd North Precinct with a total population of over 5,000 residents.

The joint letter we submitted seeks replacement of the loss of 120 utility car spaces removed and to be removed, from the north Albert Rd Reserve area as part of the new Anzac Station development.

These utility spaces service the tradesman, professional and community workers who deliver services to 2,000 residents in the 6 residential towers and several commercial traders which front the north Albert Rd.

The removal of these spaces will directly impact the essential living needs of the population of residents. Consequently, these services will not be able to be provided.

The officer's response does not address the issue, but quotes rhetoric on rail and bicycle modes replacing vehicle-use. Many of us ride and enjoy bicycles, but our trade and service providers cannot, nor can they deliver by train.

Representatives of residents of the approximate 2,000 residents in the six buildings in north Albert Road prepared a comprehensive survey addressing the current use of these spaces by service providers to one of the 6 existing buildings. Extended to the 2,000 residents in the 6 towers, this survey alone measures parking use for 160 service providers per day.

There is one existing planning permission for a new residential tower at 28 Albert Rd, and there are 5 further sites on this road frontage opposite the reserve which are most likely to be developed in future years. This will double the current population to 4,000 residents and double the demand for utility parking.

The Council has in many cases limited historic parking provisions within these buildings as part of permits because it was able to provide these on-street service car spaces. They cannot now be simply removed!

The solution for north Albert Rd and future approvals in this locale must provide the replacement of adequate service spaces plus the provision in all-new planning permits to provide self-contained utility and visitor parking sufficient for their own needs. This may require changes to the planning scheme to ensure the incorporation of appropriate measures.

The Officers response does not address the reports precise analyses of the problem. We ask that this joint letter be referred again to the departmental officers for a solution and replacement of these spaces, not an obfuscation.

I thank you and seek your serious support for the community.

Eugene Volovich - Item 12.1 Amendment C161Port (Update Amendment) - Consideration of Submissions and Request to proceed to Independent Planning Panel

I OPPOSE THE PROPOSED AMENDMENTS TO THE PLANNING SCHEME FOR THE FOLLOWING REASONS:

1. 96G has no intrinsic heritage value.
2. In his report Mr Helms relies on an obscure journal citation for arriving at the conclusion that the 96G has some heritage value and moreover resolves that such value is Significant.
3. In fact 96G which comprises of 4 single storey units, for all intents and purposes have the appearance of extremely run down ordinary Edwardian buildings.
4. If the buildings had any heritage value (which is not the case) have been so significantly altered over many years that any such alleged heritage value has been completely lost. The substantial alterations to the buildings and 96G property generally include, but are not limited to the following:
 - (a) Fully building in the original balconies
 - (b) Replacement of original roof
 - (c) Erection of a high brick fence and gates
 - (d) Significant fencing within the internal courtyards (which courtyard was claimed to be part of the unique heritage feature/aspect of 96G)
 - (e) External painting of all buildings
 - (f) Other significant external alterations

OTHER FACTORS RELEVANT TO COUNCIL TO TAKE INTO ACCOUNT

1. 96G comprises of an allotment of 900sm in general zone directly across the Street from the newly constructed Sacred Heart Hostel building.
2. The 96G improvements / buildings comprise of four modest and run down 2 and 3 bedroom single level - **units with 1 shared car space between them** - so the land is effectively private land providing very modest, low amenity accommodation
3. 96G is an exceptional development site suitable for the possible construction of quality affordable apartment housing for the local community with excellent amenity.
4. The owners see the future of 96 as housing a multi level apartment development with ample carparking similar to other low cost public housing similar others on Grey/ Inkerman Street.
5. Locking up this site without having a solid heritage basis is not in the interests of the community or planning policy.

I would encourage each and every councillor to drive past and inspect 96G to evaluate this for themselves.

Peter Holland - Item 12.2 St Kilda Marina - Proposed New Lease Agreement - Response to Submissions

I support the proposed lease. The current marina is a higgledy-piggledy collection of rundown buildings and is perceived largely as a private area. It is not welcoming of the general public. Council's vision for the marina in the Site Brief is: 'A special Place on the foreshore **for everyone** (my emphasis) that welcomes a diversity of sustainable uses anchored by a working

marina'. It is completely proper for the new lease to offer many benefits for the general public. One benefit is that it provides bucket-loads of public open space.

I wish to address the issue of the bridge. At the 2 September meeting I made a verbal submission on how this should be funded with revenue rising from the lease. This has not been addressed in the officers' report to the present meeting. I think it important to put this on the public record and for Councillors to get a response from officers.

Council's expert witness on Urban Design, Professor Rob McGauran, submitted to the Independent Panel on the Planning Scheme Amendment that a bridge over the marina mouth would be a wonderful extension to the Bay Trail. However, he also said that because this conferred a broad public benefit, the funding for this should come from the public purse, not the marina operator. A bridge would be expensive as it would have to be retractable to provide for boats with tall masts and boats seeking shelter from the storm.

In its wisdom, Council failed to provide sufficient commercial incentives for AMDC to include a bridge over the marina mouth in its successful proposal. This was a 'nice to have', not a 'have to have'. But there is an opportunity to provide a bridge at a later stage.

It appears that Council will receive an appropriate market rental, unlike the current position. AMDC will pay a base rent of \$750,000 pa (indexed), about three times more rent than at present (after the initial four years at a reduced rent of \$134,000).

Council is not free to treat this rental income as part of its general revenue. The St Kilda Land Act gives Council power to enter into a long-term lease but imposes restrictions on what Council can do with its rental income.

Section 6(2) of the St Kilda Land Act states that:

The moneys received by way of premium or rent in respect of any such lease shall be applied by the council of the City of St. Kilda towards the maintenance and improvement of so much of the land which is subject to the Orders in Council referred to in this Act and of which it is the committee of management as is not leased under this Act or for such other purposes as the Minister in any particular case approves.

It is appropriate that a significant proportion of the Council's rental income be pledged to the future construction of a bridge. I suggest that Council should hypothecate \$100,000 for the first four years and \$250,000 each subsequent year towards building a bridge in the future.

Jeremy Blackshaw – Both item 13.2 Linden New Art 2020 Funding Deed and item 14.5 Proposed Tenancy Agreement (To Finalise) - Linden Art Gallery

I'm Jeremy Blackshaw, the Chair of Linden New Art at 26 Acland Street, St Kilda.

Linden's funding deed and lease are before you tonight for consideration. On behalf of our Board and Linden's hard-working staff, I appeal to you to approve these.

I joined the Linden Board five years ago. I'm a lawyer and joined because of Linden's outsized reputation as a contemporary gallery and supporter of the arts, both in the City of Port Phillip and beyond.

Linden's Board is equally committed to Linden and provides a diverse array of skills and expertise. Fellow members include:

- Owen Craven – Our Deputy Chair - Director and a Senior Curator at global public art and design firm, UAP, based in the City of Port Phillip.

- Phillip Richards – Our Treasurer - Director and Financial Advisor at Endorphin Wealth Management,
- Paul Dudlig – Chief Operating Officer, Australian National University
- Scott Thomson - Managing Director at the global communications and marketing firm - Edelman
- Biheng Zhang – Director of Philanthropy at the Pollinate Group
- Arvind Vasan - General Manager of Group Strategy and Development at NAB, and...
- Ann Byrne – who brings a wealth of Board experience, currently a Director of Oxfam Australia, LUCRF Super and ECPAT International.

Negotiating this lease and funding deed began in October last year.

Negotiations on both sides have been guided by the principle of moving beyond the traditional 2 – 3 -year funding cycle to a longer-term partnership with Council where we can deliver more exceptional outcomes and opportunities for the community.

As is noted, we'll continue to negotiate on assuming responsibility for maintenance of the building. This is important for the governance of Linden as it ensures we can test the market and be sure it represents best value for both Linden and Council.

Your approval of this funding deed and lease will provide a stable and secure foundation for the organisation. We'll continue work hard to secure supplementary funding that's required to support our work.

Since March we secured

- \$28,000 from Creative Victoria through its Organisational Investment Program
- \$25,000 in donations from our family of supporters

And have applied for a further \$130,000 from other sources including government, philanthropic foundations and local businesses. 2020 has thrown up more than the usual challenges. The Linden team has adapted quickly and has found innovative new ways to continue to serve the community.

Suspending our work was not an option. Instead, the team responded creatively, finding ways to continue serving the community and the artists we work with. For example,

- We moved our exhibitions and events online and in multiple languages, attracting visitors from the local community, across Victoria, from across Australia, and even internationally.
- We adapted our exhibition program to ensure we honour commitments to 8 mid-career artists
- We've adapted our Arts Industry Placement Program; delivering webinars with high calibre speakers who generously share their insights about careers in the arts.
- We created comprehensive public health and safety procedures for re-opening, which have been used as best practice in MAV training sessions.

We will continue to adapt and evolve to provide exceptional art experiences in real-life or virtually, as circumstances allow.

We achieve all this with a remarkable team of 4.4FTE.

I will now hand over to our powerhouse Director, Melinda Martin, to address Council.

Melinda Martin – Both item 13.2 Linden New Art 2020 Funding Deed and item 14.5 Proposed Tenancy Agreement (To Finalise) - Linden Art Gallery
I'm Melinda Martin, the Director of Linden New Art.

Tonight, I appeal to you to approve the lease and funding deed.

Your approval will allow us to continue to fulfil our mission and serve the community, rather than exhausting resources on funding applications.

At Linden, we stage exceptional exhibitions by leading, mid-career artists. We attract thousands of visitors to St Kilda, which in turn supports businesses around us.

We're an important part of the fabric of St Kilda and the City of Port Phillip, both as a cultural institution and as a driver of economic growth.

This funding agreement will have multiple short-term impacts.

- It will enable us to try new things, adapt, learn and grow. We are turning our COVID experience into an opportunity to extend our audiences online, increasing digital AND physical visitation.
- The funding will help the community feel safe in our space. We'll present programs in languages other than English to reduce the barriers to participation among multi-cultural communities.
- It will furnish us with actionable insights, deepen our understanding of the needs of audiences to enable us to tailor our programs to meet those needs.
- We'll celebrate the 30th Birthday of the Linden Postcard Show. There is an urgency to bring people together to connect over art and build confidence in the community after an incredibly challenging year.

The funding will also have longer term impacts.

- It is an investment in Linden's ability to deliver engaging exhibitions by mid-career artists, physically and online.
- It allows us to invest in the capabilities and wellbeing of our team.
- And it's an opportunity for Linden and Council to work together to deliver exceptional outcomes in partnership like our Dark Water Swim in midwinter and collaboration with Melbourne Fringe – Design Fringe festival, presenting a dynamic array of events throughout the festival period.

Now more than ever, art has the power to bring people together and we believe this funding will help us to do that.

We are excited about our future. We hope you will support this funding deed and lease, so we can be back in 10 years' time – celebrating all the great things we have achieved together.

Thank you.

The following statements were submitted prior to the meeting and a summary of the statements were read out during the meeting by the Coordinator Governance.

Adrian Jackson - Public Question Time

1. Can council give an update on the resident petitions from previous council meetings for playground equipment on nature strips?
2. Councillors' images on the webcast are too small, distorted or dropping out. Can council fix it?

David MacGowan - Item 7.1 Response to Joint Letter regarding Inadequate Vehicle Parking - G12+ Domain Precinct Residents' Group

I am alarmed and very disappointed in the Officer response to very detailed and persuasive submission made regarding the future impact on North Albert Rd residents and businesses caused by the current Anzac Station built form outcomes.

Under 'Car Parking Supply' the officer refers to the Council submission supporting 'conversion of roads and car parking into public space, improving the public realm, community space'.

What a shocking misrepresentation of the outcome:

Firstly, who should Council ensure benefits most with respect to the public realm and community space? Surely it is the community in the immediate area – namely the residents and businesses (including offices) that are in that area, in this case, North Albert Rd.

Secondly, the built form station legacy has already turned 6 metres of the widest part of the original Albert Road Reserve green space into hard space due to the size of the interchange. In addition, the design proposes to turn more of the remaining widest part into hard pavement to accommodate commuters and infrequent gatherings.

Thirdly, adjacent to the 'new' reserve, space is provided for drop offs, buses and work vehicles associated with the station – an influx of vehicles to what was a local area with substantial parking capability to service the local community.

The Officer submission also draws attention to VC148 – the removal of statutory requirements re visitor parking. In view of the limited parking in the area more broadly and the impact of C107 outcomes in terms of development density, there is no reason why the Council cannot continue with a requirement to provide visitor spaces in all new developments and win the argument at VCAT

The Draft Public Space comment ignores the close proximity of Albert Park Lake and The Shrine and surrounds – very popular inclusions in developer supporting documentation suggesting the lack of need for private open space in developments in the area.

The fact that Anzac Station supports the Move, Connect, Live strategy of Council is of no consolation to the residents and businesses i.e. the community in the immediate area.

Once again, broad strategies that grow legs are allowed to run like bulldozers over the community and lip service is given to the expression of real concerns. If no heed is taken, the future outcomes will be a damning indictment of this Council and its officers legacy.

Daniella Greenwood – Item 12.1 Amendment C161Port (Update Amendment) - Consideration of Submissions and Request to proceed to Independent Planning Panel

I am the owner/occupier of a unit in the complex of 58-60 Queens Road, Melbourne. My apartment is described as mid-twentieth century Moderne - the building, parking and grounds are a landmark in the local Port Phillip community. I am so proud to own this little piece of Port Phillip history. When I explain to friends and colleagues where I live, they invariably say something like "Oh, that one, it is beautiful". Yes, it 'is' beautiful, and I purchased it a few years ago with an understanding that I would be the steward of a very special landmark. Although it was not officially recognised at the time, I absolutely assumed that the building and stunning grounds were to be protected.

I am in strong support of the proposed Heritage Overlay for the complex at 58-60 Queens Rd, Melbourne. Unfortunately, I have not been actively involved with the Body Corporate and so my full support for this proposal has not been officially registered.

I want to state for the record my full support as an owner/occupier of the proposed Heritage Overlay.

Finlay Macrae - Item 12.1 Amendment C161Port (Update Amendment) - Consideration of Submissions and Request to proceed to Independent Planning Panel

I write to support the Heritage Listing of the Charles Young built Functional Style buildings at 55-60 Queens Rd. Melbourne continually risks losing its heritage, history and architectural legacy without the protection afforded by Heritage Listing. None of us want to pass on and environment that has little to recommend itself to future generations through a policy of tear down and rebuild that inevitably follows sites not so protected. I would applaud the City Council with my vote at least if it does so vote."

Paul Simmonds - Item 12.1 Amendment C161Port (Update Amendment) - Consideration of Submissions and Request to proceed to Independent Planning Panel

This is a statement in opposition to the adoption of that part of Amendment C161port concerning the properties located at 58, 59 and 60 Queens Road.

Of the almost 150 submissions made in respect of this amendment the overwhelming number were with respect to these three, three storey properties and of those submissions with respect to these properties all but 3 were in support.

It is indeed interesting that one can surmise from the albeit heavily redacted submissions published by Council that virtually all of these submissions in favour of the amendment come from owners in the "Yve" apartments on St Kilda Road which quite simply are immediately behind the properties at 58, 59 and 60 Queens Road, with those "Yve" owners on the West side of the building having an unobstructed view over Albert Park Lake and the Bay.

Whilst some of these submissions ostensibly are on the grounds of the intrinsic aesthetic architectural worth of the properties and surrounding gardens a number of submissions are not so coy and make it clear that their real concern is that the potential development of these properties would lead to a loss of view for these "Yve" owners on the West side of the building.

I do not believe that it is the intent of the heritage overlay system for it to be used by disaffected individuals to stifle potential development and for this reason alone these submissions should be discounted and not given any weight.

Further, as an owner of an apartment at 58 Queens Road I can tell you that the "well-maintained buildings" and "nicely manicured gardens" that some submissions speak of come at a hefty financial cost.

These are 80-year buildings after all with very poor plumbing (\$30,000 annual cost for repairs and maintenance), aging and leaking tiled roofs, garden maintenance (\$26,000 per annum) and replacement of windows which have to be individually designed and fabricated costing \$6,000 each.

It is not fair on existing owners that they will be put to such large and growing financial outlays in the future to maintain the building and surrounds. The properties have been well maintained under the current heritage overlay status and there is no reason to upgrade that status from contributory to significant.

Peter Tanner - Item 12.2 St Kilda Marina - Proposed New Lease Agreement - Response to Submissions

1. Additional Structure - northern end of Peninsula

There is an additional proposed structure at the northern end of the peninsula. In the council response to my query on this issue, it is stated "This addition at the end of the shed will provide visual interest to the site when viewed from the north and is located ideally to service the Marina requirements, particularly the Australian Volunteer Coast Guard in term of surveillance and access."

As a resident located at the northern end of the marina, it does not contribute to residential visual interest and I don't understand how such a structure aids in surveillance and access, as an equivalent type structure has not been needed over the past 50 years.

I would note that the Peninsula shed footprint is proposed to be approximately 240 meters in length, to suggest that a structure at the northern end will add to visual interest when the alternative is greater bay views is very doubtful.

I also don't believe that this structure is consistent with the Port Phillip planning scheme - "St Kilda Foreshore area policy" section 22.09-2 objectives "To maintain and enhance views and vistas and, where appropriate, create new views and vistas".

2. Public boat ramp

The Community surveys completed by the council showed that "Participants were predominately in support of ramp relocation". I have previously noted my concern for the safety risk of the proposed location, being located between and along side the large Riva restaurant and Civic heart, which will host several events per year. (refer section 3.6.4 - St Kilda Marina - proposed new lease agreement)

The reply I received from the council officers did not mention the proximity to the restaurant and to the civic heart. Nor did it address the benefits of relocation, being close to the marina entrance, away from high activity, being close to dry stack service and being close to the fuelling.

As a marine licence holder and regular trailer boat launcher, the last thing I want is to incur a busy area that places added stress with this activity. That would increase the likelihood of mistakes resulting in accidents.